

## NORTHERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 24 NOVEMBER 2010 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

#### **Present:**

Cllr Chuck Berry (Reserve), Cllr Peter Colmer, Cllr Peter Davis, Cllr Bill Douglas, Cllr Peter Doyle, Cllr Mollie Groom (Reserve), Cllr Peter Hutton, Cllr Howard Marshall, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

#### **Also Present:**

Cllr Howard Greenman, Cllr Jacqui Lay, Cllr Jemima Milton, Cllr Jane Scott OBE and Cllr Dick Tonge.

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#### 123. **Apologies for Absence**

Apologies for absence were received from Cllr Christine Crisp (who was substituted by Cllr Chuck Berry) and Cllr Alan Hill (who was substituted by Cllr Mollie Groom).

#### 124. **Minutes**

##### **Resolved:**

**To confirm and sign the Minutes of the meeting held on 3 November 2010 as a correct record.**

#### 125. **Declarations of Interest**

Cllr Tony Trotman declared a personal and prejudicial interest in Minute No 129 (f) – Application No 10/03360/FUL, Hill Brook House, Quemerford, Calne, owing to his close family relationship to the applicant, and stated that he would leave the Council Chamber for the duration of the item.

In view of the absence from the meeting of Cllr Alan Hill, the Vice-Chairman, it would be necessary to elect a Chairman for consideration of this application.

126. **Chairman's Announcements**

There were no Chairman's announcements.

127. **Public Participation**

Members of the public addressed the Committee as set out in Minute No. 129 below.

128. **Planning Appeals**

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

- (i) forthcoming hearings and public inquiries between 11 November 2010 and 31 January 2011.
- (ii) planning applications received between 20 October and 11 November 2010.
- (iii) Planning appeals decided between 20 October and 11 November 2010.

129. **Planning Applications**

1a **10/02399/REM - Land at Brynards Hill, Wootton Bassett, SN4 7ER - Erection of 100 Dwellings and Associated Works**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report, which recommended approval, and drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions, after which the Committee received a statement from a member of the public as detailed below, expressing his views regarding this planning application.

Mr G Yates, representing Wootton Bassett for Brynard's Hill Interest Group, requested that conditions be strengthened to protect the hedgerow along the eastern boundary of the site.

On hearing from Cllr Peter Doyle, the local Member and after discussion,

**Resolved:**

**To approve the reserved matters for the following reason:**

The scale, design and siting accords with the outline permission granted under 09/00871/OUT and would not result in the detrimental impact on any residential amenities, landscape, ecology, archaeology or highways. The proposal thus accords with Policies C2, C3 and NE15 of the adopted North Wiltshire Local Plan 2011.

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.

#### **POLICY- C3**

2) Prior to the commencement of development a tree and hedgerow protection plan in line with the requirements of BS 5837:2005 'Trees in relation to construction Recommendations 'should be submitted to and approved in writing by the LPA. The approved method and line of protective fencing should be erected around the approved Root Protection/Construction Exclusion areas before any construction operations are commenced on site. The plan should consider likely requirements for temporary access, compounds and storage areas etc.

**REASON:** Necessary for protection of existing retained landscape features during course of construction phases.

#### **POLICY C3**

3) Prior to the commencement of development a timetable for the implementation of the proposed landscaping hereby approved along the length of the eastern residential development site boundary, extending into the adjacent 'Country Park land' shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved timetable.

**REASON:** It is necessary to ensure the landscaping is implemented in a phased manner to reduce the public visual amenity and to safeguard local landscape character and the wider countryside character and town setting for Wootton Bassett.

**4) The landscaping scheme hereby approved shall be implemented in full within the first planting season following completion, or agreed phased completion (the definition of road completion in this instance shall mean completion to a 'finished binder/regulating course' construction) of the main residential access road leading from Binknoll Lane into the Brynard's Hill residential development site. The landscaping scheme along the eastern edge shall be fully implemented prior to first occupation of any dwelling unless otherwise agreed by the Local Planning Authority in the form of an application to vary to this condition.**

**REASON: Necessary for the purpose of separating and screening new development from the proposed Country Park Land and wider countryside. In order to protect the interests of public visual amenity and safeguard local landscape character and the wider countryside character and town setting for Wootton Bassett.**

### **POLICY C3**

**5) Prior to the commencement of development the applicant shall submit a landscape maintenance schedule or management plan to the LPA for written approval. This should include a minimum period of 5 years and include the aftercare and management proposals for existing and proposed landscaping across the development site and shall also include details for the aftercare of the screening vegetation (outside the red line planning application boundary on land within the applicants control) bordering the access road within the Country Park land.**

**REASON: To ensure that the necessary landscape mitigation proposals will establish to a satisfactory standard, and that a mechanism for landscape maintenance including replacement of dead or missing plants is in place for a minimum period of 5 yrs following implementation.**

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

- (a) 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 (plan no less than 1:200);**
- (b) finished levels across the site and contours;**
- (c) hard surfacing materials;**
- (d) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);**
- (e) bat boxes and other mitigation details**

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

**POLICY C3 NE15**

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

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

**POLICY- C3 NE15**

**8) No development approved by this permission shall be commenced until a full operation and maintenance strategy has been submitted to and formally approved in writing by the Local Planning Authority. The strategy shall identify all future land use limitations, identify the ownership, operational and maintenance arrangements for the works over the lifetime of the scheme.**

**REASON:** To ensure that the works provide the necessary mitigation against flooding for the lifetime of the existing and proposed development.

**9) The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.**

**REASON:** To ensure that the development is served by an adequate means of access.

**POLICY C3**

**10) No dwelling shall be occupied until the parking space(s) together with the access thereto, have been provided in accordance with the approved plans.**

**REASON: In the interests of highway safety and the amenity of future occupants.**

**POLICY C3**

**11) 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.**

**REASON: To safeguard the amenities and character of the area and in the interest of highway safety.**

**POLICY- C3**

**12) 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 plots 9-13, 42, 51, 52, 54 and 61.**

**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**

**13) Notwithstanding the contents of the submitted plans, the hedgerow along the eastern boundary of the site as shown on drawing no. 1566/03G dated 22 November 2010, shall be no less than 8 metres in width and continuous in length outside of the approved footpath linkages to the adjacent Country Park.**

**Reason: In the interests of the visual amenity of the character and appearance of the site and the immediate and wider countryside at**

this location.

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.

#### **WSP Drawings**

31364/PDL/02B Preliminary Drainage Plan Phase 1 dated 29/11/10  
31364/PHL/01D Preliminary Highway Plan dated 29/11/10  
31364/PHL/02D Preliminary Highway Profiles dated 12/11/10

ATR/01 Rev D dated 25/11/10

#### **SBD Drawings**

1566/01C Site Location Plan dated 11/11/10  
1566/02J Site Layout dated 22/11/10  
1566/03G Landscape Layout dated 22/11/10  
1566/04A Street Elevations dated 20/9/10

1b **10/02146/FUL - Land at Stoke Common Lane, Purton Stoke, Swindon - Stables and Arena & Creation of New Access**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report, which recommended approval, and drew members' attention to the late items.

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

On hearing the views of Cllr Jacqui Lay, the local Member and after discussion,

#### **Resolved:**

**To grant planning permission for the following reason:**

**The proposed stables, riding arena and access are considered to be acceptable in this location where the built development will be largely screened by existing hedging and the new access, although removing a section of hedge, will not cause sufficient harm to justify a refusal. The application is considered to be in accordance with policies C3,**

**NE15 (NE14) 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 stables hereby permitted shall be used only for the private stabling of horses owned by the occupier together with associated storage and for no commercial purpose whatsoever, including livery. The riding arena hereby permitted shall be used only for the exercise of horses owned and ridden by the occupier and kept at the site and for no visiting horses or for any other purpose.**

**REASON: In the interests of highway safety and/or to protect the living conditions of nearby residents.**

**POLICY—C3**

**3. Manure storage and disposal shall be by way of the method described in the applicant's letter dated 28<sup>th</sup> September 2010 and this method shall be permanently maintained thereafter.**

**REASON: In the interests of the amenity of the countryside.**

**POLICY C3**

**4. There shall be no parking or stationing of horse boxes, trailers, caravans or other vehicles during the hours between dusk and dawn on the site notwithstanding any GPDO 1995 permitted development rights which may apply.**

**REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.**

**POLICY—C3**

**5. No development shall commence on site until details of finished levels, surfacing materials and any fences and gates have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the**

approved details.

**REASON: In the interests of visual amenity**

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

**Location plan/block plan dated 4<sup>th</sup> November 2010, elevation plan dated 18<sup>th</sup> June 2010, access plan dated 4<sup>th</sup> November 2010, arena plan dated 18<sup>th</sup> June 2010**

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

**7. Prior to the commencement of the development hereby permitted, details of any method of illumination shall be submitted to and approved in writing by the local planning authority. The approved details shall be the only method of lighting use at the site.**

**REASON: In the interests of the amenity of the countryside.**

**INFORMATIVE:**

**It is considered that four stables at this location are the maximum that are permissible having regard to the character and visual amenity of the area.**

**1c 10/03218/FUL - Land at Stoke Common Lane, Purton Stoke, Swindon, SN5 4LJ - Stables and Menage**

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report, which recommended approval, and drew members' attention to the late items.

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

On hearing the views of Cllr Jacqui Lay, the local Member and after discussion,

**Resolved:**

To delegate to the Area Development Manager to clarify the legal position in respect of the storage of the existing caravan on the site in the context of condition 4 of 10/02416FUL and approve subject to amended conditions:

**2. The stables hereby permitted shall be used only for the private stabling of horses owned by the occupier together with associated storage and for no commercial purpose whatsoever, including livery. The riding arena hereby permitted shall be used only for the exercise of horses owned and ridden by the occupier and kept at the site and for no visiting horses or for any other purpose.**

**REASON: In the interests of highway safety and/or to protect the living conditions of nearby residents.**

**POLICY—C3**

**4. There shall be no parking or stationing of horse boxes, trailers, caravans additional to that already on site or other vehicles during the hours between dusk and dawn on the site notwithstanding any GPDO 1995 permitted development rights which may apply.**

**REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.**

**5. No development shall commence on site until details of finished levels, surfacing materials, any fences and gates have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.**

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

**POLICY C3**

**INFORMATIVE:**

**It is considered that four stables at this location are the maximum that are permissible having regard to the character and visual amenity of the area.**

1d **10/02378/FUL - Chippenham Golf Club, Malmesbury Road, Langley Burrell, SN15 5LT - Demolition of Existing Golf Clubhouse; Construction of a Replacement Clubhouse & the Erection of 75 Extra Care Dwellings & 61 Bed Care Home alongside Ancillary Communal Facilities**

**The following person spoke against the proposal:**

Mr Glen Godwin, Pegasus Planning Group, representing Avebury Health Care.

**The following people spoke in favour of the proposal:**

Mr John Sneddon, the agent.  
Mr Paul Barrett, a member of the Chippenham Golf Club.

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report, which recommended refusal, and drew members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions, after which the Committee received statements from members of the public as detailed above, expressing their views regarding this planning application.

On hearing the views of Cllr Howard Greenman, the local Member and Cllr Jemima Milton, the Council's Cabinet Portfolio Holder for Adult Care both supporting the application mainly on account of the serious need for additional residential care facilities and after discussion,

**Resolved:**

**To delegate to the Area Development Manager to grant planning permission subject to conditions following discussions with the applicant to secure amendments to fenestration features on the south west corner block having regard to the adjacent existing care home and completion of a Section 106 agreement or agreed conditions as appropriate in respect of age/disability criteria of occupants, marketing for local occupants, retention in perpetuity as a care home/extra care dwellings facility and an agreed travel plan.**

**REASONS**

**By reason of the sites location immediately adjacent to substantial development on the edge of Chippenham and in acknowledgement of the great need for additional residential care home accommodation in**

the locality, it is considered that the proposed development would not visually harm the northern approach to Chippenham town and therefore be in accordance with the provisions of Policies C3 and NE15 of the adopted North Wiltshire Local Plan 2011

1e **10/03649/FUL - 23 Poole Green, Neston, Corsham, SN13 9SN - Single Storey Extension, Porch & Upper Storey Extension (to convert Bungalow to Two Storey Cottage)**

**The following person spoke against the proposal:**

Mr Cosgrave, a local resident.

**The following person spoke in favour of the proposal:**

Mr Eric Moore, the applicant.

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report, which recommended approval, and drew members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions, after which the Committee received statements from members of the public as detailed above, expressing their views regarding this planning application.

On hearing the views of Cllr Dick Tonge, the local Member and after discussion,

**Resolved:**

**To grant planning permission for the following reason:**

**The proposed development is considered to be acceptable based on its scale and design which are in keeping with the character and appearance of the property and will not have a significant adverse impact on the amenities of neighbouring residents. The proposal is in accordance 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. **No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

**POLICY- C3 and HE8**

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

**Plans 47/01; 47/02; 47/03; 47/04 Dated 23/09/10**

**Plans 47/05B; 47/06B; 47/07B; 47/08B; 47/09B Dated; 06/10/10**

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

**1f 10/03360/FUL - Hill Brook House, Quemerford, Calne, SN11 8LF - New dwelling - Amendment to 04/03639/FUL**

- (i) Councillor Tony Trotman declared his personal and prejudicial interest in this item and left the room.

The remaining members were then invited to elect a replacement chair for the item and following nominations and voting it was,

**Resolved:**

**That Cllr Peter Davis should act as Chair for this item.**

- (ii) **The following people spoke against the proposal:**

Mrs Zoe Kelly, a local resident.

Mr Kelly, a local resident.

**The following person spoke in favour of the proposal:**

Mr Robert Willis, the applicant.

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report, which recommended refusal, and drew members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions, after which the Committee received statements from members of the public as detailed above, expressing their views regarding this planning application.

The Committee then considered the application and it was

**Resolved:**

**To refuse planning permission for the following reason:**

**The proposed development would have an overbearing, oppressive and therefore unacceptable effect upon the living conditions, privacy and general amenity of the adjoining residential property. As such the proposal is considered to be contrary to the provisions of Policies C3 and H8 of the adopted North Wiltshire Local Plan 2011.**

ClIr Tony Trotman thereupon rejoined the Committee and took the Chair.

130. **Date of Next Meeting**

It was reported that the date of the next meeting had been scheduled to take place on Wednesday 15 December 2010.

A Civic Carol Service was being held in Devizes on the same date starting at 7.00pm and in these circumstances the Committee was asked to consider changing the date of its meeting.

**Resolved:**

**To meet on 15 December 2010 as scheduled in view of Members' other commitments.**

131. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00pm to 9.10pm)

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

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