

**Draft Minutes of the Development Control Committee Meeting held on Wednesday, 15<sup>th</sup> October 2008 in the Council Chamber, Level –1, Monkton Park, Chippenham, commencing at 6:00pm**

**Present**

Councillor J.P.S.S. Thomson (Chairman)

Councillors K.A. Banks, J.P. Doubell, S.K. Doubell, G.R. Greenaway, R. Henning, A.K. Hill, H.T. Jones, E. Marston, S. Meadows, R.L. Miles, and A. Phillips

**County/Town/Parish Council Representatives**

Councillor O. Gibbs Brinkworth Parish Council & Wootton Bassett Town Council

**Other Councillors Present**

Councillors T. Clements, M.P. Hatton and C.V. Ramsey

**Officers Present**

S. Canter (Development Services Administration Manager), P. Jeremiah (Legal Services Manager), C. Symes (Democratic Services Assistant), B. Taylor (Principal Planning Officer) and M. Todd (Senior Democratic Services Officer)

**D39. Apologies for Absence**

Apologies were received from Councillors T. Sturgis, T. Trotman and C. Wannell

**D40. Membership**

The Committee were notified of the following changes of membership for one meeting only:

<b>Councillor to be Replaced</b>	<b>Replacement</b>	<b>Political Group</b>
T. Sturgis	R. Miles	Conservative
T. Trotman	A. Hill	Conservative
C. Wannell	I. Henderson	Conservative

**D41. Public Question Time/Receipt of Petitions**

The following public question was read out:

As you may be aware gypsies have purchased Purdy farm, which is situated in Wood Lane, Brinkworth. Having been advised some 2 weeks ago by near residents, that further gypsy/travelling fraternity would be arriving on Saturday/Sunday 11-12 October 2008 to construct a road way , caravan pitches, mains water and drainage etc. Due to Purdy Farm being in Lydiard Tregoze parish which also butts up to Lydiard Millicent and Brinkworth Parish boundaries.



I advised the Lydiards Parish Councils, North Wiltshire District Council also county councillors Mrs Mollie Groom, who in turn advised the gypsy officer at Wiltshire County Council, Trowbridge.

Chairman, I can report and confirm this evening that these gypsy/ travellers did arrive on Saturday with plant and material to lay a road, together with hard standings, pitches for their caravans etc.

Can you please assure that everything was done to prevent these travellers moving on to this site, constructing a roadway, hardstanding, pitches for their caravans, without planning permission or was it a complete waste of time and phone calls advising the councils, only to find we now have another Minety situation.

The Chairman responded as follows:

Officers were aware of a possible intention by gypsies to occupy a site at Wood Lane , Braydon ,last weekend and had visited the site the previous week, as soon as they were alerted to the fact that gypsies may be moving onto the site. However, in such circumstances, no enforcement action can be taken in advance of any form of development actually taking place.

A procedure was put in place whereby two officers from the Council's Planning Enforcement Team were on standby over the weekend. Temporary Stop Notices relating to the use of the site for residential accommodation and the creation of hardstandings were drafted and were ready to be served over the weekend in the event of caravans turning up . Despite being on standby , Officers of the Council were not alerted to the gypsies having moved onto the site, until Monday morning.

On Monday morning an Officer visited the site and I can report that Temporary Stop Notices, which are effective for 28 days, were served on the occupants, to prevent further caravans being brought onto the land and any further hardstandings being created. A planning application was received by the Council over the weekend for the establishment of a 2 pitch gypsy site. Although it lacks certain information and therefore cannot be registered at present, the application will be considered on its own merits, through the normal planning process.

I can assure Members and the public that everything was done to address this particular situation.

#### **D42. Minutes**

The minutes of the meeting held on Wednesday 24<sup>th</sup> September 2008 (circulated with the Agenda) were considered.

**Resolved** that the Minutes of the Development Control Committee held on 24<sup>th</sup> September 2008 be confirmed as a correct record.

#### **D43. Chairman's Announcements**

The Chairman made the following announcements:

Items 7(b) 1, 2 and 3 were deferred

**Open Forum:**

Open Forum – The standard announcement concerning the procedure for the Open Forum was taken as read.

**D44. Declarations of Interest**

<b>Name</b>	<b>Application /Item</b>	<b>Type of Interest</b>	<b>Nature of Interest</b>	<b>Action</b>
Cllr J.P.S.S. Thomson	9 – Amendment to Refusal reason relating to 08/00706/FUL	Prejudicial		Left the chamber during the consideration of the item

**D45. Development Control Items**

(a) **Withdrawn Items**

No items were withdrawn.

(b) **Planning Applications**

**Note:** In making the following decisions, the Committee took into account observations by Local Councils and interested parties received subsequent to the preparation of the Agenda and given in the Additional Information Schedule circulated at the meeting. A copy of the Additional Information Schedule is kept in the official Minute Book.

- 08/00024/FUL – Development of 168 Dwellings, Formation of New Means of Access on to Longleaze and Demolition of Number 19, Longleaze, Associated Landscaping, Open Space and Infrastructure – Gerard Buxton Sports Ground, Rylands Way, Wootton Bassett, Wiltshire, SN4 8AY**

**Resolved** that consideration of the application be DEFERRED.

- 08/00826/FUL – Erection of Replacement and New Buildings; Alterations to Vehicular Access, Parking and Servicing Areas; Re-ordering of Outside Display Areas, Circulation Areas & Amenity Areas (Revised Application following Withdrawal of 07/02255/FUL) – Whitehall Garden Centre, Corsham Road, Lacock, Chippenham, Wiltshire, SN15 2LZ**

**Resolved** that consideration of the application be DEFERRED.

- 08/01103/REM – Reserved matters for 04/02024/OUT – 30 dwellings, Brook Farm, Great Somerford, Chippenham**

**Resolved** that consideration of the application be DEFERRED.

**4. 08/01332/FUL – Demolition of Meeting Hall and Construction of Larger Meeting Hall & Associated Landscaping and Change of Use of Land to Form External Car Park – Kingdom Hall, Ernle Road, Calne**

Representations were received from Mrs Garratt and Mr Emmett in objection to the application and from Councillor C.V. Ramsey of North Wiltshire District Council.

Issues discussed during consideration of this item included:

- Drainage problems;
- Density of the development;
- Loss of amenities to current residents; and
- Means of access and overload of existing services;

**Resolved that**

- 1) The application be REFUSED on grounds including, but not limited to, the following reason:
  - The proposed development fails to respect local character and distinctiveness of the area by nature of its design, size, scale, siting and layout. It will also have an adverse effect on the amenities of residential properties in the vicinity due to the size and scale of the building and the potential for additional traffic movements. The application fails to comply with Policy C3 (i) and (iii) of the North Wiltshire Local Plan 2011.
- 2) Authority be delegated to the Development Control Manager to amend the Council's case in the event of an appeal against refusal, if so advised by any consultant appointed to present evidence on the Council's behalf, and/or on Counsel's advice.

**5. 08/01880/FUL – Erection of New House – Land to rear of, 37 Westwells Road, Neston, Corsham**

No representations were received.

Issues discussed during consideration of this item included:

- The views of Corsham Town Council;
- Density of the development; and
- Core policy C3 of North Wiltshire Local Plan 2011.

**Resolved** that Planning Permission be GRANTED subject to the conditions set out in the Agenda.

**6. 08/01929/COU – Change of Use of Land For Enlarging Existing Gypsy Caravan Site for 3 Extra Touring Caravans – Melbourne View, Brinkworth**

A representation was received from Councillor O. Gibbs of Brinkworth Parish Council.

Issues discussed during consideration of this item included:

- Core policy C3 of North Wiltshire Local Plan 2011;
- Policy H9; and
- The encroachment of the development on current dwellings.

**Resolved that**

- 1) The application be REFUSED on grounds including, but not limited to, the following reasons:
  - The proposed development by introducing additional conflicting turning vehicle movements to this fast section of the B4042 class II road would interfere with the free flow of traffic and would be detrimental to highway safety contrary to Policy C3 (vii) of the North Wiltshire Local Plan 2011.
  - The proposal, located remote from services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of PPG13 which seeks to reduce growth in the length and number of motorised journeys contrary to Policy H9 (i) of the North Wiltshire Local Plan 2011.
  - The proposal which would result in caravans being located closer to existing residential properties will have an adverse and unreasonable impact upon the amenities of the occupiers of those properties. The development would also encroach into an open area which would adversely impact upon the character and appearance of the surrounding area. The application proposal is contrary to Policies H9 (ii) and C3 (i),(ii) & (iii).
- 2) Authority be delegated to the Development Control Manager to amend the Council's case in the event of an appeal against refusal, if so advised by any consultant appointed to present evidence on the Council's behalf, and/or on Counsel's advice.

**7. 08/02047/FUL – Erection of New Building with Cafe on Ground Floor (Including Signage) and One Flat Above – Land Off Calcutt Street, Cricklade, Swindon**

A representation was received from Mrs S. Webb of Cricklade Town Council.

Issues discussed during consideration of this item included:

- The views of Cricklade Town Council;
- Parking issues;
- Density and siting of the development; and
- Core policy C3 of North Wiltshire Local Plan 2011.

**Resolved that**

- 1) The application be REFUSED on grounds including, but not limited to, the following reasons:
  - The proposed development by reason of its size, scale, design and layout will have an adverse impact on the character and appearance of the area and will fail to preserve or enhance the Cricklade Conservation Area. The application fails to comply with Policies C3 (i)&(ii) and HE1 of the North Wiltshire Local Plan 2011.
  - The proposed development makes no provision for the accommodation of parking or delivery vehicles for the new cafe or flat which is likely to result in increased on-street parking and additional pressure for existing limited parking provision in the vicinity. This will have an adverse impact on the highway safety, the free flow of traffic and the amenity of the area contrary to Policy C3 (vii) and (viii)
  - The application fails to make any provision for or contribution towards public open space as required by Policy CF3 of the North Wiltshire Local Plan 2011
- 2) Authority be delegated to the Development Control Manager to amend the Council's case in the event of an appeal against refusal, if so advised by any consultant appointed to present evidence on the Council's behalf, and/or on Counsel's advice.

**8. 08/02019/S73A – Demolition and reconstruction of existing stable block to form dwelling (amendment to 04/01967/COU) – Ashley Lodge Farm, Ashley, Box**

Representations were received from Mrs P. Lyons in objection to the application, and from M. Carey of Box Parish Council and from Mrs J. George and Mrs J. Seager in support of the application.

Issues discussed during consideration of this item included:

The views of Box Parish Council;

The 2004 application for Conversion not demolition;

Dwelling development in a green belt area; and

Changes of the actual building from designs submitted;

**Resolved** that Planning Permission be REFUSED due to the following reasons:

1. The proposal is situated within the open countryside, Western Wiltshire Green Belt and Cotswold AONB, where the principle of isolated new dwellings, unrelated to agriculture or forestry, is unacceptable. Furthermore, new residential development in this location will fail to preserve the openness of the Green Belt, nor would it conserve or enhance of the AONB. As such the proposal is contrary to well established planning policy at the local and national level, particularly Policies C3, NE1, NE4 and H4 of the adopted North Wiltshire Local Plan 2011 and national planning guidance contained within PPG2, PPS3 and PPS7.
2. The proposal of for a new dwelling which would be located remote from services, employment opportunities and unlikely to be well served by public transport, is contrary to the key aims of PPG13, which seeks to reduce growth in the length and number of motorised journeys, expressed at the local level by Policy C1 of the adopted North Wiltshire Local Plan 2011.

**9. 08/02030/FUL – Erection of Two-Storey Side Extension To Form Two Flats Following Demolition of Garage (Revision to 08/01182/FUL) – 64 Dickens Avenue, Corsham**

Representations were received from Councillor L. Bray of Corsham Town Council and Ms M. Right (the applicant).

Issues discussed during consideration of this item included:

The views of Corsham Town Council;

- Parking issues;
- Landscaping; and
- Clarification of the S106 agreement.

**Resolved** that subject to the completion of a S106 Agreement as referred to in the Additional Information Planning Permission be GRANTED subject to the conditions set out in the Agenda and

- i. the additional condition as set out in the Additional Information; and
- ii. The development hereby permitted shall not be commenced until details of the landscaping of the site adjacent to the proposed parking areas 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 plant, tree or shrub which is removed, destroyed or dies by a plant, 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.

If in the In the event that an agreement to secure a contribution to public open space has not been completed by 22nd October 2008 that Planning Permission be refused for the following reason:

“The application fails to make any provision for or contribution towards public open space as required by Policy CF3 of the North Wiltshire Local Plan 2011.”

**10.& 11. 08/02032/FUL and 08/02033/LBC – Re-Roofing Farm Office and Boiler House – Brook Farm, Great Somerford**

No representations were received.

**Resolved** that Planning Permission and Listed Building Consent be GRANTED for the following reasons:



In respect of 08/02032/FUL

Brook Farm is a grade II listed building which it is desirable to preserve together with its setting and any other features of interest which it may possess. The proposed restoration of the original roof configuration and finishes is a welcome enhancement which preserves the appearance of the outbuildings together with the setting of the principal farmhouse and the wider farmyard group in accordance with S.666(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990, government guidance set out at PPG15 and policies HE4 and C3 of the Adopted North Wiltshire Local Plan 2011.

In respect of 08/02033/LBC

Brook Farm is a grade II listed building which it is desirable to preserve together with its setting and any other features of interest which it may possess. The proposed restoration of the original roof configuration and finishes is a welcome enhancement which preserves the appearance of the outbuildings together with the setting of the principal farmhouse and the wider farmyard group in accordance with S.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and government guidance set out at PPG15.

**12. 08/02039/FUL – Replacement Dwelling – 3 Acre Cottage, West Kington Wick, Chippenham**

A representation was received from Mr Brain in support of the application.

**Resolved** that the decision be delegated to the Development Control Manager subject to the consultation response from the District Ecologist.

**D46. Variation of Section 106 Agreement – Katherine Park, Corsham**

Consideration was given to Report No 8 (circulated with the Agenda) which sought authority to vary the terms of the Section 106 Agreement relating to Katherine Park, Corsham.

**Resolved** that the terms of the Section 106 Agreement relating to Katherine Park, Corsham be varied to permit the retention of bollards at Bellott Drive and Hatton Way.

**D47. Amendment to Refusal reason relating to 08/00706/FUL**

Consideration was given to Report No 9 (circulated with the Agenda) which asked Members to consider amending the refusal reason only in relation to the Policy Reference.

**Resolved** that the refusal reason for 08/00706/FUL be corrected to read:

“The proposed lodges at The Wiltshire Golf and Country Club are considered to conflict with Policy C3 (i) and (ii) and Policy TM1 of the North Wiltshire Local Plan. The scale of the proposal is inappropriate representing a significant increase in the amount of accommodation provided at the existing facility and will have an adverse impact on the appearance of the area. Despite the energy efficiency demonstrated by the proposed construction of the lodges this does not outweigh the Policy objections.”

The meeting started at 6.00pm and finished at 8:05pm

There were 23 members of the public present.