

Draft Minutes of the Development Control Committee Meeting held on Wednesday, 25th February 2009 in the Council Chamber, Level –1, Monkton Park, Chippenham, commencing at 6:00pm

Present

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

Councillors C. Crisp, J.P. Doubell, S.K. Doubell, G.R. Greenaway, R. Henning, A.K. Hill, H.T. Jones, J.A. Phillips, N. Phillips, R.F. Sanderson, T.R. Sturgis, A.J. Trotman and C. Wannell

County/Town/Parish Council Representatives

Councillor B. Ford Yatton Keynell Parish Council
Councillor O. Gibbs Brinkworth Parish Council & Wootton Bassett Town Council
Councillor P. Reynolds Chippenham Without Parish Council

Other Councillors Present

Councillors C.J. Caswill and J.A. Scott

Officers Present

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

D76. Apologies for Absence

Apologies were received from Councillors K.A. Banks, E. Marston and S. Meadows

D77. Membership

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

Councillor to be Replaced	Replacement	Political Group
E. Marston	A.K. Hill	Conservative
S. Meadows	N. Phillips	Conservative

D78. Public Question Time/Receipt of Petitions

None received

D79. Minutes

The minutes of the meeting held on Wednesday 28th January 2009 (circulated with the Agenda) were considered.

Resolved that the Minutes of the Development Control Committee held on 28th January 2009 be confirmed as a correct record.

D80. Chairman's Announcements

The Chairman made the following announcement:

Items 7(b) 10 and 11 would be brought forward to be discussed at the beginning of the meeting.

Open Forum:

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

D81. Declarations of Interest

Name	Application /Item	Type of Interest	Nature of Interest	Action
Councillor A.J. Trotman	5 - Demolition of existing Garage, Erection of New Dwelling and Replacement Garage (Resubmission of 07/03321/FUL)	Prejudicial	Close associate of the applicant	Left the chamber during consideration of the item

D82. Development Control Items

(a) **Withdrawn Items**

(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.

10, & 11. 08/02809/FUL & 08/02810/LBC – Closure of Existing Access, Increase height of Existing Wall and Formation of a New Vehicular Access and Alterations to Boundary Wall, Including Repositioning Gate Pier, Alterations to Access and Increase Height of Wall – Latimer Manor, West Kington

Resolved that discussion of these items be DEFERRED to allow Nettleton Parish Council to respond.

1. 08/02175/S73A – Retrospective application for front access walls and garden store building – Field View House, Lower Common, Kington Langley

A representation was received from Dr P Giles of Kington Langley Parish Council.

Issues discussed during consideration of this item included:

- Concerns regarding the overall look of the gates and that they were not in keeping with the surrounding area;
- The piece of wall in question was of lesser concern;

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

2) that details relating to gates and pillars were not appropriate to discharge the relevant planning conditions.

2. 08/02729/FUL – Erection of Oak Framed Single Garage and Log Store – Hedgerows, Grove Lane, Yatton Keynell

Representations were received from Councillor Brian Ford of Yatton Keynell Parish Council and from Charles Manning (Agent)

Issues discussed during consideration of this item included:

- The Inspector's report and concerns over eroding open space;
- Suggestion of moving the development forward by another 2 metres;
- Materials used would be suitable and in-keeping with surrounding area;
- Revised plans were felt to be better.

Resolved that Planning Permission be GRANTED subject to the conditions set out in the Agenda and the additional condition

1) No development shall take place until details of the finished floor level of the building 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 and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

3. 08/02130/FUL – Demolition of existing buildings and erection of a new college building of circa 12,000sq m gross internal floor area with landscaping and associated works – Wiltshire College, Chippenham Campus, Cocklebury Road

A representation was received from Mrs P Newman in objection to the application.

Issues discussed during consideration of this item included:

- Concerns over the use of the sports field and when it would be used;
- The provision of security on site;
- The overall height of the development;
- Concerns over the height of the proposed car park lighting scheme;
- Suggestion of a management plan and low level lighting for the car parks.

Resolved that the decision be DELEGATED to the Development Control Manager.

4. 08/02601/FUL – Car park reconfiguration, new staff car park and store extensions and alterations – J. Sainsburys PLC, Bath Road, Chippenham

Representations were received from Mrs D Lendon in objection to the application and from Councillor P Reynolds of Chippenham Without Parish Council.

Issues discussed during consideration of this item included:

- Lack of pedestrian routes and access especially in the North East Corner of the development;
- Concerns over the parking of delivery vehicles and the management of the HGVs
- Suggestion of a Lorry Management Delivery Plan;
- Confirmation of a landscaping scheme that would surround the proposed staff car parking area;
- Reassurance that both access routes from the A4 would remain open in both directions;
- Concerns regarding disabled access.

Resolved that the decision be DELEGATED to the Development Control Manager to GRANT subject to satisfactory resolution of following matters:

- Delivery Management Plan for HGVs
- Improved disabled and pedestrian access (particularly from the North)
- Satisfactory proposals for dealing with litter

The application to be referred back to committee if resolution cannot be reached on any of the above issues.

5. 08/02639/FUL – Demolition of existing Garage, Erection of New Dwelling and Replacement Garage (Resubmission of 07/03321/FUL) – 87 Oxford Road, Calne

Representations were received from Miss L Laird and Mrs J Reid in objection to the application and from Mr T Doyle (Agent)

Issues discussed during consideration of this item included:

- Concerns over the development siting which would be within the curtilage of a Listed Building;
- Core policy C3 of the North Wiltshire Local Plan 2011;
- The poor overall design of the development and layout;
- Access to the property.

Resolved that planning permission be REFUSED due to but not limited to the following reasons:

1. Because of its poor design and its siting the proposed dwelling will have an adverse impact upon the setting of the listed building and would therefore be contrary to Policy HE4 of the North Wiltshire Local Plan 2011 and the advice contained in PPG15 'Planning and the Historic Environment'.
2. Due to its poor design and siting the proposed dwelling will have an adverse impact upon the residential amenity of adjacent dwellings and would be contrary to Policy C3 (iii) of the North Wiltshire Local Plan 2011.
3. The layout, access and parking arrangements appear contrived and likely to result in an unsatisfactory impact upon the occupiers of existing dwelling and proposed dwelling and adversely impact on highway safety contrary to Policy C3, particularly criteria (iii) and (vii).
4. 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.

6. 08/02680/FUL – Change of Use from light Industrial/Warehouse (B1) to Tyre and Exhaust Fitting Centre (B2) – Unit 10 Malmesbury Business Park, Beuttell Way, Malmesbury

Representations were received from Mr M Adams and Mr K Barnett in objection to the application and from Mr T Doyle (Agent).

Issues discussed during consideration of this item included:

- Level of noise produced by the development;
- Concerns over car parking;
- The views of the Town Council;
- Core policy C3 of the North Wiltshire Local Plan 2011.

Resolved that Planning Permission be REFUSED on grounds including, but not limited to, the following reason:

1. The proposed use will have a detrimental impact upon other occupiers of the business park due to the likely increase in and adverse impact of noise and potential parking problems and congestion. The application is contrary to Policies C3 (iv) and (ix) and NE18 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.

7. 08/02696/FUL – Dwelling and Access – Long Cottage, Silver Street, Minety

A representation was received from Mr D Evans (Agent).

Issues discussed during consideration of this item included:

- Confirmation of the boundary;
- Confirmation that the S106 agreement had been signed.

Resolved that Planning Permission be GRANTED subject to the conditions set out in the Agenda and the additional condition:

Prior to the commencement of the development hereby permitted or any site clearance, an ecological survey for the presence of slow - worms or any other protected species shall be submitted to and approved in writing by the local planning authority. The survey shall also give details of any mitigation works required and the development shall take place in accordance with the scheme of mitigation approved.

Reason: In the interests of protecting a Protected Species.

8. 08/02706/FUL – Erection of Building to provide two flats – Land adjoining 9 Ruxley Close, Wootton Bassett

Representations were received from Mr P Borgman in objection to the application and from Councillor O Gibbs of Wootton Bassett Town Council.

Issues discussed during consideration of this item included:

- Siting of the development;
- Privacy issues;
- Concerns regarding Emergency vehicle access;
- Core policy C3 of the North Wiltshire Local Plan 2011.

Resolved that planning permission be REFUSED due to but not limited to the following reason:

1. The proposed development will have an adverse impact upon the privacy and amenity of neighbouring properties due to the increased likelihood of overlooking from the first floor flat. The application is contrary to Policy C3 (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.

9. 08/02800/COU – Change of Use to include A5 (Takeaway) – 31 Church Street, Calne

A representations was received from Mr J Whitton (Agent)

Issues discussed during consideration of this item included:

- Concerns over the traffic movement caused by a takeaway;
- Parking issues;
- Policies BD2 and NE 18 and Core policy C3 of the North Wiltshire Local Plan 2011.

Resolved that Planning Permission be REFUSED due to, but not limited to, the following reason:

1. The proposed introduction of a hot food takeaway service to the existing restaurant will have an adverse impact upon the residential amenity of nearby properties due to the potential increase in noise and disturbance caused by customers. In addition the proposal will result in an increased likelihood of inconsiderate parking by patrons and congestion on this narrow part of Church Street. The proposal is contrary to Policy C3, in particular criteria (iii) and (vii), 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.

**12. 08/02828/COU – Extension to Existing Storage Yard (Revision of 08/01393/FUL)
– Manor Farm Cottage, Grittenham**

A representation was received from Mr D Pearce (Agent).

Issues discussed during consideration of this item included:

- The current employment situation as the business employs 32 people;
- The current spatial strategy plan;
- Core policy C3 of the North Wiltshire Local Plan 2011;
- Planned landscaping scheme;
- Concerns over the containment of contaminants on site;
- The lack of other suitable sites available to the developer.

Resolved that Planning Permission be REFUSED due to but not limited to the following reason:

1. The proposed development would result in unacceptable harm to the rural character and appearance of the area, contrary to Policies BD5, C3, C4 and NE15 of the North Wiltshire Local Plan 2011.

13. 08/02835/FUL – Erection of detached dwelling with integral single garage and formation of vehicular access – Newburn, Brinkworth Road, Wootton Bassett

Representations were received from Councillor O Gibbs of Wootton Bassett Town Council and from Mr P Richards (Agent).

Issues discussed during consideration of this item included:

Other developments that had taken place in the surrounding area;

The development would be outside the framework boundary;

The sports hub proposal;

Concerns over the contradiction to current policy if planning permission were granted;

Resolved the Planning Permission be REFUSED due to but not limited to the following reasons:

1. The site is located outside any framework boundary, as defined in the North Wiltshire Local Plan 2011, in an area in respect of which it is the policy of the Local Planning Authority that only development for replacement dwellings or for dwellings for agricultural need or otherwise appropriate to a rural area shall be permitted. No such evidence has been submitted and therefore this development is contrary to Policy H4, NE15 and C3 of the North Wiltshire Local Plan 2011.

2. 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 and Policy C3 of the North Wiltshire Local Plan 2011.

3. The applicant has failed to sign a S106 agreement to ensure that a financial contribution is made towards public open space provision. As such the proposal is contrary to Policy CF3 of the North Wiltshire Local Plan 2011.

14. 08/02749/FUL – Erection of 60 Bed Care Home, associated infrastructure including the provision of 20 car parking spaces – Former St Ivel Factory, Beaufort Park, Wootton Bassett

Representations were received from Councillor O Gibbs of Wootton Bassett Town Council and from Mr A Winstone (Agent)

Resolved the Planning Permission be GRANTED subject to the conditions set out in the agenda.

15. 09/00198/LBC – Install secondary glazing to four first floor sash windows – Marden House Centre, Calne

No representations were received.

Resolved the decision be DELEGATED to the Development Control Manager.

The meeting started at 6.05pm and finished at 9.05pm

There were 47 members of the public present.