

## **EASTERN AREA PLANNING**

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### **MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON THURSDAY 28<sup>TH</sup> MAY 2009 AT 2.15 PM AT BROWFORT, DEVIZES**

#### **Present:**

Mr P Brown (Chairman), Mr S Dobson, Mr A P J Duck, Mr R Gamble, Mr L Grundy, Mr C Howard, Councillor C Humphries, Mrs L Mayes, Mr R Parsons, Mrs N Rawlins, Mr J Seed.

#### **Apologies:**

Mr K Beard, Mrs S Findlay, Mr J Kunkler

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#### **17.MINUTES**

The minutes of the meeting held on 7<sup>th</sup> May 2009 were confirmed as a correct record and signed by the Chairman.

#### **18.CHAIRMANS ANNOUNCEMENTS**

There were none.

#### **19.DECLARATIONS OF INTEREST**

There were none.

#### **20. K/59723/F – Fortlands, Forest Hill, Great Bedwyn – full planning application for demolition of existing dwelling and erection of five “general market” and three affordable homes**

##### **Public Participation:**

1. Nine late representations were reported to the committee.
2. Mrs Trevelyan spoke in opposition to the application.
3. Mr P Pease spoke in opposition to the application.
4. Ms A Holland spoke in support of the application.
5. The Division Member addressed the committee in relation to this application.

**Resolved:**

**REFUSED AGAINST OFFICER RECOMMENDATION**

For the following reason:

The proposed residential development, by reason of its scale and design, would detract from the character and appearance of the locality, neither preserving nor enhancing the Great Bedwyn Conservation Area. This is contrary to Policies HC22 and PD1 of the Kennet Local Plan 2011, and Central Government planning policy set out in PPG15: Planning and the Historic Environment.

**21. E/09/0159/FUL – Copswood, Low road, Little Cheverell – Full planning application for demolition of existing house and erection of replacement dwelling.**

Public Participation:

1. One further letter of objection was reported.
2. Mr M Maxwell spoke in opposition to the application.
3. Mr H Waters spoke in opposition to the application on behalf of Mr & Mrs Shapland.
4. Mr M Kavanagh spoke in support of the application.
5. Mr M Brain spoke in support of the application.
6. Mrs S Walker (applicant) spoke in support of the application.

**Resolved:**

**GRANTED against officer recommendation;**

for the following reasons:

The decision to grant planning permission has been taken on the grounds that the replacement of the existing house with the new dwelling proposed would not harm the character or appearance of the conservation area, but would make a positive contribution to it, and would not cause any significant harm to other interests of acknowledged importance, including trees and ecology, having regard to the following policies and proposals in the Kennet Local Plan 2011 namely: policy PD1 and to Government advice in PPG 15.

Subject to the following conditions;

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 not be commenced until details of the bricks to be used for the external walls, the mortar, and the additional roof tiles to be used for the roofs (not reclaimed from the existing roof) including samples have been submitted to and approved by the local planning authority in writing. Development shall be carried out in accordance with the approved details.

REASON: To secure harmonious architectural treatment.

- 3 Prior to the commencement of development details of all eaves, verges, window (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies to be used shall be submitted to and approved in writing by the local planning authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure harmonious architectural treatment.

- 4 Notwithstanding the details shown on the submitted plans, no development shall take place until full joinery details for all windows and doors have been submitted to and approved in writing by the local planning authority. Elevations shall be at a scale of not less than 1:10 and frame sections and glazing bars etc at not less than 1:2. Development shall be carried out in accordance with the approved details and maintained as such thereafter.

REASON: To secure harmonious architectural treatment.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), no additions to, or extensions or enlargements of, the building hereby approved shall be erected without the prior grant of planning permission from the local planning authority.

REASON: To enable the local planning authority to retain control over the enlargement of the building to protect the character and appearance of the conservation area.

- 6 The trees on the site which are protected by a Tree Preservation Order shall, before any work commences, be enclosed in accordance with British Standard 5837 (2005) Trees in Relation to Construction by a chestnut paling fence (or other type of fencing to be agreed in writing by the local planning authority). Before the fence is erected its position shall be agreed with the local planning

authority and after it has been erected, it shall be maintained for the duration of the works and no vehicle, plant, temporary building or materials, including stacking of soil, shall be allowed within it.

REASON: To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity

- 7 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref: 727 L 001, 727 D 030 Rev C, 727 L 005, 727 D 002 Rev G, 727 L 002 Rev B, 727 L 003 Rev B, 727 D 010 Rev D, 727 D 031 Rev D, 727 L 006, the Assessment for Protected Species and the Schedule of Condition Report received on the 29th January 2009 and the Impact Assessment received on the 11th May 2009.

**22. E/09/0160/CAC – Copswood, Low Road, Little Cheverell – Conservation Area Consent application for demolition of existing house and erection of replacement dwelling.**

**Public Participation:**

1. One further letter of objection was reported.
2. Mr M Maxwell spoke in opposition to the application.
3. Mr M Kavanagh spoke in support of the application.
4. Mr M Brain spoke in support of the application.
5. Mr M Walker (applicant) spoke in support of the application.

**Resolved:**

**GRANTED against officer recommendation for the following reasons**

The decision to grant consent has been taken on the grounds that the replacement of the existing house with the new dwelling approved under planning permission E/09/0159/FUL would not harm the character or appearance of the conservation area, but would make a positive contribution to it, having regard to the Government advice contained in PPG 15

Subject to the following conditions;

- 1 The works for which conservation area consent is hereby granted shall be begun within three years from the date of this consent.

**REASON:**

To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the planning and Compulsory Purchase Act 2004.

- 2 The building shall not be demolished before a contract for the carrying out of works for the redevelopment of the site in accordance with the planning permission granted under reference E/09/0159/FUL has been made, with the relevant dates notified in writing to the local planning authority.

**REASON:**

To prevent premature demolition of the building, which would have an adverse impact on the character and appearance of the conservation area.

6. **E/09/0396/FUL – Land at St Johns Close, Cross Lane, Marlborough – Full planning application for the erection of five lock-up garages.**

**Public Participation:**

- a. Ms J Payne spoke in opposition to the application.
- b. Mr W Blake spoke in opposition to the application.
- c. Ms H Degnan spoke in opposition to the application.
- d. Mrs A Milton (applicant) spoke in support of the application.
- e. Mr M Milton (applicant) spoke in support of the application.

**Resolved:**

**REFUSED against officer recommendation**

For the following reasons;

- 1 The development would result in the continued erosion of an open space and would detrimentally affect the appearance of the area and the architectural and cultural integrity of St John's Close. The design is inappropriate in its context and fails to improve the character and quality of the area in which it is situated. As such, the proposal conflicts with advice on good design in PPS1 and with policy PD1 (Criteria 3; 5;7 &9) of the Kennet Local Plan.

**7. E/09/0255/FUL – “Melrose”, Mildenhall - Full planning application for a proposed replacement 1.5 storey family dwelling.**

Public Participation;

**Resolved:**

**To GRANT full planning permission**

Subject to the following conditions;

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 take place until details of the materials to be used for the external walls and roofs (including samples) 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:**

To secure harmonious architectural treatment.

- 3 The roof light shown on the approved plans on the roofslope of the side (west) elevation of the rear extension shall be glazed with obscured glass and shall be so maintained.

**REASON:**

In the interests of the privacy of neighbouring properties.

- 4 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Drawing numbers: Pawley-02, Pawley-03 and Pawley-05, received by the local planning authority 16/02/09. Drawing number Pawley-01 received by the local planning authority 23/03/09.

**8. E/09/0426/FUL – Manor Farm, Wedhampton – Full planning application for change of use of an annexed section of land**

**and for an amendment to an approved plan for a pool and pool house.**

Public Participation;

- a. A late comment in favour of the application was reported.
- b. Mr R Child spoke in opposition to the application.
- c. Mr G Saumarez-Smith (agent) spoke in support of the application.
- d. Councillor J Read (parish councillor) reported the parish council's opposition to the application.

**Resolved:**

**To GRANT full planning permission**

Subject to the following conditions;

- 1 The development hereby permitted shall be begun before the expiration of three years of 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 Within two months of the date of this decision, a revised scheme of landscaping shall be submitted to and approved by the local planning authority. This shall include additional planting to help screen the development on the western and northern boundaries.

REASON:

To ensure a satisfactory landscaped setting for the development.

- 3 All soft landscaping comprised in the approved landscaping details shall be carried out in the first planting and seeding season following the occupation of the dwelling 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.

REASON:

To ensure a satisfactory landscaped setting for the development.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any other Order revoking and re-

enacting or amending that Order with or without modification), no outbuildings or structures, other than those shown on the approved plans shall be erected anywhere within the area hereby granted permission for change of use to domestic curtilage.

**REASON:**

To enable the local planning authority to retain control over outbuildings in the interests of the proper planning and the amenities of the area.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order, 1995 (or any other Order revoking and re-enacting or amending that Order with or without modification), no fences, gates or walls other than those shown on the approved plans shall be erected, or placed within the area hereby granted planning permission for change of use to domestic curtilage.

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

- 6 This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref: 4999/10/5D, 4999/10/2Bp, 4999/10/14C4999/10/5Bp &4999/9/15B received on the 26th March 2009 and 937-004-P01 received on the 12th May 2009.

## **PART 2**

**Items considered whilst the public were not entitled to be present**

**None.**

Chairman  
2 July 2009

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