

## NORTHERN AREA PLANNING

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### **DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON WEDNESDAY, 29 APRIL 2009 AT MONKTON PARK, CHIPPENHAM**

#### **Present:**

Mrs C. Crisp, Mr J.P. Doubell, Mrs S.K. Doubell, Mr G.R. Greenaway, Mr R. Henning, Mr H.T. Jones, Mrs E. Marston, Mr J.A. Phillips, Mr R. Sanderson, Mr T.R. Sturgis, Mr J.P.S.S. Thomson and Mr A.J. Trotman

#### **Also Present:**

Mrs H. Dixon, Mrs J.A. Scott and Mrs C. Soden

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#### **15. Apologies for Absence**

Apologies for absence were received from Mrs K.A. Banks and Mr C. Wannell

#### **16. Minutes**

The minutes of the meeting held on Wednesday 8<sup>th</sup> April 2009 (circulated with the Agenda) were considered.

#### **Resolved:**

**That the Minutes of the Northern Area Planning Committee held on 8th April 2009 be confirmed as a correct record.**

#### **17. Public Participation**

The Chairman advised the committee of the new rules on public participation and the manner in which the meeting would proceed.

#### **18. Chairman's Announcements**

##### **A) Response to Mrs Henshaw**

The Chairman responded to Mrs Anne Henshaw's letter that requested clarity regarding the Members' Declarations of Interest. The Chairman proposed that in addition to the Declarations of Interest being stated, the legal representative would announce the pertinent declaration at the start of each agenda item to clarify this issue.

## **B) Changes to the monitoring of Public Participation**

The Chairman announced that the Stop Watch would no longer be shown on the overhead projector and that the legal representative would announce when the speaker had 30 seconds left.

### **19. Member's Interests**

Mr. T Sturgis declared a prejudicial interest in application number 08/01103/REM – Erection of 30 dwellings – Brook Farm, Great Somerford, Chippenham as he had a pecuniary interest and left the chamber during consideration of the item.

### **20. 07/2168/OUT – Erection of 60 one bedroom apartments and associated parking and landscaping – Former St Ivel Site, Station Road, Wootton Bassett**

Public Participation:

Mrs Henshaw, a local resident – objector

Mr Gibbs, Wootton Bassett Town Councillor – supporter

Mr Bourne, Clerk to Wootton Bassett Town Council – Consultee

The Committee considered the officer's report and debated the application. The officer's recommendation was that the application be refused. The Committee was minded to delegate the decision to the Area Development Manager to grant permission subject to the conditions cited below.

Note: Mrs S. Doubell requested that her vote against the decision be recorded.

#### **Resolved:**

**That in respect of application number 07/2168/OUT the decision be DELEGATED to the Area Development Manager to grant permission due to the reason cited below.**

#### **Reason:**

**The proposed development is acceptable in terms of its appearance, impact upon the amenity of the area and the benefits secured for the local community. The Council considers that as Wootton Bassett continues to expand the provision of a public building for the use of the Town Council is an important material consideration. The application proposal therefore complies with Policies C3 and BD2 of the North Wiltshire Local Plan 2011.**

**In addition Officers were requested to write to Wootton Bassett Town Council to ensure that employment uses or uses of benefit to the wider community were sought for any property that was vacated following the occupation of Station House.**

**21. 08/01103/REM – Erection of 30 dwellings – Brook Farm, Great Somerford, Chippenham**

Public Participation:

Mr Manning as Agent for Wolfe Property Services - Applicant

The Committee then considered the officer's report and debated the application. The officer's recommendation was that the Reserved Matters be approved. The Committee were minded to approve the Reserved Matters due to the reason cited below and be subject to conditions.

**Resolved:**

**That in respect of application number 08/01103/REM the reserved matters be APPROVED due to the following reason and subject to the cited conditions:**

**Reason:**

**The proposed layout, dwelling design and open space represent a reasonable and appropriate form of development in this village location. As such the proposal is considered to comply with the provisions of Policies C3, H3 and HE1 of the adopted North Wiltshire Local Plan 2011.**

Permission to be subject to the following conditions:

1. 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.

2. 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.

3. 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.

4. No development shall commence until details of all new external joinery have been submitted to, and approved in writing by, the local planning authority. These details shall include depth of reveal, materials and full drawings including both horizontal and vertical sections, to a scale of not less than 1:10. The development/works shall be completed in accordance with the approved details and at no time shall the approved joinery be altered without the prior written approval of the local planning authority.

Reason:

To enable the local planning authority to be satisfied with the completed appearance of the development.

5. 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.

6. Prior to the commencement of development a scheme for the disposal of foul and surface water from the site shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those details approved.

Reason:

In the interests of securing a satisfactory method of drainage from the site.

7. Prior to the commencement of development full constructional details of all means of enclosure within the site and including the intended treatment of the boundaries of the site, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those details approved.

Reason:

In the interests of securing a harmonious architectural treatment and in the interests of residential amenity.

8. Prior to the commencement of development, complete and large-scale details of the proposed link to existing footpaths, including the nature and type of bollards to be positioned at the access to the public open space, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those details approved prior to the first occupation of any dwellings on the site.

Reason:

In the interests of visual amenity and for the avoidance of doubt.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modification) no gates, fences, walls or other means of enclosure (other than those shown on the approved plans) shall be placed or erected forward of any wall of a building (including a rear or side wall) which fronts onto a highway, carriageway or footpath.

Reason:

In the interests of the open plan layout of the area.

10. Prior to the commencement of development, and in full accordance with the conclusions and recommendations contained within the submitted Flood Risk Assessment document prepared by David Snelling January 2009, a detailed scheme for the disposal of foul and surface water from the site, shall have been submitted to and approved in writing by the Local Planning Authority.

The submitted scheme must demonstrate that:

- (i) Surface water run-off will be limited to no greater than 4.0l/s for all events up to and including the 1 in 100 year storm (including climate change)
- (ii) There will be sufficient surface water storage capacity to ensure no increased flood risk to third parties under bank full conditions in the receiving ditch
- (iii) That suitable arrangements have been made for the adoption and maintenance of the surface water drainage scheme
- (iv) A timetable for implementation prior to the first occupation of any of the dwellings hereby approved

Development shall be carried out in accordance with those details so approved.

Reason:

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

11. Minimum habitable floor level of all dwellings on the site shall be set above 61.0m Above Ordnance Datum, unless otherwise agreed in writing with the Local Planning Authority prior to the commencement of development.

Reason:

To ensure that the development is subject to minimum risk of flooding.

12. No development shall take place until a suitable flap type valve has been installed at the surface water outfall into the receiving ditch. Such development shall be carried out in accordance with details that shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

Reason:

To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

**22. 09/00374/S73A – Change of Use of Red Lodge Site to Dog Crèche for up to 20 Dogs and Overnight Boarding for up to 15 Dogs – Red Lodge, Lucerne Close, Wootton Bassett, Swindon**

Public Participation:

Mr Lloyd, a local resident – objector  
Mr Brown, a local resident – supporter  
Mr Pearce as Agent to Miss Jefferies - Applicant

The Committee then considered the officer's report and debated the application. The officer's recommendation was that the application be granted subject to conditions. The Committee was minded to delegate the decision to the Area Development Manager to grant permission subject to conditions and the additional condition 5 as cited below.

Resolved:

**That in respect of application number 09/00374/S73A the decision be DELEGATED to the Area Development Manager to grant permission due to the following reason and be subject to the conditions cited:**

Reason:

**It is considered the proposal is acceptable in that it will not generate unacceptable noise or traffic movements. The use has been operational for 3 months without complaints to Environmental Health and it is**

**therefore considered it complies with Policies C3 and NE18 of the North Wiltshire Local Plan 2011.**

Permission to be subject to the following conditions:

1. 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.

2. The number of dogs kept on the site between 08.00 hours and 18.00 hours shall not exceed 35 and shall not exceed 15 boarding overnight without the prior written approval of the local planning authority.

Reason:

In the interests of amenity.

3. Within 2 months of the date of this permission a close boarded fence 2 metres in height shall be erected on the southern, eastern and northern boundaries of the exercise area and shall be thereafter retained.

Reason:

In the interests of amenity

4. The dog crèche and boarding kennels shall be operated only by the occupiers of Red Lodge.

Reason:

In the interests of amenity and the occupiers.

5. Within 1 month of the date of this permission details of how waste will be disposed of from the use hereby permitted shall be submitted to and agreed in writing by the local planning authority. The disposal of dog waste shall be carried out as agreed.

Reason:

In the interests of the amenity of the area.

**23. 09/00201/S73A – Retrospective Application for Construction of Access Track to Existing Equestrian use - Bridge Paddocks, Braydon Road, Leigh**

Public Participation:

Mrs J Dierks, a local resident – objector

Mrs Dixon – Local Division Member

Mrs Soden – Local Division Member

The Committee then considered the officer's report and debated the application. The officer's recommendation was that permission be granted subject to conditions. The committee was minded to refuse the permission due to the reason cited below.

**Resolved:**

**That in respect of application number 09/00201/S73A the permission be REFUSED due to, but not limited to, the reason below.**

**Reason:**

**The track is considered to have an adverse impact upon the appearance of this rural area and the character of the landscape. There is no justification for a track of this nature, width or length which would overcome the concerns relating to its impact upon the countryside. The application is contrary to Policy C3 (ii) and NE15 of the North Wiltshire Local Plan 2011.**

**Authority be delegated to the Area Development 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.**

**24. 09/00010/FUL – Side & Rear Extensions and Conversion of House to 3 Self Contained Flats – 5 Lypiatt Mead, Corsham, Wiltshire**

Public Participation:

Mrs Scott, a local resident – Objector

Mr Davis of Corsham Town Council - Consultee

The Committee then considered the officer's report and debated the application. The officer's recommendation was that the application be granted subject to conditions. The Committee was minded to refuse the application due to the reason cited below.

**Resolved: that in respect of application number 09/00010/FUL the application be REFUSED due to, but not limited to, the reason cited below.**



**Reason:**

The proposed development fails to respect the local character and distinctiveness of the area in terms of its size and design and will have an adverse impact upon the amenity of neighbouring properties by the intensification of the residential use and by appearing overbearing. The application proposal is therefore contrary to Policy C3 (i) & (iii) and Policy H8(ii).

Authority be delegated to the Area Development 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.

**25. 09/00099/FUL – Single Storey Extension to Garage and Store to Provide Store; 2 Dormer Windows to Existing Garage – Townsend Barn, Littleton Drew, Chippenham**

Public Participation:

Mrs Foster, a local resident – Objector

Mr Kinch, a local resident - Objector

Mr N Puntis – Applicant

Mr Batty of Grittleton Parish Council – Consultee

Mrs Scott – Local Division Member

The Committee then considered the officer's report and debated the application. The officer's recommendation was that planning permission granted. The Committee were minded to refuse the application due to the reason cited below.

**Resolved:**

**That in respect of application number 09/00099/FUL planning permission be REFUSED due to, but not limited to, the reason cited below.**

**Reason:**

The proposal is considered to be a significant extension to a building within the curtilage of a converted listed barn. The proposal will not preserve or enhance the character and appearance of the Conservation Area nor the setting of a listed building. The extension fails to respect the local character and distinctiveness of the area or the buildings in the vicinity. The application is therefore contrary to Policies C3 (i) & (ii), H8, HE1, HE4 and BD6.

Authority be delegated to the Area Development 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.

**26. 08/02063/FUL - Provision of new access and parking/turning area to serve semi-detached dwellings – 24/25 Latton, Swindon**

Public Participation:

Mr P Brown Agent to The Co-Operative Group Property Division - Applicants

The Committee then considered the officer's report and debated the application. The officer's recommendation was grant permission. The Committee was minded to grant permission subject to conditions.

**Resolved:**

**That in respect of application number 08/02063/FUL permission be GRANTED due to the following reason and subject to the conditions cited.**

**Reason:**

**The proposed access and parking spaces are considered to be entirely appropriate development in this location and will not result in additional danger to highway safety. The proposed development is considered to comply with the provisions of Policies H8 and C3 of the adopted North Wiltshire Local Plan 2011.**

Permission to be 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. The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.

Reason:

In the interests of amenity and road safety.

4. Prior to being brought into use the access and parking spaces shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the local planning authority.

Reason

In the interests of highway safety.

5. Prior to the commencement of development details of the proposed method of construction of the access, which will include measures that shall be employed so as to prevent damage to the soakaway feature over which the access shall partly pass, shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those details approved.

Reason:

In the interests of securing careful construction of the access so as to prevent damage to the existing soakaway.

**27. 09/00321/FUL - New vehicular access and driveway – The Tanyard, 1 Dark Lane, Malmesbury**

Public Participation:

Mr Blake of Malmesbury Town Council - Consultee

The Committee then considered the officer's report and debated the application. The officer's recommendation was grant permission. The Committee was minded to grant permission subject to conditions.

Resolved:

**That in respect of application number 09/00321/FUL the application be GRANTED due to the following reason and subject to the conditions cited.**

Reason:

**The proposal, by virtue of its siting, scale and design, will not be harmful to the character and appearance of the Conservation Area or Area of Outstanding Natural Beauty and will not be detrimental to highway safety. On this basis, the proposal accords with Policies C3, HE1 and NE4 of the North Wiltshire Local Plan (2011).**

Permission to be 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. The natural stonework to be used for the new boundary wall shall match that of the existing wall, in terms of type, colour, size and bedding of stone, coursing, type of pointing and mortar mix, unless otherwise agreed in writing by the Local Planning Authority prior to works commencing.

Reason:

In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and HE1 of the North Wiltshire Local Plan (2011).

4. Notwithstanding the information shown on the approved plans, no development shall commence on site until details of the materials to be used for the gate piers has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason:

In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and HE1 of the North Wiltshire Local Plan (2011).

5. Any entrance gates erected shall be hung to open away from the highway only.

Reason:

In the interests of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

6. Notwithstanding the information shown on the submitted plans, prior to being brought into use, the driveway for the first 5m from the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to

and approved in writing by the Local Planning Authority prior to works commencing on site.

Reason:

In the interests of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

7. The development hereby permitted shall not be brought into use until the visibility splay shown on the submitted plan 08-23-04B has been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

Reason:

In the interests of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

**28. 09/00419/FUL - Proposed extension and alteration to vehicular access – The White House, Allington Lane, Allington**

Public Participation:

Mr Pearce as agent to Mr and Mrs Barrow – Applicants

Mr Reynolds of Chippenham Without Parish Council - Consultee

The Committee then considered the officer's report and debated the application. The officer's recommendation was to refuse permission. The Committee was minded to delegate the decision to the Area Development Manager to permit subject to conditions.

Resolved:

**That in respect of application number 09/00419/FUL the decision be DELEGATED to the Area Development Manager to grant permission due to the following reason and be subject to the conditions cited below.**

Reason:

**The proposed extensions are not detrimental to the appearance of the area or the building and indeed are considered to improve the property and complies with Policy C3 and H8 of the North Wiltshire Local Plan 2011.**

Permission to be 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. The natural stonework to be used for the new boundary wall shall match that of the existing wall, in terms of type, colour, size and bedding of stone, coursing, type of pointing and mortar mix, unless otherwise agreed in writing by the Local Planning Authority prior to works commencing.

Reason:

In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and HE1 of the North Wiltshire Local Plan (2011).

4. Notwithstanding the information shown on the approved plans, no development shall commence on site until details of the materials to be used for the gate piers has been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be completed in accordance with the approved details.

Reason:

In order to ensure the satisfactory appearance of the completed development and to comply with Policy C3 and HE1 of the North Wiltshire Local Plan (2011).

5. Any entrance gates erected shall be hung to open away from the highway only.

Reason:

In the interests of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

6. Notwithstanding the information shown on the submitted plans, prior to being brought into use, the driveway for the first 5m from the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority prior to works commencing on site.

Reason:

In the interests of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

7. The development hereby permitted shall not be brought into use until the visibility splay shown on the submitted plan 08-23-04B has been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

Reason:

In the interests of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

(Duration of meeting: 6.00pm – 8.30pm)

The Officer who has produced these minutes is Carolynn Symes, Democratic Services, direct line (01249) 706611 or e-mail [carolynn.symes@wiltshire.gov.uk](mailto:carolynn.symes@wiltshire.gov.uk)  
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