

NORTHERN AREA PLANNING

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON WEDNESDAY, 1 JULY 2009 AT MONKTON PARK, CHIPPENHAM

Present:

Mr P Colmer, Mrs C Crisp, Mr P Davis, Mr B Douglas, Mr P Doyle, Mr A Hill,
Mr P Hutton, Mr T Sturgis, Mr T Trotman (Chairman)

Apology:

Mr H Marshall

Also in attendance:

Mr S Killane

1. Minutes

The minutes of the meeting held on Wednesday 27 May 2009 were approved as a correct record and signed by the chairman.

2. Chairman's Announcements

The Chairman informed the meeting that application 09/00536/FUL had been withdrawn by the applicant.

In addition application 09/00593/FUL, number 4 on the list, would be dealt with first and applications 09/00543/S73A and 09/00544/LBC would be dealt with together.

3. Member's Interests

No interests were declared.

4. 09/00593/FUL – Land adjacent the Golf Academy, Yatton Keynall – change of use of land to 18 hole par 3 Golf Course and associated works.

Public participation:

There was none.

It was reported that the recommendation before the committee had been incorrectly communicated to interested parties as a recommendation for refusal when this was not the case.

Resolved:

That the application be **DEFERRED** until 22nd July 2009 to allow all parties the opportunity to attend and if necessary speak at committee.

5. 09/0055/FUL – Glenville Nurseries, Marlborough Road, Wootton Bassett – change of use of land for 7 No. Mobile Homes for British Romany Gypsy Families and Associated Development including 7 No. touring caravans and 7 No. Day Rooms

Public participation:

1. It was reported that a further objection had been received from David Wilson Homes.
2. The Ecological Officer was now suggesting that an ecological survey should be undertaken.
3. Mr D Graham spoke in objection to the application.
4. Mr D Garland spoke in objection to the application.
5. Mrs S Woodbury (Agent) spoke in support of the application.
6. Mrs M Smith-Bendall spoke in support of the application.
7. Councillor O Gibbs (Wootton Bassett Parish Council) spoke in objection to the application.

Resolved:

That the application be **DEFERRED** for no more than two cycles to address the ecological issues and potential implementation of permission 09/00557/FUL.

6. N/09/00872/S73A – Bridge Paddocks, Braydon Road, Leigh – retrospective application for construction of access track to existing equestrian use

Public participation:

1. The objections of Leigh Parish Council were reported.
2. Three additional letters of objection were reported.
3. The comments of the Divisional member were reported.
4. Mrs J Lay and Mrs C Soden (adjoining Divisional Member and adjoining member) addressed the committee.
5. The comments of Mrs J Dierks were read to the meeting.
6. Mrs S Woodbury (Agent) spoke in support of the application.
7. Mr D Fry spoke in support of the application.

Resolved:

That Planning Permission be **GRANTED** for the following reason:

The proposal will not be harmful to the character and appearance of the area and will have no adverse impact on the amenities of adjoining occupiers. On this basis, the proposal is in accordance with Policies C3, NE12 and NE15 of the North Wiltshire Local Plan (2011).

Subject to the following conditions:

1. The track hereby permitted and all materials brought onto the land for the purposes of the track shall be removed within three months of the date of failure to meet the requirements set out below:

Within three months of the date of this decision a scheme for the landscaping of the site shall be submitted to, and approved in writing by, the Local Planning Authority. Details shall include:

- (a) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and proposals for their protection during and following construction works;
- (b) details of all proposed tree and shrub planting, including species, number, sizes and positions, together with seeded/turfed areas;

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.

Within three months of the date of this decision the existing track running to the field boundary shall be reduced in length, in accordance with Drawing No. 001 23/06/2009 date stamped 24th June 2009.

Reason: In the interests of the visual amenity of the area and to ensure the creation of a pleasant environment for the development and to comply with Policy C3 and NE15 of the North Wiltshire Local Plan (2011).

2. Within 28 days of the date of this permission, the driveway between the edge of the carriageway and the gates 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 and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

3. Any entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of 4.5m from the carriageway edge.

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

4. 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) the track hereby approved shall remain as a hardcore track and shall not be maintained or improved without the prior consent from the Local Planning Authority.

Reason: In the interests of the character and appearance of the area and to comply with Policy C3 of the North Wiltshire Local Plan.

Informatives:

1. 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 No. 001 received by the local planning authority 2nd June 2009.

2. The applicant is advised that a public footpath (No. 123) runs through the site and that this footpath should not, at any time, be obstructed.

3. The applicant is advised that planning permission has not been granted for the lampposts. The applicant is advised that these features have an adverse impact on the character and appearance of the countryside and are contrary to Local Plan policies. As such, it is advised that these lampposts should be removed within 3 months of the date of this permission. Not doing so may lead to the Local Planning Authority taking enforcement action.

4. The applicant is advised that planning permission has not been granted for the lampposts or any other form of lighting on the site. The applicant is advised that these features have an adverse impact on the character and appearance of the countryside and are contrary to Local Plan policies. As such, it is advised that these lampposts and any other form of lighting be removed from the site within 3 months of the date of this permission. Not doing so may lead to the Local Planning Authority taking enforcement action.

7. N/09/00760/FUL – 11 Ladds Lane, Chippenham – erection of detached dwelling and off street car parking to rear of 11 Ladds Lane (Revision to 08/02394/FUL)

Public participation:

1. Mrs S Jefferies spoke in objection to the application.
2. Mrs J Tinson spoke in objection to the proposal.
3. Mr Dennis spoke in support of the application.
4. Mr A Trott spoke in support of the application.

The committee was informed that the Section 106 Agreement in respect of the application had been completed earlier in the day.

Resolved:

That planning permission be **GRANTED** for the following reason:

The proposal, by virtue of its siting, scale and design, will not be harmful to the character and appearance of this part of the Chippenham Conservation Area, will have no significant adverse impact on the amenities of adjoining occupiers and is acceptable in terms of highway safety. On this basis, the proposal accords with Policies C3, H3, HE1 and HE4 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 Section 91 of the Town and Country Planning Act 1990.

2. Notwithstanding the information shown on the plans/application forms, no development shall take place until details of materials to be used externally (including any boundary wall) have been submitted to, and approved in writing by, the Local Planning Authority. The development shall be built in the materials approved.

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.

3. Prior to the commencement of the development hereby permitted, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the Local Planning Authority:

(1) Walls, fences, gates and other means of enclosure;

(2) Ground surfacing materials;

(3) Finished floor levels of all buildings;

(4) Finished levels across the site.

The development shall be carried out in accordance with the details so approved. All the above items shall be completed prior to the occupation of the development hereby permitted.

REASON: In the interests of amenity and satisfactory layout.

4. On first being glazed and at all times thereafter, the proposed window to bedroom 3 (on the east elevation) shall be glazed with obscure glass only.

REASON: In order to safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy C3 of the North Wiltshire Local Plan 2011.

5. Prior to the dwelling first being occupied, the driveway 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. The development shall be carried out in accordance with the details so approved.

REASON: In the interest of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

6. The gradient of the access for the first 4.5m shall not exceed 1 in 15.

REASON: In the interest of highway safety and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

7. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the carriageway, details of which shall be submitted to and approved in writing by the Local Planning Authority prior to works commencing on site. The development shall be carried out in accordance with the details so approved.

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

8. The area allocated for parking on the submitted plans 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 highway safety and to comply with Policy C3 of the North Wiltshire Local Plan (2011).

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) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

REASON: In order to safeguard the amenity of the area by enabling the Local Planning Authority to consider individually whether planning permission should be granted for extensions and external alterations.

10. 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 further windows or other form of opening

above ground floor level shall be introduced into the elevations of the dwellings hereby permitted.

REASON: In the interests of residential amenity and to comply with Policies C3 and H3 of the North Wiltshire Local Plan 2011.

11. 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 garages, sheds or other ancillary domestic outbuildings shall be erected anywhere on the site edged in red on the approved plans.

REASON: In the interests of residential amenity and to comply with Policies C3 and H3 of the North Wiltshire Local Plan 2011.

12. During construction of the development hereby permitted there shall be no use on site of machinery or power tools or any delivery or commercial or construction vehicle movements, including deliveries, before 08:00 hours or after 18:00 hours on any weekdays, before 08:00 hours or after 14:00 hours on any Saturday and not at all on any Sunday or Bank or Public Holiday.

REASON: In order to protect the residential amenity of neighbouring properties and to reduce to a minimum any noise nuisance or disturbance in accordance with Policy C3 of the North Wiltshire Local Plan which seeks to avoid adversely affecting existing occupiers.

Informatives:

1. 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 number S001/A, P001/B, P002/B, P003/A, P004/B, P005, P006 date stamped 28th April 2009.

2. It appears the proposal involves works which will affect the highway and/or its verge. Before commencing such works, you must obtain the separate consent of the Highway Authority. Please contact The Director of Environmental Services, Wiltshire County Council, County Hall, Trowbridge, Wilts, BA14 8JD.

3. You are advised that this planning permission does not override any interests that third parties may have regarding civil matters such as ownership, covenants or private rights of way. Before any works are carried out which affect land outside your ownership you should ensure the necessary consents have been obtained from all persons having an interest in the land.

If you intend carrying out works in the vicinity of the site boundary you are also advised that it may be expedient to take your own independent advice with regard to the requirements of the Party Wall Act, 1996.

4. The applicant's attention is drawn to the contents of the attached letter from Wessex Water dated 6th May 2009.

8. N/09/00345/FUL – Gallery on the Bridge, formerly the Old Post Office, The Street, Castle Combe – change of use of existing gallery to residential use

Public participation:

1. A further sixteen letters of support were reported.
2. Mr C Clark spoke in support of the application.
3. Mrs A Holland spoke in support of the application.
4. Mrs H Dixon spoke in support of the application.

5. Councillor F Winup (Castle Combe Parish Council) spoke in objection to the application.

Resolved:

Planning Permission be **GRANTED** for the following reason:
The proposal accords with Policies C3, HE1, HE4 and R6 of the North Wiltshire Local Plan (2011) in that it represents the change of use to a residential dwelling that does not harm the economic vitality and viability of the village, the amenities of neighbouring properties, and would not affect the character and appearance of the Conservation Area or the Listed Building.

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.

Informatives:

1. 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. Site location plan date stamped 11th March 2009 and floor plans date stamped 26th February 2009.
2. This permission does not include Listed Building Consent which is required for any demolition, partial demolition, alteration (including internal works) or extension (including the addition of signs of all types) which would affect the character of the listed building in any way and works should not commence until such Consent is obtained. Failure to do so is an offence under the Planning (Listed Buildings and Conservation Areas) Act 1990.
3. The attention of the applicant is drawn to the contents of the attached letter from the Environment Agency dated 17th April 2009.

9. 09/00543/S73A and 09/00544/LBC – 12 Pound Pill, Corsham – retention of single storey extension as constructed

Public participation:

1. Further comments from the Agent were reported.
2. Mr D Clenaghan (Applicant) spoke in support of the application.

Resolved:

That planning permission be **GRANTED against officer recommendation** for the following reason:

The application, due to its size, design and materials conforms with Policies H8, HE4 and C3 of the North Wiltshire Local Plan 2011 and PPG 15 (Planning and the Historic Environment).

Subject to the following conditions:

1. Within three months of the date of this decision notice the unfinished block work shall be rendered in accordance with details, relating to the colour and texture and materials, which have been first been agreed in writing with the Local planning authority.

REASON: To protect the historic character of the listed building in accordance with Policy HE4 and PPG15.

2. Within three months of the date of this decision notice the existing plastic guttering and rainwater goods shall be replaced by rainwater goods more appropriate to a listed building the details of which shall be first agreed in writing by the local planning authority.

REASON: To protect the historic character of the listed building in accordance with Policy HE4 and PPG15.

That listed building consent be **GRANTED** for the following reason:

The application, due to its size, design and materials conforms with the advice and guidance in PPG15 (Planning and Historic Environment).

Subject to the following conditions:

1. Within three months of the date of this decision notice the unfinished block work shall be rendered in accordance with details, relating to the colour and texture and materials, which have been first been agreed in writing with the Local planning authority.

REASON: To protect the historic character of the listed building in accordance with PPG15.

2. Within three months of the date of this decision notice the existing plastic guttering and rainwater goods shall be replaced by rainwater goods more appropriate to a listed building the details of which shall be first agreed in writing by the local planning authority.

REASON: To protect the historic character of the listed building in accordance with PPG15.

10. 09/00765/FUL – Avils Farmhouse, Lower Stanton St Quinton – extension to farmhouse and alteration to dormer window

Public participation:

1. Further comments from the Agent were reported.
2. Further comments from the Area Development Officer were reported after a visit to the site.
3. The Division Member addressed the committee in support of the application.

Resolved:

That planning permission be **GRANTED against officer recommendation**

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 (Development Control Core Policy), H8 (Residential Extensions) and HE4 (Development, Demolition or Alterations Involving Listed Buildings)

3.No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

POLICY C3 (Development Control Core Policy), H8 (Residential Extensions) and HE4 (Development, Demolition or Alterations Involving Listed Buildings)

4.No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies 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 (Development Control Core Policy), H8 (Residential Extensions) and HE4 (Development, Demolition or Alterations Involving Listed Buildings)

REASON: for decision: The application, due to its size, design and materials conforms with Policies H8, HE4 and C3 of the North Wiltshire Local Plan 2011 and PPG 15 (Planning and the Historic Environment).

Chairman
22 July 2009

The Officer who has produced these minutes is Phillip Hamilton, Democratic Services, County Hall direct line (01225) 718377 or e-mail phillip.hamilton@wiltshire.gov.uk. Press enquiries to Communications, direct line (01225) 713114/713115.