

## NORTHERN AREA PLANNING COMMITTEE

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 8 MARCH 2017 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

#### Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Howard Greenman, Cllr Howard Marshall and Cllr Chris Hurst

#### Also Present:

Cllr Dick Tonge

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#### 26 Apologies

There were no apologies.

#### 27 Minutes of the Previous Meeting

The minutes of the meeting held on Wednesday 15 February 2017 were presented.

#### RESOLVED:

**To approve as a true and correct record and sign the minutes.**

#### 28 Declarations of Interest

Cllr Tony Trotman declared an interest in agenda item no. 7f. He informed the Committee that he knows the applicant Mr Mel Wilkins, however he declared that he would participate in the debate and vote for each item with an open mind.

#### 29 Chairman's Announcements

The Chairman confirmed that items 7b and 7c had been withdrawn and would not be considered in the meeting.

The Chairman also referred to the supplementary Late Items and announced the Committee had been asked to defer agenda item 7g, in light of the revised Housing Land Supply Statement which was published on 3 March 2017. Cllr

Tony Trotman moved this motion, which was seconded by Cllr Howard Greenman and approved by the Committee.

**RESOLVED:**

**That the application, 16/11427/FUL- Land adjacent to Sharplands, Sutton Lane, Sutton Benger, Chippenham, SN15 4RS, be deferred until 24 May 2017 to enable the applicant sufficient time to consider the updated housing land supply statement and to respond accordingly.**

30 **Public Participation**

The Committee noted the rules on public participation.

31 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

32 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 7a, 7d and 7g as listed in the agenda pack.

**32a 16/12097/FUL- Tisbut House, Box Hill, Corsham, Wiltshire SN13 8HG**

The applicant Daniel O'Hara spoke in favour of the application. Parish Councillor Alan Clench from Box Parish Council, spoke against the application.

The Team Leader, presented the application for a first floor extension to an existing flat roof projection. It was explained that this property was within the Western Wiltshire Green Belt and the Cotsworld Area of Outstanding Natural Beauty. Photographs were shown of the existing site, along with diagrams showing proposed development, detailing intended elevations. A summary of previous planning history was also provided, explaining that the property had already received permissions to allow significant increase to the size of the property. Previous permissions were granted on the basis of the removal of the first floor element which was now the subject of a further application to include in the expansion of the dwelling.

The Officer's recommendation for refusal was explained on the grounds that the extension was disproportionate to the size of the original building and therefore constituted inappropriate development in a Green Belt area. Attention was also drawn to the Late Items, that identified that the officers accepted the applicant's view that the proposed extension was a 45% increase from the original, as opposed to the 50% referred to in the Officer's report. However, it was clarified that this figure did not change the Officer's recommendation for refusal.

Councillors were invited to ask technical questions. Members expressed concerns as to the cumulative nature of the planning permissions, incremental development, potential precedent and pursuit of the first floor extension element

previously deemed disproportionate. Members asked Officer's whether, if planning permission was granted in this instance, could a condition be put in place to prevent further development. The Officer clarified that each application had to be considered on it's own merits and such a condition could not be applied to an approval.

Members of the public were invited to speak, as detailed above.

The Local Member Cllr Dick Tonge spoke in favour of the application. He said that there was no strict definition of a disproportionate build in a Green Belt area and that each had to be considered on it's own merits. He also noted the Late Items and that fact that applicant had been working in good faith on the 50% figure. He also pointed out that the dwelling stood within a large acreage and that the extension would not have an increased footprint, nor would it impact neighbours or the surrounding area.

In the debate that followed, Members expressed their sympathy for the applicant, stating that they did not consider the proposal to be an inappropriate build in a Green Belt area. Members noted that there were a number of other large houses in the area and it was not out of keeping with the locality. It was also stated that the existing flat roof projection looked untidy and that the extension would be an improvement.

Cllr Glenis Ansell proposed that the application be granted with suitable conditions to be delegated to Officers to determine, on the grounds that it was not a disproportionate addition of the original, and that it was an appropriate development in a Green Belt Area, acceptable and in accordance with Wiltshire Core Strategy and NPFF. This was seconded by Cllr Howard Greenman and approved by the Committee.

**RESOLVED:**

**To grant planning permission subject to appropriate conditions (the formulation and imposition of which were delegated to the Head of Development Management Services) and were subsequently proposed as:**

**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 The development hereby permitted shall be carried out in accordance with the approved plans, to be determined by officers:**

**3 The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match in material, colour and texture those used in the existing building.**

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

**Reason for granting planning permission:**

**This application, as we see it, does not result in a disproportionate addition over the original building and is appropriate development in the Green Belt. In all other respects the development is considered acceptable and accords with the Wiltshire Core Strategy and NPFF.**

**32b 16/03721/REM- Land North of Bath Road, Corsham, Wiltshire, SN13 0QL**

Item was withdrawn as listed above.

**32c 16/04544/REM- Land North of Bath Road, Corsham, Wiltshire, SN13 0QL**

Item was withdrawn as listed above.

**32d 16/11658/FUL- 14 Church Farm, Yatton, Keynell, SN14 7FD**

The applicant Nick Coombes spoke in favour of the application, along with his agent John Armstrong. Parish Councillor Alistair Parker, from Yatton Kennel Parish Council, spoke against the application.

The Team Leader introduced the application for a single storey extension. A presentation was shown with photographs of existing site, including images of the neighbouring property, from which an objection to the plans had been received. It was explained that whilst the conservatory would be visible from the public street and the neighbours property, merely being visible was not a reason to refuse in itself. Attention was also drawn to the Late Items, clarifying that reference to Listed Building Consent in section 1 of the Officer's report is incorrect. The property in question is not listed and LBC is not required for this development.

A technical question was asked by Councillors as to why the extension could not be included within permitted development rights. It was explained that although the property was not a Listed Building, permitted rights do not apply to buildings in conservation areas.

Members of the public were invited to speak, as detailed above.

Cllr Toby Sturgis spoke on behalf of Local Member, Baroness Cllr Jane Scott. He asked Members to look at the wider visual impact of the proposals on the conservation area.

In the debate that followed, Councillors expressed support for the extension, stating that it was a moderate extension and would not have a negative impact on the conservation area, with very little impact on visual amenity. However, Members thanked the Parish Council for raising their concerns.

Cllr Peter Hutton proposed a motion to accept the Officer's recommendation for approval and Cllr Mollie Groom seconded. This was approved by the Committee.

**RESOLVED:**

**To GRANT planning permission 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 The development hereby permitted shall be carried out in accordance with the following approved plans:**

**Location Plan (received 29 November 2016), Existing Ground Floor Plan AJ/16/17/01,**

**Existing Section AJ/16/17/02, Existing Elevations AJ/16/17/03, Existing Site Plan**

**AJ/16/17/04, Proposed Ground Floor Plan AJ/16/17/05, Proposed Section**

**AJ/16/17/06 rev. A, Proposed Elevations AJ/16/17/07 rev.A and Proposed Site Plan**

**AJ/16/17/08 (all received 18 January 2017)**

**REASON: For the avoidance of doubt and in the interests of proper planning.**

**3 INFORMATIVE TO APPLICANT:**

**Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.**

**4 INFORMATIVE TO APPLICANT:**

**The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**

**5 INFORMATIVE TO APPLICANT:**

**Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.**

## **6 INFORMATIVE TO APPLICANT:**

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

**32e 16/11277/FUL- Land adjacent 76 Bryans Close Road, Calne, Wiltshire, SN11 9AD**

The Senior Planning Officer introduced the application for the demolition of existing garage and erection of a new dwelling. A presentation was shown which included photographs of existing site, along with diagrams of the proposed build. Attention was drawn towards the sites location in relation to the highway and the positioning of the neighbouring properties window was also noted.

There were no Technical Questions.

There were no public speakers.

The Local Member Cllr Tony Trotman spoke in regard to the application, explaining that since he had called in the application, amendments had been made. He considered the proposals to be squeezed into a small site, although he noted the length of the garden. The Councillor also raised concerns as to reports of near-miss accidents on the bend of the highway, where the proposed development is situated, however noted that the highways officer had raised no objections to the scheme.

In the debate that followed, some Members emphasised concerns raised as to the potential added hazard to the highway in that area. Members spoke of their own experience of what they described as a busy and fast section of road. However, Members noted the size of the plot and expressed support for the plans, in light of the moderating amendments.

Cllr Peter Hutton proposed to accept the Officer's recommendation and approve the plans, which was seconded by Cllr Chuck Berry. Councillors then approved the application.

### **RESOLVED:**

**That planning permission is GRANTED, 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** The development hereby permitted shall be carried out in accordance with the following approved plans:

**CB/C/02/16.A - Proposed Block Plan, Floor Plans & Elevations**

**Received 31 January 2017**

**REASON:** For the avoidance of doubt and in the interests of proper planning.

**3** No development shall commence on site until the exact 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:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

**4** No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

**REASON:** In the interests of highway safety.

**5** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the northeast elevation of the development hereby permitted.

**REASON:** In the interests of residential amenity and privacy.

**6 INFORMATIVE TO APPLICANT:**

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

**7 INFORMATIVE TO APPLICANT:**

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic

importance, available access and the ground conditions appertaining to the sewer in question.

**8 INFORMATIVE TO APPLICANT:**

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

**9 INFORMATIVE TO APPLICANT:**

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

**10 INFORMATIVE TO APPLICANT:**

The proposal includes alteration to the public highway. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the vehicle access team on telephone 01225 713352 or email [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) for further details.

**32f 16/10805/FUL & 16/10963/LBC- 30 Church Road, Hilmarton, SN11 8SE**

The applicant Mel Wilkins spoke in favour of the application, along with his agent Colin Johns. Parish Councillor Jeff Files spoke in favour of the application on behalf of Hilmarton Parish Council.

The Senior Planning Officer introduced the application which was for a single storey rear extension of a listed building, for ancillary use. A presentation was given which included photographs of existing property and showed diagrams of the proposed build. The planning history of the building was explained and Members were informed that having been converted into a single dwelling previously, permissions had been granted to revert it back to two dwellings, but that more living space was required, to make it habitable for modern day living. The Officer explained the significance of this listed building and the conservation area and the perceived harm that the proposed extension would cause.

Technical Questions were asked surrounding the need for the "link" design and it was explained that following to previous consultations with conservation officers, it was thought that by keeping the new build separate to the listed building appearing as a clearly defined new extension, the lightweight structure would retain the character of the original and do less harm to both the listed

building and the conservation area. Members also noted that the photographs provided did not do justice to the original charm and beauty of the conservation area.

Members of the public were invited to speak, as detailed above.

Local Member Cllr Christine Crisp spoke with regard to the application, stating the property had been maintained to a very high standard and that to refuse would be penalising the applicant, who had enabled the building to continue as a habitable and attractive dwelling. The Councillor said that there was a public benefit in providing a second home to the village and that would outweigh any perceived harm to the conservation area.

In the debate that followed, Cllr Peter Hutton first proposed that the application be deferred for a site visit, to allow members to visit the listed building, surrounding area and understand more about the extensions to other listed buildings in the locality. This was seconded by Cllr Mollie Groom. However this was on going to the vote the motion was refused. Officer's used Google Street view to show the street scene. Members expressed sympathy for the need to develop listed buildings, in order to make them suitable for modern living.

A second motion was moved by Cllr Christine Crisp to approve the Planning Permission and Listed Building Consent, on the grounds that the public benefit, of bringing the building up to modern standards and providing an additional small dwelling to the village, outweighed the harm to the listed building and conservation area, which was less than substantial. This was seconded by Cllr Glenis Ansell.

The Committee considered, that in its current layout, the building was not suitable for family accommodation and highlighted that the proposal would be a constructive form of consideration. Members questioned the materials to be used for link, recommending that it be clear that this was a modern extension to the listed building, the planning officer confirmed that details of the glazing would be submitted to officers to ensure there would be a distinction between the old and the new and the link would be 'lighweight'.

**RESOLVED:**

**Resolved to GRANT full planning permission and Listed Building Consent, subject to conditions (the formulation and imposition of which were delegated to the Head of Development Management Services) which were subsequently proposed as follows:**

**Officers now recommend the following conditions:-**

**16/10805/FUL**

**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 The development hereby permitted shall be carried out in accordance with the following approved plans:**

**REASON:** For the avoidance of doubt and in the interests of proper planning.

**16/10963/LBC**

**1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of 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 No development shall commence on site until the exact 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:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area

**3 No paint or stain finish shall be applied to external timber (including external walls and window joinery, until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first brought into use.**

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

**4 No external flue(s) shall be installed unless the design, color and location is first agreed in writing with the Local Planning Authority, carried out in accordance with the approved details and maintained as such thereafter.**

**REASON:** In the interests of preserving the character and appearance of the listed building and its setting.

**5 No works shall commence on site until details of all new (which shall be of cast metal construction) and their means of fixing to the building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.**

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in

an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

**6 No works shall commence on site until details of all new external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.**

**REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.**

**7 No works shall commence on site until details of all new or replacement internal joinery, including doors, door linings, architraves, beading and skirtings, have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.**

**REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.**

**8 The rooflights hereby approved shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.**

**REASON: In the interests of preserving the character and appearance of the listed building and its setting.**

**Reason for granting full planning permission and Listed Building Consent:**

**The proposed development would result in harm and is therefore in conflict with CP58 of the Wiltshire Core Strategy. However, the NPPF at paragraph 134 allow planning permission to be granted where public benefit outweighs harm. In this instance, the harm is considered to be less than substantial and the public benefits (being the bringing of the building up to a modern standard for those who choose to live there) are considered to outweigh that harm. The proposal is also considered to be of a high quality and accord with CP57 and all other policies within the Wiltshire Core Strategy and NPPF.**

**32g 16/11427/FUL- Land adjacent to Sharplands, Sutton Lane, Sutton Benger, Chippenham, SN15 4RS**

Item was deferred as announced above. (See Late Items in agenda pack for details).

**33 Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00- 17:10)

The Officer who has produced these minutes is Edmund Blick of Democratic Services, direct line 01225 718059, e-mail [edmund.blick@wiltshire.gov.uk](mailto:edmund.blick@wiltshire.gov.uk)

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## **NORTHERN AREA PLANNING COMMITTEE**

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### **MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 15 FEBRUARY 2017 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.**

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Glenis Ansell, Cllr Howard Greenman, Cllr Jacqui Lay (Substitute) and Cllr Chris Hurst

#### **Also Present:**

Cllr Dick Tonge and Cllr Sheila Parker

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#### **12 Apologies**

Apologies were received from Cllr Chuck Berry who was substituted by Cllr Jacqui Lay. Apologies were also received by Cllrs Christine Crisp and Terry Chivers.

#### **13 Minutes of the Previous Meeting**

The minutes of the meeting held on Wednesday 4 January 2016 were presented.

#### **RESOLVED:**

**To approve as a true and correct record and sign the minutes.**

#### **14 Declarations of Interest**

There were no declarations of interest.

#### **15 Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

#### **16 Chairman's Announcements**

There were no Chairman's announcements.

#### **17 Public Participation**

The Committee noted the rules on public participation.

18 **Rights of Way Modification- Parish of Box**

Members of the public Paul Turner, Anne Cleaverley and David Wright spoke in favour of the Modification Order. Parish Councillor Sid Gould spoke briefly on the item, stating that the Parish Council had no objections to the Order

The Rights of Way Officer Sally Madgwick, introduced the Definitive Map Modification Order. A short presentation was given, showing photographs of the worn footpaths and the surrounding areas, including tree lines and hedgerows. A summary of the evidence was provided, explaining that 42 witness statements had been received, dating back to the 1960's. This included a local councillors reference to over 30 years of use. It was highlighted that for the Order to be approved, 20 years of uninterrupted use needed to be evidenced. The Officer also gave an overview of the ownership and use of the area over the years. Finally, the Officer gave an account of the relevant legislation and regulatory position of the Committee, stating that due to the existing objection to the modification, the Committee could not confirm the Order but could forward it to the Secretary of State for determination, with a recommendation for it to be confirmed, with or without modification, or with a recommendation for it not to be confirmed. Attention was drawn to the late items and it was identified that no new matters were raised that had not already been addressed in full in the report to Committee.

In response to technical questions from Councillors regarding the meaning of "uninterrupted use", the Officer explained that interruption does not have to be physical or literal exclusion, it could be served by the use of signage or other publication.

Cllr Sheila Parker, the neighbouring division member, spoke with her approval of the Order.

In the debate that followed, Councillors discussed the public health benefits of public footpaths and Wiltshire Council's interest in maintaining them. Cllr Peter Hutton proposed the officer's recommendation which was seconded by Cllr Howard Greenman and approved by the Committee.

**RESOLVED:**

**That "The Wiltshire Council Parish of Box 107A, 107B and 107C Rights of Way Modification Order 2016 is forwarded to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that it is confirmed as made.**

19 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of Agenda Item 7- The Wiltshire Council Parish of Box 107a, 107b and 107c Rights of Way Modification Order 2016 and

Agenda Item 8d- 16/09314/OUT Old Glove Factory, Adj. 25 Brockleaze, Neston, Corsham, Wiltshire, SN13 9TJ, as listed in the agenda pack.

20 **15/10682/FUL- Marden Farm, Rookery Park, Calne, SN11 0LH**

The Chairman explained that this Item would no longer be determined in the meeting, after the disputed s.106 agreement was signed the previous night and as such the recommended further extension of time was not required.

21 **16/09038/LBC & 16/08525/FUL Thistle Barn Stable Block, Ashley, Box, SN13 8AJ**

Members of the public, Bob Alderman and Kevin Ford, spoke against the application, whilst the applicant's agent, Alvin Howard, spoke in favour. Parish Councillor Pauline Lyons spoke against the application on behalf of Box Parish Council.

The Team Leader Lee Burman, introduced the application which sought works to, and the change of use of, stable blocks into holiday lets. A presentation was shown with photographs of the site and existing stables. Diagrams were shown with proposed plans of development. It was explained that there was to be minimal change to the external appearance of the building. It was confirmed that the proposed plans were within national and local policy. The local policy to promote tourist accommodation was emphasised and it was confirmed that whilst there were concerns as to character and design, this was not in and of itself a sufficient ground for refusal, given the nature of the proposals involving conversion of existing buildings.

Technical questions were asked by Councillors regarding the retention of the roof and the possible risk from asbestos. The Officer confirmed that the existing and proposed plans and supporting statements demonstrated that the proposal was to retain the roof and insert a ceiling internally. Furthermore, in response to some of the issues raised by the public speakers, it was also clarified that all surveys and observations has been completed by experienced professionals.

Members of the public then had the opportunity to address the Committee, as detailed above.

Local Division Member Sheila Parker voiced her concerns for the application, asking that it be deferred for further surveys to be done as to the suitability of the site and the impact on highways.

The Officer explained that for impact on highways to be the grounds for refusal under national planning guidance contained in the NPPF, the impact must be severe.

In the debate that followed, the need for quality tourist lets was considered along with the need for clarity in regards to the retention of the roof under the plans.

An initial proposal to approve the officer's recommendations was moved by Cllr Tony Trotman, seconded by Cllr Toby Sturgis but voted against by the Committee.

Debate then followed as to the possibility of refusal on the grounds of design, lack of amenity and highways concerns. A motion was then proposed by Cllr Peter Hutton that the recommendations be approved subject to the same requirement for delegation to officers to confirm that the development proposed is as referenced in the plans. This motion was seconded by Cllr Toby Sturgis and passed by Committee.

Later in the meeting, a further motion was proposed by Cllr Tony Trotman and seconded by Cllr Peter Hutton, to approve the Listed Building Consent, as per the officer's recommendations, subject to the same condition of delegation to officers to confirm the development is as referenced in the plans. This was also passed by the majority.

**RESOLVED:**

**To delegate authority to the Head of Development Management Services to approve the Planning Permission application subject to the conditions in the report and officers confirming with the applicant that the scheme is as proposed, and will be built in accordance with, the approved plans.**

**Planning Permission GRANTED subject to 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. The development hereby permitted shall be carried out in accordance with the following approved plans: Existing Stable Plan 2276/2, Existing Elevations 2293/3 and Proposed Ground Floor 2293/4 rev. A (all received 1 September 2016), Proposed Rear (East)Elevation 2276/6 rev.D, Proposed End Elevations 2293/7 rev.C and Proposed Front (West) Elevation 2276/9 rev.E (all received 8 November 2016) and Location and Block Plan 2293/1 rev.B (received 6th December 2016)**

**REASON: For the avoidance of doubt and in the interests of proper planning.**

- 3. No development shall commence on site until details of the works for the disposal of sewerage including details of the existing septic tank connection have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be first occupied until the approved sewerage and septic tank details have been fully implemented in accordance with the approved plans.**

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

4. **Notwithstanding Class C3 of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification), the accommodation hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent, unrestricted accommodation or as a primary place of residence. An up to date register of names and main home addresses of all occupiers shall be maintained and shall be made available at all reasonable times to the Local Planning Authority.**

**REASON:** This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

5. **INFORMATIVE TO APPLICANT:** Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
6. **INFORMATIVE TO APPLICANT:** The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
7. **INFORMATIVE TO APPLICANT:** Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.
8. **INFORMATIVE TO APPLICANT:** The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

**9. INFORMATIVE TO APPLICANT:** The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website [www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)

**RESOLVED:**

To delegate authority to the Head of Development Management Services to approve the Listed Building Consent application subject to the conditions in the report and officers confirming with the applicant that the scheme is as proposed, and will be built in accordance with, the approved plans.

Listed Building Consent GRANTED subject to conditions;

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of 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 works hereby permitted shall be carried out in accordance with the following approved plans: Existing Stable Plan 2276/2, Existing Elevations 2293/3 and Proposed Ground Floor 2293/4 rev. A (all received 1 September 2016), Proposed Rear (East) Elevation 2276/6 rev.D, Proposed End Elevations 2293/7 rev.C and Proposed Front (West) Elevation 2276/9 rev.E (all received 8 November 2016) and Location and Block Plan 2293/1 rev.B (received 6th December 2016)

**REASON:** For the avoidance of doubt and in the interests of proper planning.

3. Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:
- (1) Large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
  - (2) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
  - (3) A full schedule and specification of repairs including:
  - (4) a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects;
  - (5) Full details of external decoration to render, joinery and metalwork; and
  - (6) Full details and samples of external materials.

The works shall be carried out in accordance with the approved details.

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

4. No render shall be applied to any building or walls on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available 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 listed building and its setting.

5. **INFORMATIVE TO APPLICANT:** The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.
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22 **16/09353/FUL - London Road Streetworks, London Road, Box, Corsham SN13 8LU**

Members of the public Dr Brian Mathew, Owen Hurst and Tim Walton spoke against the application. Parish Councillor Pauline Lyons also spoke against the application, on behalf of Box Parish Councillor.

The application was introduced by the Senior Planning Officer Charmian Burkey in a presentation which included photographs of the site and diagrams showing proposed plans for the construction of 4G mast. It was explained that the site was within the Green Belt, Cotswold Area of Outstanding Natural Beauty and also a Conservation Area and the setting of designated heritage assets. However, there was an identified need to provide telecoms coverage through Box tunnel especially for emergency purposes. The proposed installation was described as a 12 metre high mast with 4 cabinets. It was highlighted that the proposal had certification of compliance with national policy, regarding the public health safety of telecommunication masts. Therefore, despite public concerns, the potential health impact, was not a planning matter to be considered by the committee. Attention was drawn to the late items on this item.

A number of technical questions were asked by the committee. Notably, the issue of whether alternative solutions had been properly explored was raised by a number of Councillors, such as running cables through Box tunnel itself. Cllr Mollie Groom declared that she would be abstaining, having campaigned against a similar application previously, on grounds of impact to public health. It was also confirmed by officers, after questioning, that colour of the mast could be conditioned by officers.

Members of the public then had the opportunity to address the Committee, as detailed above.

The Local Division Member Cllr Sheila Parker spoke against the proposals, stating that the positioning of the mast on the narrow pavement, on a busy road, would add to the risks to children, who use the route on the way to school.

Cllr Parker also referred to two petitions against the application, which had received over 400 signatures combined.

In the debate that followed, an initial proposal by Cllr Peter Hutton, to approve the officers recommendation, with two additional conditions regarding the restriction of further cabinets and the colour of the mast itself was not seconded.

Cllr Toby Sturgis proposed that the application be deferred, until additional information was provided, as to the efficiency and necessity of the mast in the location sought, along with an explanation of why cabling through the tunnel could not be used, as well as other options. This was seconded by Cllr Jacqui Lay. This motion was debated and approved by the Committee.

**RESOLVED:**

**To defer for 1 cycle for officers to provide additional technical information regarding:-**

- **Line of sight through Box Tunnel and the proposed location of the mast;**
- **Alternative locations considered/ investigated including mast sharing and use of Network Rail land and facilities;**
- **Technical details and constraints information as to the use of Box Tunnel / cabling as alternative proposals;**
- **Clarification as to why enhanced emergency services coverage in the tunnel is necessary over and above Network Rail communications technology.**

23 **16/09314/OUT-Old Glove Factory, Adj. 25 Brockleaze, Neston, Corsham, SN13 9TJ**

Member of the public, Jeremy Reece, spoke against the application. The applicant's agent, Alvin Howard, spoke in favour of the application.

The Senior Planning Officer Chris Marsh introduced the application which sought approval for Demolition of redundant factory storage units, and replacement with 10 new dwellings, associated works & landscaping. Photographs were shown of the existing site and diagrams were shown of the proposed development. The condition of the buildings and the scope for re-use/conversion as per previously permitted proposals was discussed as were concerns as to existing infrastructure. The reasons for refusal were summarised as there being too many unknowns to the plans and insufficient evidence being provided in respect of the scope or otherwise for re-use, the need for redevelopment and Ecological constraints and requirements. Attention was also drawn to the late submissions of the ecology report and late items were referenced.

After technical questions, the Planning Officer confirmed that a preferred option would have been for the conversion and retention of some part of the existing structure, but that the applicants were seeking complete demolition and rebuild. The Officer also explained that concerns regarding highways would have to be

measured against the potential commercial use of the property, and that he highways impact would have to be severe to give grounds for refusal.

Members of the public then had the opportunity to address the Committee, as detailed above.

Local Division Member Dick Tonge spoke in favour of the application, stating that applications on this site had been going on for years, and that he was keen for it to be developed. He also expressed concerns as to the sites disrepair. He noted that the site already had permissions for the conversion to residential use and suggested that permission be given for demolition, before the buildings fell down.

In the debate that followed, Councillors noted that the site could be suitable for residential development but not in the form set out in the existing application and raised concerns as to the lack of detail and necessary supporting information to facilitate the full and necessary consideration of the impact of the scheme proposals. Cllr Peter Hutton moved the Officer's recommendation for refusal, which was seconded by Cllr Jacqui Lay and approved by the Committee.

**RESOLVED:**

**That the Application be refused for the following reasons:**

- 1. In the absence of appropriate exceptional justification, the proposed development, by reason of its amount and location outside of the built area of Neston, represents inappropriate residential development in the open countryside in conflict with Core Policies 2 and 48 of the adopted Wiltshire Core Strategy, saved Policy H4 of the North Wiltshire Local Plan and Paragraph 55 of the National Planning Policy Framework.**
- 2. The proposed development, located remote from a range of services, employment opportunities and being poorly served by public transport, is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. The proposal is contrary to Core Policy 60 of the adopted Wiltshire Core Strategy and Paragraph 34 of the National Planning Policy Framework.**
- 3. The proposed development will result in the permanent and unjustified loss of an undesignated heritage asset of local value. No meaningful investigation of alternative options comprising the retention/conversion of the asset and accompanying enabling residential development has been undertaken, such that the proposals conflict unduly with the asset's conservation. The proposal conflicts with Core Policies 57(i) and (xiii) and 58 of the adopted Wiltshire Core Strategy and Paragraphs 129, 131 and 135 of the National Planning Policy Framework.**

4. **Insufficient information has been submitted with the application to enable the Council to carry out an appropriate assessment of the proposals or determine whether an appropriate assessment is required, in accordance with the requirements of Regulation 61 of the Habitats Regulations. The proposals are also likely to negatively affect protected / priority species in a manner contrary to Core Policy 50 of the adopted Wiltshire Core Strategy, Paragraph 118 of the National Planning Policy Framework and Circular 06/2005.**

24 **16/11413/FUL- Mobile Home, Woodbarn Farm, Stanton St Quintin, Chippenham, SN14 6DJ**

The applicant's agent Gerald Blain spoke in favour the application.

Team Leader Lee Burman introduced the application which sought the replacement of an existing mobile home with a twin unit Static Lodge, as retirement accommodation. The Officer gave a presentation, showing photographs of the existing site, along with diagrams and photos of the proposed development. It was confirmed that this was a resubmission of a recent application, which had been refused in October 2016 and that the existing mobile home was unauthorised and no planning permission for residential development on this site existed. In this context, the officer also referenced the refusal of a previous Certificate of Lawfulness application for the mobile home. The planning policy objections to the application were explained, along with concerns as to the suitability of the site for retirement accommodation, along with concerns for the proposed design and character of the development.

A technical question was asked, to whether a temporary permission could be granted for the applicant's lifetimes, but the Officer confirmed that the circumstances did not meet the criteria of such an exception.

Members of the public then had the opportunity to address the Committee, as detailed above.

The Local Division Member, Cllr Howard Greenman, spoke in support of the application. He said that Councillors had to take a wider view, than that of the policy. He highlighted the benefits to the applicants, in allowing them to live in the area which they had farmed for most of their lives and raised concerns as to where they would live if the application was refused, and the potential cost to Wiltshire Council. He also addressed the view that approving the application would set a precedent, by stating that the circumstances were unique, an approval could not be easily applied to another application.

In the debate that followed, Councillors noted the circumstances of the applicants and discussed alternative accommodation options for them, which would be within Council policy and national legislation. Cllr Toby Sturgis then moved the Officer's recommendation, which was seconded by Cllr Peter Hutton. Councillors approved the Officer's recommendation.

**RESOLVED:**

That planning permission be REFUSED, for the following reasons:

1. The development would be in a rural location outside any recognised development limits or settlement, resulting in the formation of a new dwelling in the countryside. This is contrary to Paragraph 55 of the National Planning Policy Framework, Policies CP1 and CP2 of the Wiltshire Core Strategy (Adopted January 2015) and Saved Policy H4 of the North Wiltshire Local Plan, which restrict development outside of the towns and villages in rural areas and the open countryside except in a number of exceptional circumstances which are listed under Paragraph 4.25 of the Wiltshire Core Strategy and Paragraph 55 of the NPPF, none of which apply in this instance. As such, the proposal fails to promote a sustainable pattern of development within the County and is contrary to the aforementioned local and national policies.
2. The proposal, located remote from services, employment opportunities and not well served by public transport, is contrary to Paragraph 34 of the National Planning Policy Framework which seeks to promote sustainable development and reduce growth in the length and number of motorised journeys. The proposal also is contrary to the principles of sustainable development set out in policies CP1, CP2, CP60 and CP61 of the Wiltshire Core Strategy (Adopted January 2015).
3. Due to the use of materials proposed, the development would represent poor quality design which would fail to improve the character and quality of the area and would not respond positively to local distinctiveness. The proposal is therefore in conflict with Paragraph 64 of the National Planning Policy Framework and Core Policy 57 (i and iii) of the Wiltshire Core Strategy (Adopted January 2015).

*Cllr Howard Greenman requested that is opposition to the motion to refuse be recorded.*

25 **Urgent Items**

There were no urgent items.

(Duration of meeting: 15:00- 18:15 hours)

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