

**DEVELOPMENT
CONTROL
COMMITTEE**

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THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING

**Minutes of the Development Control Committee Meeting held
on Wednesday, 11th May 2005 in the Council Chamber, Monkton Park,
Chippenham, commencing at 6:00pm**

Present

Councillor R.B. MacGregor.....Chairman

Councillors H.R. Barton, C. Crisp, D. Darby, P.R. Davis, H.M. Dixon, S.K. Doubell,
D.J.E. Evans, P.J. Goldstone, G.R. Greenaway, M.E.M. Groom, H.T. Jones, C.
O’Gorman, J.H. Rooke, J.P.S.S. Thomson, A.J. Trotman and C. Wannell

Other Members Present

Councillors N.S. Bryant, P.G. Green and N.T. Maidment

County/Town/Parish Council Representatives

Cllr O. Gibbs	Brinkworth Parish Council
Cllr P.G. Allnatt	Chippenham Town Council
Cllr V. Stubbings	Broad Town Parish Council

Officers Present

B. Taylor (Principal Planning Officer), J. Simmonds (Principal Planning Officer), R.
Packer (Principal Solicitor) and J. Whittleton (Policy & Democratic Services
Assistant)

D138. Apologies for absence

Apologies for absence were received from Lea & Cleverton Parish Council,
Hullavington Parish Council, St Paul Malmesbury Without Parish Council, Box Parish
Council and from Councillors T.R. Sturgis, D.J.C. Constable and T.A.P. Briggs.



D139. Membership

Councillors to be replaced	Replacement	Political Group
T.R. Sturgis	M.E.M. Groom	Conservatives
D.J.C. Constable	D.J.E. Evans	Liberal Democrats
T.A.P. Briggs	C. O’Gorman	Liberal Democrats

D140. Public Question Time/Receipt of Petitions

A Public Question was received from Councillor O. Gibbs of Brinkworth Parish Council:

“At the Development Control Committee Meeting of the 30th March 2005, the Committee resolved not to grant Change of Use consent to application 04/02459/COU at 6-11 Callow Hill, Brinkworth. Residents of these properties have subsequently asked whether this means that grass on this land can only be cut twice a year as it is still classified as agricultural use. Can it be kept short and tidy by using a topping machine and which Planning Policies cover this problem”

J. Simmonds stated that a written response would be given to Councillor O. Gibbs’ Question.

A Public Question was received from Mrs V. Stubbings of Broad Town Parish Council:

She stated that as Development Control Committee Meetings now started at 6pm, it has become extremely difficult for people working normal hours to arrive on time.

The Chairman, Councillor R.B. MacGregor replied by saying that he understood that it could be difficult for some people to attend at 6pm and the reason for the Committee’s earlier commencement was so that meetings did not end too late.

D141. Minutes

The Minutes of the Meeting held on the 20th April 2005 (circulated with the Agenda) were considered.

Resolved that the Minutes of the Meeting of the 20th April 2005 be confirmed as a correct record.

D142. Chairman’s Announcements

The Chairman, Cllr R.B. MacGregor

OPEN FORUM

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

D143. Declarations of Interest

The following Declarations of Interest were made:

Name	Application /item	Type of Interest	Nature of Interest	Action
N.S. Bryant	7(b) Application number 16	Personal	County Councillor	Spoke
A.J. Trotman	7(b) Application number 16	Personal	County Councillor	Spoke and voted
J.P.S.S. Thomson	7(b) Application number 16	Personal	County Councillor	Spoke and voted
J.H. Rooke	7(b) Application number 16 & 17	Personal	County Councillor (16) Executive Member (17)	Spoke and voted
S.K. Doubell	7(b) Application number 16 & 17	Personal	County Councillor (16) Executive Member (17)	Spoke and voted
H.M. Dixon	7(b) Application number 16	Personal	County Councillor	Spoke and voted
P.R. Davis	7(b) Application number 16	Personal	County Councillor	Spoke and voted
D. Darby	7(b) Application number 17	Personal	Executive Member	Spoke and voted

D144. Development Control Items

(a) **Withdrawn Items**

05/00710/FUL – Hartwell Ford Garage, Cocklebury Road, Chippenham.

(b) **Planning Applications**

Note: In making the following decisions, the Committee took into account observations by Local Councils and interested parties received subsequent to the preparation of the Agenda and given in the Late Observations Schedule circulated at the meeting. A copy of the Late Observations Schedule is kept in the official Minute Book.

1. 05/00709/OUT – Outline for Residential – 39 Units – Hartwell Ford Garage, Cocklebury Road, Chippenham

Representations were received from Mr Mortimer in objection to the application, from Councillor P.G. Allnatt of Chippenham Town Council and from Mr P. Burgess, the agent.

Issues discussed included:

- The density of the proposed development;

- The Cocklebury South Development Statement and Master Plan;
- The distance of the proposed development to boundaries;
- Car parking, traffic and the access of emergency vehicles;
- Sustainability;
- The potential visual impact of the proposals;
- Public open space;
- Affordable housing; and
- Consultation with local residents.

Resolved that consideration of the application be DEFERRED for one cycle to await the decision of the Executive on the Cocklebury South Development Statement and Master Plan.

2. **05/00710/FUL – Residential Development Comprising the Erection of 39 Dwellings: 33 2-Bedroom Flats, 3 2-Bedroom Houses and 3 3-Bedroom Houses, 42 Car Parking Spaces and Formation of New Vehicular Access From Cocklebury Road – Hartwell Ford Garage, Cocklebury Road, Chippenham**

Withdrawn.

3. **04/03600/OUT – Erection of Dwelling – Including Details of Siting, Design and Means of Access – Land at Rear of 47 Gastons Road, Malmesbury**

Issues discussed included:

- The impact of the proposals on parking and the street-scene;
- Policies RH8, RB3 and PPG13;
- The scale of the proposed development;
- The possible impact on the Malmesbury Conservation Area.

Resolved that planning permission be GRANTED subject to the conditions set out in the Agenda.

4. **04/03156/REM – Approval of Reserved Matters for the Erection of Three Dwellings (04.01307.OUT) (Revised Proposals) – Land Adj Greentops, 28 Hardenhuish Lane, Chippenham**

Representations were received from Mr M. Carol in objection to the application and from Mr D. Parsons, the agent.

Issues discussed included:

- The possible overbearing/overlooking nature of the proposed development;
- The possible removal of trees;
- The siting and nature of windows;
- The views of Langley Burrell Parish Council;
- The potential danger of exiting onto Hardenhuish Lane; and
- Policy RH8.

Resolved

(1) That the application be REFUSED on grounds including, but not limited to, the following reason:

- Due to the siting and design of the houses the proposals would cause unacceptable loss of amenity to adjoining houses and would overlook adjoining houses contrary to policies RH8 and RH15 of the North Wiltshire Local Plan 2001.

(2) That authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) 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.

5. 04/03354/OUT – Outline – Residential Development (Revision to 04.02480.OUT) – Land at 1 Seagry Road, Sutton Benger, Chippenham

Representations were received from Mr M Woodacre in objection to the application.

Issues discussed included:

- The possible impact on the Conservation Area;
- Parking and highways issues;
- The possible removal of a stone wall;
- The views of Seagry Parish Council;
- The siting, design and materials to be used;
- The possible impact on the nearby Listed Building; and
- The potential for flooding in the area.

Resolved that consideration of the application be DEFERRED to invite the applicant to submit a full application.

6. 05/00247/FUL – Erection of Double Garage – 18 Coxstalls, Wootton Bassett

Representations were received from Mr C. Balson in objection to the application and from Mr V. Vines, the agent.

Issues discussed included:

- The views of WCC Highways Authority;
- The scale of the proposed development;
- The possible impact on the amenities of neighbours;
- The possible impact on the Conservation Area;
- The footpath proposed for an access

Resolved

(1) That the application be REFUSED on grounds including, but not limited to, the following reason:

- The proposal would create additional traffic on a narrow footpath with inadequate sight lines creating danger to pedestrians using the track and having a detrimental effect on the amenities of residents, contrary to policy RH14 of the North Wiltshire Local Plan 2001.

(2) That authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) to amend the Council's case in the event of an appeal against refusal, if so advised by any consultant appointed to present evidence on the Council's behalf, and/or on Counsel's advice.

7. 05/00401/FUL – Dwelling – 34 Greenhill, Neston, Corsham

Representations were received from Miss S. Brodie in objection to the application and from Mr M. Willis, the agent.

Issues discussed included:

- Access and the views of WCC Highways Authority;
- Emergency access; and
- The possibility of flooding on the site.

Resolved that consideration of the application be DEFERRED in order to carry out a site visit.

8. 05/00453/FUL – 40m x 20m Riding Arena and Change of Use of Land to Private Equestrian Use – Appleford, Thornhill, Wootton Bassett

Representations were received from Mr M. Stubbings in objection to the application, from Mrs C. Spickernell on behalf of the Campaign to Protect Rural England (read in her absence by J. Whittleton – Policy & Democratic Services Assistant) and from Mrs Harris, the applicant.

Issues discussed included:

- Drainage issues;
- Commercial or Personal use of the site; and
- The possible impact on the nearby footpath

Resolved that consideration of the application be DEFERRED to refer amended plans to Broad Town Parish Council.

9. 05/00582/FUL – Erection of Detached Garage – Little Town Farm House, Broad Town, Swindon

Representations were received from Mrs C. Spickernell on behalf of the Campaign to protect Rural England (read in her absence by J. Whittleton – Policy & Democratic Services Assistant).

Issues discussed included:

- Proposed roof materials; and
- The views of Broad Town Parish Council.

Resolved that planning permission be GRANTED subject to the conditions set out in the Agenda and in the Late Observations.

10. 05/00643/FUL – Erection of 12 Two and Three Bed Holiday Lodges and Covered Parking / Bin Storage (1 Carspace/Lodge) and Associated Access – Land at Lowfield Farm, Oaksey, Malmesbury

Representations were received from Mr N. Weatherly in objection to the application and from Mr D. Hutchison, the agent.

Issues discussed included:

- The impact on wildlife, character of the area and the countryside;

- Access;
- Whether there was a need for the provision of such cottages;
- The scale of the proposed development; and
- The loss of green fields.

Resolved

(1) That the application be REFUSED on grounds including, but not limited to, the following reason:

- The proposed development will fail to respect the rural character and appearance of its surroundings and will have an unacceptable impact on the open landscape of the area contrary to Policy RTM2 of the North Wiltshire Local Plan 2001.

(2) That authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) 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.

11. 05/00644/FUL – Erection of 3 Two and Three Bed Holiday Lodges and Covered Parking / Bin Storage (1 Carspace/Lodge) and Associated Access – Land at Lowfield Farm, Oaksey, Malmesbury

Representations were received from Mr N. Weatherly in objection to the application and from Mr D. Hutchison, the agent.

Issues discussed included:

- The impact on wildlife, character of the area and the countryside;
- Access;
- Whether there was a need for the provision of such cottages;
- The scale of the proposed development; and
- The loss of green fields.

Resolved that planning permission be GRANTED subject to the conditions set out in the Agenda.

12. 05/00728/FUL – Erection of One Dwelling – Land at 4 The Crescent, Quemerford, Calne

Representations were received from Mrs C. Webb in objection to the application and from Mr S. Pearce, the agent.

Issues discussed included:

- The possible overlooking nature of the proposals;
- The density of the proposed development;
- The precedent set of allowing such proposals; and
- Access and Highways issues.

Resolved

(1) That the application be REFUSED on grounds including, but not limited to, the following reason:

- The proposal would fail to harmonise with the character and appearance of the area and would adversely effect the amenity of adjoining dwellings contrary to policies RH8 and RH15 of the North Wiltshire Local Plan 2001.

(2) That authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) 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.

13. Erection of One Detached Dwelling - 97 Hungerdown Lane, Chippenham

Representations were received from Mr M. Willis, the agent.

Issues discussed included:

- The views of WCC Highways Authority;
- Road safety; and
- Right of access to the site.

Resolved that consideration of the application be DEFERRED in order to carry out a site visit.

14. 05/00450/FUL – Change of Use to Hot food Takeaway (Class A3) – 1A High Street, Corsham

Issues discussed included:

- The views of Corsham Town Council;
- Previous use of the site;
- The address of the site;
- Policy RS3; and
- The possible impact on the Conservation Area and the Listed Building.

Resolved that planning permission be GRANTED subject to the conditions set out in the agenda.

15. 05/00496/FUL – Amendment to 01.01692.FUL – Garage – Land Adj 1 Box Hill, Corsham

Representations were received from Mrs M.S. Carey on behalf of Box Parish Council and from Mr S. Chambers, the agent.

Issues discussed included:

- The visual impact of the proposed development; and
- The scale of the proposed development.

Resolved that consideration of the application be DEFERRED in order to carry out a site visit.

16. Erection of School and Community Hall with Car Park - Hilmarton Primary School, Church Road, Hilmarton

Representations were received from Mr M. Burns in objection to the application, from Mrs C. Wall, the applicant and from Mr J. Twine, the agent.

Issues discussed included:

- Traffic and parking issues;
- The possibility of anti-social behaviour in the proposed car park;
- The merit of the design; and
- The need for the proposed venue.

Resolved that consideration of the application be DEFERRED for two cycles to negotiate amendments with the applicant and Councillors D.J.E. Evans and N.S. Bryant.

17. 05/00320/COU – Change of Use to Residential – Land at Rear of 34 & 35 Bences Lane, Corsham

Resolved that planning permission be GRANTED for the reason set out in the Agenda

18. 04/01142/FUL – Erection of Dwelling and Alterations to Access – Land at Hunters Meadow, Yatton Keynell, Chippenham

Resolved to note.

19. 04/01964/FUL – New Mobile Home and Septic Tank Drainage System – field No. 4950 – Braydon Manor Farm, Braydon, Swindon

Resolved to note.

D145 Development Control Working Group

Consideration was given to a report on the Terms of Reference for a Working Group of the Development Control Committee, following the recommendation of the Overview and Scrutiny Committee at its meeting on January 20th 2005 and the Executive Committee on February 3rd 2005 and February 10th 2005.

Resolved that the Terms of Reference for the Development Control Working Group outlined in the Agenda be approved.

D146. Proposed Diversion of Public Footpath – Footpath 66 Calne

Consideration was given to Report No 9 to recommending that a Footpath Diversion Order be made affecting Footpath 66 Calne, in the interests of the owner of land crossed by this footpath.

Resolved that authority be given to the Team Leader Legal Services to make an Order in respect of the diversion of public Footpath No.66 Calne in accordance with the Highways Act 1980 - section 119, utilising the proposed route as suggested by the Applicant and that, subject to there being no objections, the Order be confirmed accordingly.

The meeting started at 6.00pm and finished at 9:25 pm.
There were 68 members of the public present.

Signed _____