

**DEVELOPMENT
CONTROL
COMMITTEE**

Enquiries to: James Whittleton
Email: jwhittleton@northwilts.gov.uk

THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING

**Minutes of the Development Control Committee Meeting held
on Wednesday, 20th April 2005 in the Council Chamber, Monkton Park,
Chippenham, commencing at 6:00pm**

Present

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

Councillors H.R. Barton, T.A.P. Briggs, C. Crisp, D. Darby, P.R. Davis, H.M. Dixon,
S.K. Doubell, P.J. Goldstone, G.R. Greenaway, T.J.A. Northey, J.H. Rooke, T.R.
Sturgis, J.P.S.S. Thomson and C. Wannell

Other Members Present

Councillors J.A. Scott and R.L. Tonge

County/Town/Parish Council Representatives

Cllr O. Gibbs	Brinkworth Parish Council
Cllr M. Hall	Kington St Michael Parish Council
Cllr K. Hillier	Lacock Parish Council
Cllr P.G. Allnatt	Wiltshire County Council

Officers Present

C. Pescod (Development Control Team Leader), J. Simmonds (Principal Planning Officer), R. Packer (Principal Solicitor) and J. Whittleton (Policy & Democratic Services Assistant)

D129. Apologies for absence

Apologies for absence were received from Lea & Cleverton Parish Council, Hullavington Parish Council, St Paul Malmesbury Without Parish Council, Purton Parish Council and from Councillors D.J.C. Constable, H.T. Jones and A.J. Trotman.



D130. Membership

Councillors to be replaced	Replacement	Political Group
H.T. Jones	T.J.A. Northey	Conservatives

D131. Public Question Time/Receipt of Petitions

There were no Public Questions nor Petitions received.

D132. Minutes

The Minutes of the Meeting held on the 30th March 2005 (circulated with the Agenda) were considered.

Resolved that the Minutes of the Meeting of the 30th March 2005 be confirmed as a correct record.

D134. 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.

AGENDA ITEM 7

Agenda Item 7, Report on Temporary Stop Notices, was to be considered after Development Control Items.

DEVELOPMENT CONTROL ITEMS

Development Control Item 5, 05/00255/COU was to be considered before Item 4, 05/00254/LBC.

D135. Declarations of Interest

The following Declarations of Interest were made:

Name	Application /item	Type of Interest	Nature of Interest	Action
J.H. Rooke	8(b) Application Numbers 1 & 10	Prejudicial	N/A	Left Chamber
G.R. Greenaway	8(b) Application Number 13	Personal	Member of Purton Parish Council	Spoke & Voted

D136 Report on Temporary Stop Notices

Resolved: to

- (1) approve the amended definition of Authorised Officer in the Scheme of Delegation.
- (2) delegate authority to the Authorised Officer to issue Temporary Stop Notices and to issue Enforcement Notices and normal Stop Notices following a Temporary Stop Notice.
- (3) delegate authority to the Authorised Officer to take Direct Action.
- (4) remove the duplication relating to the taking of proceedings.
- (5) consolidate references to the taking of proceedings by the Authorised Officer.
- (6) approve the amendments relating to Discontinuance Notices and Amenity Notices.
- (7) approve the amended Scheme of Delegation.

D137. Development Control Items

(a) **Withdrawn Items**

04/03646/S73A – Land Adj Rowden Lane, 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. **04/03646/S73A – Variation of Conditions 2, 3, 6, 8 and 9 Attached to 02.00600.FUL – Land Adj Rowden Lane, Chippenham**

Withdrawn.

2. **04/03600/OUT – Erection of Dwelling - Including Details of siting, Design and Means of Access – Land Rear of 47 Gastons Road, Malmesbury**

Issues discussed included:

- The possible need for a site visit;
- The views of WCC Highways Authority; and
- The provision of parking

Resolved that consideration of the application be DEFERED to allow a site visit to take place.

3. 05/00242/REM – Erection of Single Storey Dwelling Approval of Reserved Matters Pursuant to 04.02285.OUT – Rear Garden of 43 Frogwell, Chippenham

Issues discussed included:

- The views of local residents;
- Parking;
- Policies RH8 & RH15;
- Conditions contained within the Agenda; and
- Materials and planting.

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

- (1) Prior to the commencement of the development hereby permitted, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.
Reason: In the interests of visual amenity.
- (2) The hedge and tree at the front of the site shall be retained as indicated on the approved plan.
Reason: In the interests of amenity.
- (3) Prior to the commencement of the development hereby permitted and before any equipment, machinery or materials are brought onto the site for the purposes of the development, details of fencing to be erected for the protection of retained trees/hedges/shrubs shall be submitted to and approved in writing by the local planning authority. Fencing for the protection of retained trees/hedges/shrubs shall be erected in accordance with the approved details before any equipment, machinery or materials are brought onto the site for the purposes of the development and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the written consent of the local planning authority.
Reason: In the interests of protecting the existing trees/hedges/shrubs on the site.

**4&5. 05/00254/LBC – Internal and External Alterations Including Demolition of C20 Additions: Erection of Boundary Walls: Erection of Carport – Barns at Manor Farm, Thornhill, Wootton Bassett and;
05/00255/COU – Conversion of Retained Former Farm Buildings to Provide Two Residential Units: One Shared Office Facility and One Self-Contained B1 Unit and New boundary Wall: Erection of Carport – Former Farm Buildings at Manor Farm, Thornhill, Wootton Bassett**

Representations were received from Mr S. Chambers, the agent.

Issues discussed included:

- The preservation of Listed Buildings;
- The sustainability of such a proposal; and
- The possible impact on traffic in the area.

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

6. 05/00297/FUL – Erection of Agricultural buildings, Layout of Yard and Improvement of Existing Agricultural Access – Cherry Tree Farm, Tytherton Lucas, Chippenham

Representations were received from Mr Ranson in objection to the application, from Mr A. Ford in support of the application and from Mr D. Pearce, the agent.

Issues discussed included:

- The views of local residents;
- The possible visual impact on the countryside;
- The history of the site;
- The size of the proposed site entrance and its siting;
- The possible use of store rooms;
- The precedent set of allowing such a proposal;
- The new agricultural points system, the needs of livestock and the current agricultural climate;
- The views of WCC Highways Authority;
- The possible removal of a hedgerow; and
- The surface materials of the proposed track.

Resolved

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

- The proposal would cause harm to the amenity and landscape of the countryside, contrary to policy RC9 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. 05/00345/REM - Forty Four Dwellings with Associated Roads, Garages and Parking Spaces – Land at Englands, Pewsham Way, Chippenham

Representations were received from Mr C. Sutton in objection to the application, from Councillor P.G. Allnatt of Wiltshire County Council and from Mr P. Court, the applicant.

Issues discussed included:

- Hedging, planting schemes and fencing;
- The impact on the nearby footpath;
- The possible overlooking nature of the proposed development;
- Traffic calming measures;
- Recycling facilities;
- The siting of affordable housing; and
- Consultation between the applicant and local residents.

Resolved that planning permission be GRANTED subject to the conditions set out in the Agenda and the following additional condition.

Before development commences, details of a temporary fence to be erected on the north-eastern boundary of the site shall be submitted to and approved by the Local Planning Authority. The approved fence shall be erected before other development commences and shall thereafter be retained and maintained for a period of five years.

Reason: In the interests of the amenity and security of the adjoining houses.

8. 05/00388/FUL – Three Bedroom Detached Dwelling Garden to 78 The Green, Lyneham, Chippenham

Representations were received from Mr G. Stewart and Ms C. Lang in objection to the application.

Issues discussed included:

- A previous application on the site;
- The siting and scale of the proposals;
- The possible impact on the countryside;
- The safety of pedestrians;
- The views of Lyneham Parish Council;
- The views of the Planning Inspector; and
- The site entrance.

Resolved that planning permission be GRANTED subject to the conditions set out in the Agenda and the following additional condition.

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 the amenity of the area.

9. 05/00443/S73A – Removal of Condition 5 of 03.01949.COU (Restriction to Pizza & Pasta Being Cooked on the Premises – 41 Triangle, Malmesbury

Issues discussed included:

- The extraction system; and
- The views of the Environmental Health Officer.

Resolved that planning permission be GRANTED

10. 05/00444/CUU – Change of Use from Agricultural to Provide Thirteen Additional Caravan Parking Spaces – Elm Tree Farm Caravan Park, Rowden Lane, Chippenham

Representations were received from Mr D. Parsons, the agent.

Issues discussed included:

- The views of WCC Highways Authority;
- The views of the Rowden Lane Residents' Association and the Campaign to Protect Rural England;
- The steady increase in the number of caravans over the years; and
- The visual impact of allowing such proposals.

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

11. 05/00588/COU – Change of Use of Existing Single Storey Extension to Provide Self-Contained Nursery School – Hazeland House, 32 Kington St. Michael, Chippenham

Representations were received from Mr Elms in objection to the application, from Councillor M. Hall of Kington St Michael Parish Council and from Mr S. Chambers, the agent.

Issues discussed included:

- The views of local residents and Kington St Michael Parish Council;
- Highway and pedestrian safety;
- The provision of nursery places in the village;
- Sustainability; and
- Previous applications on the site;

Resolved

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

- The proposed development on this site with a joint vehicular access would have a detrimental effect on highway safety and the character and amenity of the area in general contrary to policy RLF1 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.

12. 05/00597/FUL – Two Storey Rear Extension – 40 Newbury Avenue, Calne

Representations were received from Mr Fortune in objection to the application.

Issues discussed included:

- The size and scale of the proposals;
- The views of local residents;
- The views of Calne Town Council;
- The merits of the proposed design; and
- The possible impact on the adjoining property; and

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

13. 05/00112/FUL – Convert Existing Storage/Sales Premises to Residential – Oak Farm, Braydon, Swindon

Representations were received from Mr S. Chambers, the agent.

Issues discussed included:

- Policy RH12 of the North Wiltshire Local Plan 2001;
- Previous use of the site;
- The views of Purton Parish Council;
- The precedent set of allowing such proposals;
- The appropriateness of such a building for conversion; and
- The views of WCC Highways Authority.

Resolved

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

- The existing building is an unattractive, modern, utilitarian building which is not in keeping with its rural surroundings and the proposed conversion does not respect local building styles, contrary to Policy RH12 of the North Wiltshire Local Plan 2001 and Policy BD6 of the North Wiltshire Local Plan 2011 Deposit Draft.
- The proposal, located remote from services, employment opportunities and being likely to be well served by public transport, is contrary to the

key aims of Planning Policy Note 13 which seeks to reduce growth in the length and number of motorised journeys.

- (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.

**14 & 15 05/00252/LBC – Internal & External Alterations Associated with Residential Conversion; New Boundary Walls – The Old Brewhouse, Bewley Lane, Lacock, Chippenham and
05/00253/FUL – Conversion to Form three Dwellings and Associated New Boundaries – The Old Brewhouse, Bewley Lane, Lacock, Chippenham**

Representations were received from Mrs J. Mountford in objection to the application, from Councillor K. Hillier of Lacock Parish Council, from Ms S. Foster, the agent and Mr J. Martin, the applicant.

Issues discussed included:

- Road safety and the safety of pedestrians and horseriders;
- The density of the proposed development;
- The possible overlooking nature of the proposed development;
- Access onto Bewley Lane;
- The impact on the Listed Building and the setting of the Listed Building;
- Policy RH12 of the North Wiltshire Local Plan 2001 and PPG13;
- The scale of the proposed development.

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

16. 05/00353/FUL – Erection of Two Storey Rear Extension after Demolition of Existing Single Storey Rear Extension and Conservatory – 17 Court Street, Sherston, Malmesbury

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

17. 05/00469/FUL – One Pair of Semi-Detached Houses – Land to the Rear of Cocklebury Cottages, Eastern Avenue, Chippenham

Representations were received from Councillor P.G. Allnatt of Wiltshire County Council.

Issues discussed included:

- The views of the County Development Officer;
- The accuracy of the Officers' report;
- The views of WCC Highways Authority;
- Access across the green space; and
- The design and materials proposed.

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

**18 & 19 03/02421/COU – Siting of Two Mobile Homes, Two Touring Caravans and Toilet Block on Permanent Base – Land off Heath Road (OS 9482) Startley, Chippenham and;
04/00777/ENF – Appeal Against Enforcement – Change of Use of Land to Caravan Site – Notice A Field 6679 – Heath road (OS 9482) Startley, Chippenham**

Resolved to note.

20. 03/03385/FUL – Demolition of Existing House “Garden Bungalow” and Construction of 24 Dwellings, Formation of New Access Road Onto Park Lane – Land at Park Lane, Corsham

Resolved to note.

21. 04/00374/FUL – Erection of 3 Dwellings – Land Adj 7 Velley Hill, Gastard, Corsham

Resolved to note.

The meeting started at 6.00pm and finished at 9.10pm.
There were 74 members of the public present.

Signed _____