

**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, 27th July 2005 in the Council Chamber, Monkton Park,
Chippenham, commencing at 6:00pm**

Present

Councillor T.R. Sturgis.....Chairman

Councillors H.R. Barton, T.A.P. Briggs, C. Crisp, D. Darby, P.R. Davis, H.M. Dixon,
P.J. Goldstone, H.T. Jones, R.B. MacGregor, T.J.A. Northey, J.P.S.S. Thomson, A.J.
Trotman, S.R. Walls and C. Wannell.

Other Members Present

Councillors A.M. Bucknell, P.S. Roberts and R.L. Tonge.

County/Town/Parish Council Representatives

Councillor R.L. Tonge	Colerne Parish Council
Councillor O. Gibbs	Brinkworth Parish Council
Councillor C. Viner	Calne Town Council
Councillor Golding	Calne Town Council

Officers Present

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

D29. Apologies for absence

Apologies for absence were received from Hullavington Parish Council, Lea &
Cleverton Parish Council and from Councillors M.J. West and G.R. Greenaway.



D30. Membership

Councillors to be replaced	Replacement	Political Group
M.J. West	D.B. Allen	Liberal Democrats
G.R. Greenaway	T.J.A. Northey	Conservatives

D31. Public Question Time/Receipt of Petitions

A Public Question was received from Mrs A. Henshaw of the Campaign to Protect Rural England

“In relation to the Development Control Committee meeting on 6th July 2005, in particular the consideration of Development Control Items 1,2 & 3 at Former RAF Yatesbury, what were the reasons for granting permission and why were reasons for permission not published given the new rules requiring reasons.”

Councillor T.R. Sturgis replied saying that Mrs A. Henshaw would be given a written reply which he requested be appended to the following meetings Agenda.

D32. Minutes

The Minutes of the Meeting held on the 6th July (circulated with the Agenda) were considered.

Resolved that the Minutes of the Meeting held on the 6th July 2005 be confirmed as a correct record.

D33. Chairman’s Announcements

The Chairman, Cllr T.R. Sturgis

OPEN FORUM

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

FIRE ARRANGEMENTS

The Chairman informed the Committee and members of the public where emergency exits were in case of emergency.

D34. Declarations of Interest

Name	Application /item	Type of Interest	Nature of Interest	Action
C. Wannell	7(b) Application Number 7	Personal	Member of Wootton Bassett Town Council	Spoke and Voted.

S.R. Walls	7(b) Application Number 7	Personal	Member of Wootton Bassett Town Council	Spoke and Voted.
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D35. Development Control Items

(a) **Withdrawn Items**

None.

(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. 05/00101/OUT – Erection of 38 Dwellings and Associated Highways - Former Bath and Portland Stoneworks Westwells, Corsham

Representations were received from Mr T. Matcham and Mr O. Matcham in objection to the application and from Mr M. Punter in support of the application.

Issues discussed included:

- Possible increases in vehicle movements through the existing development;
- The possible impact on road safety;
- The impact on the ability of children to play safely;
- The possibility on an alternative access;
- The views of local residents; and
- The contents of the Officer's Report.

Resolved that consideration of the application be DEFERRED in order to carry out a site visit in the company of the County Highways Officer and with plans of the site showing land ownership.

2. 05/00296/FUL – Erection of Four Dwellings and Associated External Works Site Two, Malmesbury Swimming Pool, Malmesbury

Representations were received from Mr R. Sanders, the agent.

Issues discussed included:

- Affordable housing in Malmesbury;
- The views of WCC Highways Authority;
- Possible conditions; and
- Loss of parking and garages.

Resolved consideration of the application be DEFERRED in order to seek agreement on replacement parking provision with the applicant.

3. 03/02972/FUL – Residential Redevelopment – Land Off Spanbourne Avenue/Goldney Avenue, Chippenham

Representations were received from Mr R. Norris in objection to the application.

Issues discussed included:

- The possible increase and impact of traffic movement;
- The views of WCC Highways Authority;
- Potential loss of employment land in a central location;
- The current state / use of the site;
- Provision of affordable housing;
- Provision of public open space; and
- Education contribution.

Resolved

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

- The proposed residential development of this land will result in the loss of an employment site, which is centrally located in Chippenham and therefore considered highly sustainable. As such the proposal is considered to be contrary to the provisions of Policy RH9 of the adopted North Wiltshire Local Plan (2001).
- The proposed development does not include an adequate level of affordable housing on the site, thereby failing the provisions of Policy RH20 of the adopted North Wiltshire Local Plan (2001) and

Supplementary Planning Guidance on affordable housing dated May 2004.

- The proposed development does not include an adequate amount of public open space thereby failing the provisions of Policy RLF2 of the adopted 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.

4. 05/006967/FUL – Erection of Eight Houses, Vehicular Access and Parking, Provision of Off-Site Compensatory Flood Water Storage Area – Land at 10 Fairview, Calcutt Street, Cricklade

Representations were received from Mr A. Miles, the agent.

Issues discussed included:

- The views of local residents and Cricklade Town Council;
- The views of the Environment Agency; and
- The sites relation to the Settlement Framework Boundary.

Resolved that the application be referred to the Government Office of the South West as a departure.

Subject to GOSW not calling in the application, that authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) to grant permission subject to conditions.

5. 05/00816/FUL – Erection of Concrete Plant with Associated Batching Office and Vehicle Parking. Erection of New Industrial Unit with Associated Parking; New Parking Area to Existing Unit – Alcatel, Unit 1, Porte Marsh Road, Calne

Representations were received from Miss S. Budd, Mrs C. Ramsey, Mr Q. Harflett and Mr D. Quinn in objection to the application, from Councillor C. Viner Deputy Town Mayor of Calne and from Mr J. Sneddon, the agent.

Issues discussed included:

- The implications of possible dust problems;
- HGV movements and the effect on traffic;
- The views of local residents and Calne Town Council;

- The comments of the Environmental Health Officer;
- The example of the Wincanton cement works; and
- Current uses on the Industrial Estate.

Resolved

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

- The proposed development would have an adverse impact on amenity and would be contrary to Policy RE17 of the adopted 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.

6. 05/01004/FUL – Demolition of Bungalow & Erection of Two New Cottage Style Dwellings – Windy Ridge, Bath Road, Colerne

Representations were received from Councillor R.L. Tonge Chairman of Colerne Parish Council and Mr S. Meadowcroft, the agent.

Issues discussed included:

- Materials to be used;
- The views of Colerne Parish Council;
- The scale of the proposed development; and
- Possible impact on the amenity and views of existing buildings.

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

7. 05/01007/FUL – Construction of 8 Dwellings with Car Park – Land at The Church Hall, Rope Yard, Wootton Bassett

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Representations were received from Mr T. Harwells, Mr T. Cook and Mrs Y. Simons in objection to the application.

Issues discussed included:

- The views of WCC Highways Authority;
- Emergency and refuse freighter access;
- The provision of car parking in Wootton Bassett;
- Possible impact on the Conservation Area;
- Parking in the Rope Yard; and
- Traffic safety.

Resolved

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

- The proposed development would result in an increased number of vehicles using the surrounding road network, in particular, The Ropeyard, which would have an adverse impact upon the amenities of the area and upon highway safety contrary to Policy RH8 of the North Wiltshire Local Plan 2001.
- The proposed development due to its design and scale would have an adverse impact on the appearance of the surrounding area and the setting of the Conservation Area contrary to Policy RH8 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.

8. 05/01149/FUL – Erection of Agricultural Buildings, Layout of Yard and Improvement of Existing Agricultural Access – Cherry Tree Farm, Tytherton Lucas, Chippenham

Representations were received from Dr C. Kent in objection to the application, from Mr W. Bailey in support of the application and from Mr D. Pearce, the agent.

Issues discussed included:

- The views of local residents;
- The possible impact on the landscape of the Conservation Area;
- The history and use of the site; and
- The scale of the proposed development in relation to the size of agricultural land.

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

9. 05/01447/FUL – Erection of Footbridge – 1 River View, Park Road, Malmesbury

Representations were received from Mr A. Bisping and Mrs J. Bergman in objection to the application and from Mr I. Maslin, the agent.

Issues discussed included:

- The views of the Environment Agency;
- The scale of the proposed bridge;
- The possible impact on the character of the river valley;
- The need for the proposed bridge;
- Flood levels;
- The views of local residents;
- Materials to be used; and
- Design / style of the proposed bridge.

Resolved

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

- The proposed bridge by reason of its size and design would be an intrusive feature with the river valley setting of Malmesbury which would cause harm to the amenities and open landscape of the area contrary to Policy RC5 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.

10 & 11. 05/01488/LBC – Demolition of Rear Porch, One and a half Storey Rear Extension and Associated Alterations – 7 Notton, Lacock, Chippenham and 05/01489/FUL One and a Half Storey Rear Extension – 7 Notton, Lacock, Chippenham

Representations were received from Miss J. Wishart in objection to the application.

Issues discussed included:

- The views of Lacock Parish Council;
- The possible impact on the amenity of neighbours; and
- Policy RH14 of the North Wiltshire Local Plan 2001.

Resolved 05/01488/LBC

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

- The proposed works would not preserve the character or special architectural and historic interest of the building and would be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 and the advice contained in PPG15 (Planning and the Historic Environment).

(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.

Resolved 05/01489/FUL

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

- The proposed development would not preserve the character or special architectural and historic interest of the building and would be contrary to the Planning (Listed Buildings and Conservation Areas) Act 1990 and the advice contained in PPG15 (Planning and the Historic Environment) and Policy RB11 of the North Wiltshire Local Plan 2001.
- The proposed extension would have an adverse impact on the amenities of the adjacent dwelling 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.

12. 05/01639/S73 – Erection of Dwelling – Renewal of 02.01257.OUT – Land Adjacent Christmas Cottage, 1 Park Lane, Cherhill, Calne

Representations were received from Mr A. Slade and Mr A. Ramsbottom in objection to the application

Issues discussed included:

- The possible removal of trees;
- The scale of the proposed development in relation to other buildings in the area;
- The possible impact on views and privacy of neighbouring properties;
- The consultation period; and
- Previous applications on the site.

Resolved that authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) to GRANT planning permission subject to the expiry of the relevant consultation period.

13. 05/01445/S73A – Retention of Mobile Home for Three Years in Association with Equine Livery Business – Greenways Farm, Greenway, Tockenham, Swindon

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

Issues discussed included:

- The views of WCC Highways Authority;
- The views of local residents and Tockenham Parish Council;
- Previous permissions on the site;
- The business need; and
- The possibility of a permanent application.

Resolved that authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) to GRANT permission subject to

the following two conditions and the following informative:

Condition 1: The Mobile Home hereby permitted and any ancillary works or structures shall be removed on or before the 31st July 2007.

Reason: Permission has been granted on a temporary basis to enable the applicant to continue to develop the diversification of the farm. Permanent retention of the mobile home in this location is not acceptable and further temporary periods for the retention are unlikely to be considered favourably.

Condition 2: The mobile home hereby permitted shall only be occupied by a person solely or mainly working at the equine livery business at Greenway Farm, Greenway, Tockenham.

Reason: Permission has been granted on a temporary basis to enable the applicant to continue to develop the diversification of the farm. Unrestricted residential development in this location would be contrary to Local and National Planning Policy.

INFORMATIVE

The applicant is advised that this temporary consent, which expires on 31st July 2007, has been granted as an exception to Policy for the reasons stated above. No further consents will be granted for the retention of the existing mobile home or for its replacement with a similar temporary structure. The local planning authority consider that the two year temporary permission hereby granted will give sufficient time for the applicant to fully establish the equine livery operation and to find an alternative provision for accommodation.

If at the expiry of this temporary permission the applicant intends to apply for a permanent dwelling, you will need to demonstrate that the application meets the criteria laid down in PPS7, and compliance with policies in the North Wiltshire Local Plan 2001. In order to do this it is considered necessary that the applicant will need to demonstrate the following:

- * Where an existing and functional need exists on the holding;
- * The labour requirements on the holding broken down between agricultural and value added enterprises: time spent on a monthly basis over the calendar year;
- * Three years audited accounts;
- * A realistic detailed whole farm business plan to demonstrate financial soundness and future intentions;

- * Statement of completion related to existing business plan items;
- * Details of all available accommodation in the locality which has become available since the grant of this temporary permission and a demonstration as to why it is not suitable to meet the needs of the business in the long term rather than granting a permanent planning permission.

Failure to satisfy these requirements is likely to lead to a permanent dwelling application being refused. Please note that a further temporary permission would contravene government guidance.

REASON FOR GRANTING CONSENT: A further temporary permission for two years only is considered appropriate to allow the applicant to further establish and continue to operate the existing equine livery business at Greenway Farm, Greenway, Tockenham, a rural enterprise that complies with Policy RC9 of the North Wiltshire Local Plan.

14. 04/01487/OUT – Outline-Residential Development – Four Dwellings – Riversdale, Bristol Road, Malmesbury

Resolved to note.

15. 04/02921/FUL – Extension to Dwelling (Revised Scheme for 04.01878.FUL) – 2 New Bungalows, Tockenham

Resolved to note.

16 & 17 04/03173/ENF – Appeal Against Enforcement Notice (A) Erection of Building – Lower Farm, Purton Stoke, Swindon

**and
04/03174/ENF - Appeal Against Enforcement Notice (B) Change of Use of Land from Agricultural to Mixed Use Agricultural and Keeping of Horses for Commercial Purposes - Lower Farm, Purton Stoke, Swindon**

Resolved to note.

The meeting started at 6.00pm and finished at 8.55pm.
There were 82 members of the public present.

Signed _____

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