

**DEVELOPMENT
CONTROL
COMMITTEE**

Enquiries to: Lisa May
Email: LMay@northwilts.gov.uk

THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THE MEETING

**Minutes of the Development Control Committee Meeting held
on Wednesday, 30th November 2005 in the Council Chamber, Monkton Park,
Chippenham, commencing at 6:00pm**

Present

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

Councillors D.B. Allen, H.R. Barton, T.A.P. Briggs, C. Crisp, P.R. Davis, H.M. Dixon,
P.J. Goldstone, G. R. Greenaway, M.E.M. Groom, R.B. MacGregor, N. T. Maidment,
T.J.A. Northey, J.P.S.S. Thomson, A.J. Trotman, and S.R. Walls

Other Members Present

Councillors M.P. Hatton, S.D. Meadows, N.M. Phillips and J. Read

County/Town/Parish Council Representatives

Councillor J. Bowen	Malmesbury Town Council
Councillor O. Gibbs	Brinkworth Parish Council
Councillor R. Golding	Calne Town Council

Officers Present

S. Canter (Customer Focus Team Leader), T. Gray (Senior Planning Officer) L. May
(Policy & Democratic Services Assistant), R. Packer (Principal Solicitor), and J.
Simmonds (Principal Planning Officer)

D74. Apologies for absence

Apologies for absence were received from Councillors D. Darby, H.T. Jones and C.
Wannell and from Lea and Cleverton Parish Council, Hullavington Parish Council and
Cricklade Town Council.



D75. Membership

Councillors to be replaced	Replacement	Political Group
H. T. Jones	T.J.A. Northey	Conservatives
C. Wannell	N.T. Maidment	Conservatives

D76. Public Question Time/Receipt of Petitions

There were no public questions nor petitions received.

D77. Minutes

The Minutes of the Meeting held on the 9th November 2005 (circulated with the Agenda) were considered.

Resolved that the Minutes of the Meeting held on the 9th November 2005 be confirmed as a correct record.

D78. Chairman's Announcements

The Chairman, Councillor T.R. Sturgis

OPEN FORUM

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

CHANGE TO ORDER OF AGENDA

The Chairman announced that Item 8 on the Agenda, the Proposed Stopping Up of Highway Land at Crudwell would be brought forward and dealt with before Item 7 on the Agenda.

SPEAKERS IN COUNCIL CHAMBER AND COMMITTEE ROOMS

It was reported that Jarvis were hopeful that a sound engineer would be on site within the next two weeks to address the previously reported problems with speaking equipment in the Council Chamber and Committee Rooms.

DEVELOPMENT CONTROL WORKING GROUP

The Chairman informed the Committee that the Development Control Working Group would have its next meeting on Tuesday 6th December 2005 at 6.00pm.

D79. Declarations of Interest

There were no declarations of interest.

D80. 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. 05/02446/FUL – Erection of Nine Residential Units – Garage Site at Wessex Road, Chippenham

Representations were received from Mr Brosnan, Mr Wood, and Mr Noakes in objection to the application.

Issues discussed included:

- The fact that residents affected by the proposal that had only recently been made aware of the application;
- The number of car parking spaces that Westlea Housing Association should re-provide for its residents; and
- That this Council has no control on what happens to the garages, which are owned by Westlea Housing Association.

Resolved that authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) to GRANT Planning Permission following submission of details of 14 off-site parking spaces for tenants and the completion of an agreement in respect of education contribution.

2. 05/02381/FUL – Two 2 Bedroom flats – Land Adj 47 Lypiatt Road, Corsham

Representations were received from Mr S. Palmer in objection to the application and Mr R. Robbins, the agent.

Issues discussed included:

- That there were no objections from WCC Highways Authority, subject to conditions.

Resolved that Planning Permission be GRANTED subject to the conditions set out in the Agenda.

3. 05/02656/S73A – Variation of Condition No 8 Pursuant to 98/01580/S73 – To Increase External Seating From 54 Seats to 104 Seats – The Smoking Dog Public House, 62-64 High Street, Malmesbury

Development Control Committee Minutes –30th November 2005

Representations were received from Mr S. Ellison, Mr A. Poynton, and Mr J. E. Ingham in objection to the application and from Cllr J. Bowen of Malmesbury Town Council.

Issues discussed included:

- That the pub's garden is surrounded by private residential gardens;
- The anticipated noise nuisance to neighbours that this proposal would cause;
- Licensing hours and noise nuisance;
- The possible effects of the increase of outdoor seating;
- The views of the Planning Inspector on the condition that had been previously imposed;
- The character of this Conservation Area; and
- Policies RB3 and RB23 of the North Wiltshire Local Plan, 2001.

Resolved

- (1) That the application be REFUSED on grounds including, but not limited to, the following reason:
 - The proposal would create unacceptable additional noise to the detriment of the amenity of nearby residents and the character of the Conservation Area, contrary to Policies RB3 and RB23 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.

4. 05/02661/FUL – Conversion of Public House into Four Apartments and Erection of Two New Dwellings (Revised Application 05/01940/FUL) – The New Greyhound, Pavenhill, Purton

Representations were read out from Ms S. Kernon from Purton Parish Council who was unable to be present.

Issues discussed included:

- There are a number of local facilities available;
- The proposed access onto the highway and for the new dwellings;
- Policy RH15 of the North Wiltshire Local Plan, 2001 in relation to backland development;

- The scale of the proposed development; and
- The comments received from Wiltshire County Council Highways that had been received after the Late Observations had been prepared.

Resolved

- (1) That the application be REFUSED on grounds including, but not limited to, the following reason:
 - The proposal would cause unacceptable noise disturbance and loss of privacy for existing and proposed dwellings, contrary to Policy 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. 05/02092/REM – Demolition of Garage/Workshop and Erection of 18 Two and Three Bedroom Houses and Associated Car Parking (Reserved Matters) – Pavenhill Garage, High Street, Purton

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

Issues discussed included:

- The proposed access to the site;
- The merits of a site visit;
- The design and proposed materials of the dwellings; and
- The views of WCC Highways Authority.

Resolved that consideration of the application be DEFERRED in order to discuss the provision of a mini roundabout with WCC Highways Authority.

6. 05/02148/S73A – Continue Use as a Bus and Coach Operating Centre (Including an Increase of Parking on Site From Six Vehicles to no more than Eight Vehicles) – APL Travel Ltd, Station Road, Christian Malford, Chippenham

Representations were received from Mr E. Newman in objection to the application and Mr A. Legg, the applicant.

Issues discussed included:

- The escalation of use coaches on the site;
- That the site has outline planning permission for residential development;
- The views of WCC Highways Authority;
- The apparent number of buses that have been observed on the site;
- That the site is in the middle of a residential area and therefore causes disturbance to neighbours; and
- Existing access to the site.

Resolved

- (1) That the application be REFUSED on grounds including, but not limited to, the following reason:
 - The use of the site, including the associated vehicle movements, would cause unacceptable noise, fumes and disturbance and loss of amenity to nearby residents, contrary to Policy RB23 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. 05/02432/OUT – Residential Development (Including Means of Access) – Land Adjacent Tyning Park & Wessington Avenue, Calne

Representations were received from Mrs A. Henshaw on behalf of the Campaign to Protect Rural England (CPRE) in objection to the application, Cllr Golding of Calne Town Council and from Mr V. Vines, the agent.

Issues discussed included:

- The views of the CPRE and Calne Town Council;
- The close proximity of the site to the school;
- That this would be the loss of an employment site;
- That the site is a brownfield site;
- The siting of the flats proposed for the site; and

- Policies RH8 and RH9 of the North Wiltshire Local Plan, 2001.

Resolved that authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) to grant Planning Permission following completion of an agreement in respect of highways and education contributions.

8. 05/02434/FUL – Reconstruction of Existing Car Sale & Garage with Living Accommodation Above – Manor Garage, High Street, Box, Corsham

Representations were received from Mr V. Vines, the agent.

Issues discussed included:

- That the proposal would be an improvement to the existing streetscene.

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

9. 05/02440/FUL – Extension and Conversion of Existing Studio and Garage into Disability Living Accommodation – Basin Cottage, The Street, Latton, Swindon.

Representations were received from Mr B. Mitchell, the applicant.

Issues discussed included:

- That an extension to Basin Cottage was not possible;
- That no objections had been received from WCC Highways Authority;
- That the footprint of the proposal is twice the size of the existing building;
- A suggestion that there be an agreement that ties the buildings together;
- That Latton Parish Council and the local MP support the application;
- That the proposal would constitute a separate dwelling; and
- That the development would go against the Policies of the North Wiltshire Local Plan, 2001.

Resolved

- (1) That the application be REFUSED on grounds including, but not limited to, the following reason:
 - By reason of its countryside location outside the settlement framework or physical limits of any established settlement, and in the absence of any justification for development for agricultural workers or affordable housing, it is considered

that the proposal is contrary to the provisions of Policy RH11 of the adopted North Wiltshire Local Plan, 2001. There are no other material considerations, which outweigh the Local Plan Policies.

- (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. 05/02578/OUT – Outline - Erection of Twelve Holiday Units and Leisure Barn – Gryphon Lodge Farm, Leigh, Swindon

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

Issues discussed included:

- That the proposal would improve and enhance the site;
- That the entire scheme was needed to offset the costs;
- That the scheme would provide leisure facilities and employment opportunities for the locality;
- The scale and siting of the proposed development;
- Proposed development will not encroach on the greenfield site; and
- That no objections had been received from WCC Highways Authority or the Parish Council.

Resolved

- (1) That the application be REFUSED on grounds including, but not limited to, the following reason:
 - The proposal by reason of its nature, size and scale, would fail to respect the rural character and appearance of its surroundings and 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. 05/02635/FUL – New Dwelling – 7 Upper Ley, Box, Corsham

Representations were received from Mr Hawes and Mr Sawyer in objection to the application, Mrs Lyons of Box Parish Council and Mr Clarke, the agent.

Issues discussed included:

- The siting of the proposed dwelling;
- Possible over-development and loss of amenity for neighbours;
- That issues regarding a private sewer were a civil matter and would be dealt with by Building Regulations;
- That there were no objections from Wiltshire County Council Highways Authority;
- Policy RH15 of the North Wiltshire Local Plan, 2001, relating to backland development; and
- The merits of a site visit.

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

12. 05/02726/FUL – Replacement of Existing Detached Garage with Storage Above – Norbury House, Clyffe Pypard, Swindon

Representations were received from Mr Wallis in objection to the application and Dr Singha, the applicant.

Issues discussed included:

- That the development is in a wooded area within the Conservation Area.

Resolved that Planning Permission be GRANTED subject to the conditions set out in the Agenda and the additional condition set out in the Late Observations.

13. 05/02597/FUL – Single Storey Side Extension (Revision to 05/01535/FUL) – 92 Chippenham Road, Lyneham, Chippenham

Resolved that Planning Permission be GRANTED subject to the conditions set out in the Agenda.

14. 05/02383/S73A – Implementation of 04.01145.OUT Without Compliance With Condition 9 – Former Wincanton Logistics Depot, Bumpers Way, Chippenham

Representations were received from Mr M. Hockaday, the applicant.

Resolved that Planning Permission be GRANTED subject to the new condition set out in the Agenda.

15. 05/02384/S73A - Implementation of 04.01145.OUT Without Compliance With Condition 6 on Unit 3 – Former Wincanton Logistics Depot, Bumpers Way, Chippenham

Representations were received from Mr M. Hockaday, the applicant.

Resolved

- (1) That the application be REFUSED on grounds including, but not limited to, the following reasons:
 - The proposed inclusion of the sale of items of sports and leisure goods is unacceptable in this location due to the negative effect that sale of such goods would have on the vitality of the Chippenham Town Centre.
 - Relaxation of this condition would increase traffic generation from the site, with inadequate site parking which would be prejudicial to the free flow and safety of traffic on the adjacent highway.
- (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.

16. 05/02385/S73A - Implementation of 04.01145.OUT Without Compliance With Condition 3 – Former Wincanton Logistics Depot, Bumpers Way, Chippenham

Representations were received from Mr M. Hockaday, the applicant.

Resolved

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

- The proposed further sub-division of the site into 4 units would negatively effect the vitality of Chippenham Town Centre by attracting potential Town Centre retailers.
- (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.

17. 05/02386/S73A - Implementation of 04.01145.OUT Without Compliance With Condition 6 on Unit 1 – Former Wincanton Logistics Depot, Bumpers Way, Chippenham

Representations were received from Mr M. Hockaday, the applicant.

Issues discussed included:

- Existing traffic problems; and
- The query whether Wiltshire County Council Highways Authority had withdrawn their objection to the proposal.

Resolved that authority be delegated to the Implementation Team Leader (Development Control and Listed Buildings) to GRANT Permission subject to confirmation that the Wiltshire County Council's highways objection has been withdrawn.

18. 05/00631/OUT – Erection of a Training Venue and a Rare Breed Visitor Centre land at – Brinkworth House, Brinkworth, Chippenham

Representations were received from Cllr O. Gibbs of Brinkworth Parish Council. The applicant and agent had registered to speak but had nothing they wished to add.

Resolved that Planning Permission be GRANTED subject to the conditions set out in the Agenda.

D81 Proposed Stopping Up of Highway Land, Crudwell

Consideration was given to Report No.8 which asked the Committee to consider giving consent to a proposal by Wiltshire County Council to stop up a piece of highway land adjacent to Timikel House, Crudwell.

Resolved to consent to the proposals by Wiltshire County Council for the stopping up of highway land adjacent to Timikel House, Crudwell, as shown on the

Development Control Committee Minutes –30th November 2005

plan attached to the Agenda.

The meeting started at 6.00pm and finished at 9.00pm.
There were 48 members of the public present.

Signed _____