

**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, 31st August 2005 in the Council Chamber, Monkton Park,
Chippenham, commencing at 6:00pm**

Present

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

Councillors D.B. Allen, T.A.P. Briggs, C. Crisp, D. Darby, P.R. Davis, H.M. Dixon,
K.A. Dixon, G.R. Greenaway, 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

A.R. Baines, D.J.E. Evans, P.G. Green, M.E.M. Groom, N.M. Phillips and R.L.
Tonge.

County/Town/Parish Council Representatives

Councillor O. Gibbs	Brinkworth Parish Council
Councillor P. Dolman	Calne Town Council
Councillor Pettifer	Langley Burrell Parish Council
Councillor Pepperall	Lydiard Millicent Parish Council

Officers Present

B. Taylor (Principal Planning Officer), J. Simmonds (Principal Planning Officer), R.
Packer (Principal Solicitor), S. Canter (Customer Focus Team Leader) and J.
Whittleton (Policy & Democratic Services Assistant).



D36. Apologies for absence

Apologies for absence were received from Lea & Cleverton Parish Council, Hullavington Parish Council and from Councillor P.J. Goldstone, Councillor H.R. Barton and Councillor M.J. West.

D37. Membership

Councillors to be replaced	Replacement	Political Group
P.J. Goldstone	K.A. Dixon	Liberal Democrats
M.J. West	D.B. Allen	Liberal Democrats
H.R. Barton	T.J.A. Northey	Conservatives

D38. Public Question Time/Receipt of Petitions

There were no Public Questions nor Petitions received.

D39. Minutes

The Minutes of the Meeting held on the 27th July (circulated with the Agenda) were considered.

Resolved that the Minutes of the Meeting held on the 27th July 2005 be confirmed as a correct record.

D40. 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.

AGENDA ORDER

The Chairman, Councillor T.R. Sturgis, stated that he proposed to hear Agenda Item 8, Proposed Stopping up of Highway Land, Priory Farm, Nettleton, before Agenda Item 7, Development Control Items.

PLANNING APPLICATION 7(B) 1, BROOK FARMHOUSE

The Chairman, Councillor T.R. Sturgis, stated that he would vacate the Chair during the consideration of this item and that Councillor P.R. Davis would assume the Chairmanship for its duration.

D41. Declarations of Interest

Name	Application /item	Type of Interest	Nature of Interest	Action
T.R. Sturgis	7(b) Application Number 1	Prejudicial	N/A	Left Chamber

D42. Development Control Items

(a) **Withdrawn Items**

7(b) Application Number 9 - 05/01272/FUL – Land Rear of 40 Upcott, Latton.

(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. 04/02024/OUT – Residential Development – Brook Farmhouse, Great Somerford, Chippenham

Representations were received from Mr A. Morris in objection to the application.

Issues discussed included:

- Head of terms number 8 of the proposed Section 106 agreement;
- The 2001 Framework Boundary and the 2001 Local Plan; and
- Possible applications in the future.

Resolved that the applicant be invited to enter into a Section 106 Agreement including a covenant not to develop the entire 'L shaped' area of land on the plan displayed to the Committee.

2. 05/00101/OUT – Erection of 38 Dwellings and Associated Highways – Former Bath & Portland Stoneworks, Westwells, Corsham

Representations were received from Miss H. Truelove in objection to the application, from Mr G. Smith in support of the application and Mr P. Oakley, the agent.

Issues discussed included:

- The proposed access;

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- A potential alternative access;
- The site visit by the Committee;
- The possible need for a risk assessment of the proposed access;
- The views of WCC Highways Authority;
- Planning gains;
- Traffic calming;
- The views of local residents; and
- The number of houses proposed on the site.

Resolved that authority be delegated to the Implementation Team Leader (Development Control & Listed Buildings) to GRANT Planning Permission subject to agreement with the applicant of a Section 106 Agreement in respect of the following matters:

- (i) The provision of affordable housing in accordance with NWDC Policy;
- (ii) Financial contribution to education provision;
- (iii) Provision of public open space; and
- (iv) Contribution of £15k to community facilities (the Memorial Hall).

3. 05/00296/FUL – Erection of Four Dwellings and Associated Works Site Two – Malmesbury Swimming Pool, Old Alexander Road, Malmesbury

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

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

- 4. 04/02928/FUL – Erection of Two 4 Bedroom Dwellings – Fitzurse Cottage, Church Lane, Kington Langley, Chippenham**
and
- 5. 04/02929/CAC – Demolition of Fitzurse Cottage - Fitzurse Cottage, Church Lane, Kington Langley, Chippenham**

Resolved that consideration of the applications be DEFERRED for one cycle to allow Kington Langley Parish Council to view and comment on revised plans.

- 6. 05/00985/COU – Works to Existing B1 (Business) Unit to include B8 (Warehouse) Including Alterations to Building Internally and Externally – Unit 7, William Street, Porte Marsh Industrial Estate, Calne**

Representations were received from Mr A. Swain in objection to the application and from Councillor P. Dolman of Calne Town Council.

Issues discussed included:

- Construction work already carried out;
- Traffic safety;
- The proposed access; and
- Existing trees and shrubs on the site.

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

7. 05/01111/FUL – Erection of Two Replacement Dwellings (Amendment to 03.01369.FUL) – Church Leaze Farm, Sopworth, Chippenham

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

Issues discussed included:

- Roofing and chimney materials;
- Condition 3 in the Agenda;
- The possible withdrawal of permitted development rights; and
- Dummy windows.

Resolved that planning permission be GRANTED subject to the conditions set out in the Agenda with condition 10 modified to read:

Other than those shown on the approved plans there shall be no new windows inserted into any elevation of the proposed dwellings or any of the 'blocked' window features opened to create new openings unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that behalf.

Reason: In the interests of neighbour amenity.

and the following additional conditions:

1. Notwithstanding the submitted plans the proposed roofing material shall be natural stone tiles and chimneys shall be constructed of natural stone.

Reason: In the interests of visual amenity.

2. 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) there shall be no extension or external alteration to any building forming part of the development hereby permitted.

Reason: In order to safeguard the amenity of the area by enabling the local planning authority to consider individually whether planning permission should be granted for extensions and external alterations.

3. 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.

8. 05/01126/FUL – Erection of Eleven Houses - Minety Motors Site, Station Road, Minety, Malmesbury

Representations were received from Mr D. Brown and Mr D. Carr in objection to the application.

Issues discussed included:

- The scale and design of the proposed development;
- The potential impact on the character of the area;
- Traffic safety; and
- Sustainability.

Resolved

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

- The proposed development due to its mass, density, design, height and scale will have an adverse impact on the appearance of the streetscape and surrounding rural area and will adversely affect the amenity of nearby residential properties. The proposal is therefore 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.

9. 05/01272/FUL – Erection of Single Dwelling House and Access – Land Rear of 40 Upcott, Latton

Withdrawn.

10. 05/01353/OUT – Outline Application – Development Including Means of Access – 67 Parliament Street, Chippenham

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

Issues discussed included:

- The views of local residents; and
- That the application is an outline application.

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

11. 05/01423/COU – Change of Use of Vacant Land to Form Part of Residential Curtilage and Erection of 1.9m High Timber Fence – 17 Burn road, Corsham

Representations were received from Mrs M. Webster in objection to the application and from Mr P. Grantham, the applicant.

Issues discussed included:

- The possibility of placing conditions on existing trees.

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

12. 05/01593/FUL – Redevelopment of Existing Surgery into Seven Flats of Various Sizes & Associated Parking – Marshfield Road Surgery, 46-47 Marshfield Road, Chippenham

Representations were received from Mr J. White in support of the application.

Issues discussed included:

- The provision of parking spaces.

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. 05/01671/REM – Erection of Detached House and Garage Following Grant of Outline Planning Permission Under Reference 02/02640/OUT – Plot 1, The Willows, Rope Yard, Wootton Bassett

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

Issues discussed included:

- Access to the Rope Yard;
- Recent applications in the Rope Yard;
- The potential impact on neighbours;
- Other users of the Rope Yard access;
- The scale of the proposed development; and
- That outline permission has already been granted.

Resolved

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

- The development, by reason of its scale and relationships with the existing development, would have an overbearing and adverse effect on the character and amenities of the area and result in an unacceptable level of additional traffic using a sub standard access with no segregated routes for pedestrians or cyclists, 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.

14. 05/01712/OUT – Erection of three Detached Dwellings and Alterations to Access – 30 Hardenhuish Lane, Chippenham

Representations were received from Mr M. Carroll in objection to the application and from Councillor Pettifer of Langley Burrell Parish Council.

Issues discussed included:

- The density of the proposed development;
- The possibility of adding an informative to any permission;
- The layout & scale will not be considered at the outline stage;
- The history of the application;
- Guidance on density contained in PPG3; and
- The potential impact on the character of the area.

Resolved

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

- The proposal would by definition result in backland development. In this part of Chippenham, which is characterised by large properties along the road frontage set in substantial gardens, this would result in a form of development that would fail to harmonise with the character and appearance of the area in general and would have a potentially harmful effect on the amenities of adjacent residential properties. The proposal would be 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.

15. 05/01713/OUT – Outline – One Dwelling with Parking Garage Site at Parkside, Chippenham

Representations were received from Mr Fleming, the agent.

Issues discussed included:

- The nature of outline planning permissions; and

- The scale of the proposed development.

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

Reason: The proposed development of this site is acceptable and will comply with Policy RH8 of the North Wiltshire Local Plan 2001.

16. 05/01732/FUL - Erection of Replacement Dwelling – Cedarwood, Middle Lane, Cherhill, Nr Calne

Representations were received from Mr J. Betts in objection to the application.

Issues discussed included:

- That the proposal is next to a Conservation Area;
- The scale of the proposed development;
- The possible impact on neighbours;
- The distances between the proposed development and the existing bungalow; and
- The possible need to maintain bungalows.

Resolved

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

- The proposal by reason of its height, scale and design will have an adverse impact upon the character and appearance of the area and will be overbearing and will overlook neighbouring properties adversely affecting the amenities of nearby residents. The proposal will be 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.

17. 05/01738/FUL - Terrace of Three houses in Lieu of Pair of Semi-Detached Houses – 151 London Road, Calne

Representations were received from Councillor P. Dolman of Calne Town Council and Mr M. Willis, the agent.

Issues discussed included:

- Dormer windows
- The views of Calne Town Council;
- The views of WCC Highways Authority;
- The proposed design;
- The provision of parking spaces; and
- The privacy and amenity of neighbouring properties.

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

18. 05/01771/FUL - Replacement Dwelling – 79 Chestnut Springs, Lydiard Millicent, Swindon

Representations were received from Mr S. McCormick in objection to the application, from Councillor Pepperal of Lydiard Millicent Parish Council and from Mr M. Willis, the agent.

Issues discussed included:

- The character of existing developments in the area;
- The possible overlooking nature of the proposed development;
- The scale of the proposed development;
- The design of the proposed development; and
- Traffic implications.

Resolved

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

- The proposed dwelling would in terms of its size and design fail to harmonise with the character and appearance of the area and would adversely affect the privacy and amenities of nearby residential properties and would not comply with 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.

19. 05/01867/COU - Change of Use From Field to Part Paddock with Field Shelter and Part Domestic Garden – Green End, the Green, Oaksey, Malmesbury

Representations were received from Mr J. Barry and Mr J. Cross in objection to the application and from Mr Nicholls, the applicant.

Issues discussed included:

- Conditions contained within the Agenda;
- The possible impact on the character of the countryside; and
- Use of the garden.

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

20. 05/00360/FUL - New Dwelling & Garaging – 1 Bewley Crescent, Lacock, Chippenham

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

21. 05/00940/COU - Change of Use to form One Dwelling and Office Accommodation – Post Office Cottage, 7 The Street, Lydiard Millicent, Swindon

Representations were received from Councillor Pepperal of Lydiard Millicent Parish Council.

Issues discussed included:

- The views of Lydiard Millicent Parish Council;
- Previous use of the site;
- Traffic and parking issues; and
- The views of WCC Highways Authority.

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

22. 05/01092/FUL - Erection of First Floor Extension to form Chalet-Bungalow & Alterations – Aries, Thickwood Lane, Colerne, Chippenham

Representations were received from Mr Shilston, the applicant.

Issues discussed included:

- Roof, eaves height;
- Possible improvement in visual amenity of the area;
- RH14; and
- The views of Colerne Parish Council.

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

23. 02/00237/REM – Land Being Used as Recycling Site for Building Materials – File Reopened, Land at Stanton, Stanton St Quintin, Chippenham

Resolved to note.

24. 04/00143/FUL - Erection of Stable Range Service Building and Section of boundary Wall – Dauntsey Park House, Dauntsey, Chippenham

Resolved to note.

25. 04/00561/FUL – Engineering Operation to Create Water Storage Pond, Building and Associated Drainage Works – Appleford, Thornhill, Wootton Bassett

Resolved to note.

26. 04/01241/COU – Change of Use of Existing Building to Provide One New Dwelling – Greenhill Nurseries, Greenhill, Wootton Bassett

Resolved to note.

**27 & 28 04/01543/LBC – Conversion of Outbuilding to Dwelling – Lower Farm, 10 Main road, Cherhill, Calne and
04/01544/FUL - Conversion of Outbuilding to Dwelling – Lower Farm, 10 Main road, Cherhill, Calne**

Resolved to note.

- 29. 04/02685/COU – Conversion of Outbuilding to Form Self-contained Dwelling – Priory Farm, Nettleton, Chippenham**

Resolved to note.

- 30. 04/02805/COU – Conversion of Barn to Residential Accommodation – The Stables Adj, The Orchard, Wood Street, Clyffe Pypard, Swindon**

Resolved to note.

- 31. 04/02912/FUL – Change of Use of Agricultural Land to Garden and Erection of Raised Patio Decking – Hillside, Quarry Hill, Box, Corsham**

Resolved to note.

- 32. 04/02925/FUL – Erection of Detached Garage – Greystones House**

Resolved to note.

- 33. 04/02949/FUL - Concrete Batching Plant and Related Facilities – Purton Industrial Estate, Mopes Lane, Purton**

Resolved to note.

- 34. 04/02987/COU – Change of Use of Open space to Form Residential Curtilage – 12 Abingdon Court Farm, Cricklade.**

Resolved to note.

- 35 04/03042/FUL – Extension to Dwelling – 13 Carnarvon Close, Chippenham.**

Resolved to note.

- 36. 04/03072/FUL – Conservatory – 5 Box View, Colerne, Chippenham**

Resolved to note.

- 37. 04/03512/FUL – Two Storey Side Extension to Accommodate Two Flats – 36/38 Clarendon Drive, Wootton Bassett**

Resolved to note.

- 38. 04/03584/FUL – Construction of Vehicular Access – 3 Leaze Court, Stanton St Quintin, Chippenham**

Resolved to note.

39. 04/03594/ENF - Appeal against enforcement - material change of use of the land from a dwelling to a mixed use as a dwelling and for the keeping and treatment of dogs together with operational development including the erection of temporary living accommodation, kennels, treatment rooms, hardsurfacing, stores (including a box trailer) and fencing – 12 Rixon Gaye, Ashton Keynes, Swindon

Resolved to note.

D43. Proposed Stopping up of Highway Land, Priory Farm, Nettleton.

Resolved that consent be given to the proposals by Wiltshire County Council for the stopping up of highway land adjacent to Priory Farm, Nettleton, as shown on the attached plan.

The meeting started at 6.00pm and finished at 9:17 pm.
There were 74 members of the public present.

Signed _____