

# PLANNING COMMITTEE

15 November 2007

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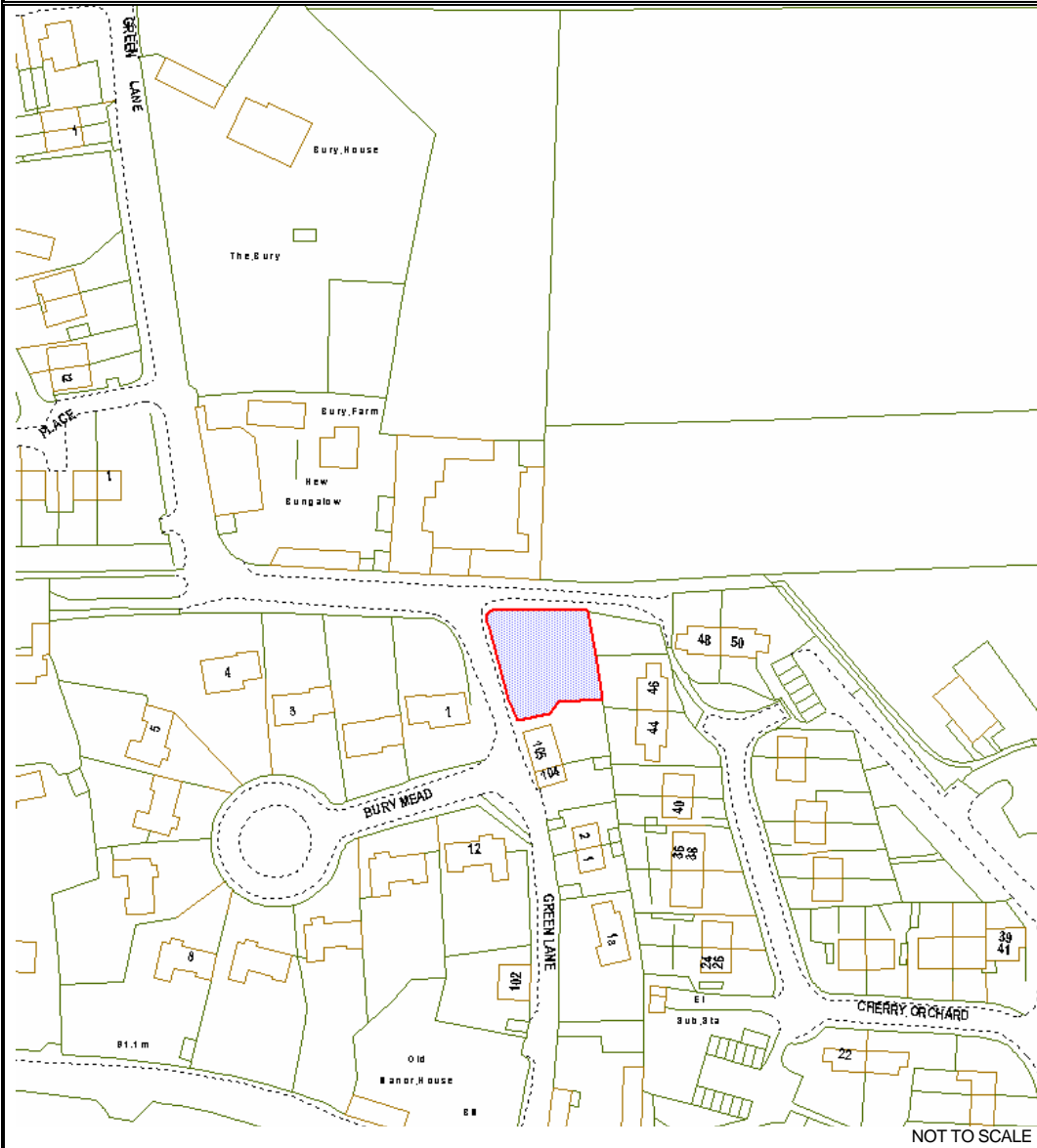
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 01

APPLICATION NO: 07/00364/OUT

LOCATION: Land Adjacent 105 Green Lane Codford Wiltshire



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[www.westwiltshire.gov.uk](http://www.westwiltshire.gov.uk)

SLA: 100022961

**01 Application: 07/00364/OUT**

**Site Address: Land Adjacent 105 Green Lane Codford Wiltshire**

Parish: Codford Ward: Mid Wylve Valley  
Grid Reference 396745 140011  
Application Type: Outline Plan  
Development: One detached four bedroom dwelling with detached double garage, with new access  
Applicant Details: Mr R Hope Jones  
The Old Kennels Teffont Salisbury Wiltshire SP3 5RR  
Agent Details: David Beck  
Three Gables Frog Lane Chilmark Salisbury Wiltshire  
Case Officer: Mr James Taylor  
Date Received: 08.05.2007 Expiry Date: 03.07.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 Approval of the details of Design, external appearance and landscaping ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990.

- 3 The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters, whichever is the later.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 4 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 5 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 6 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 7 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 8 Before the development is occupied, the access roads and car parking areas shall be surfaced in a bound material (not loose stone or gravel) to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 9 Before the development is first used, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

REASON: In the interests of highway safety.

- 10 Before the dwelling hereby permitted is first occupied the area between the nearside carriageway edge and lines drawn between a point 2m back from the carriageway edge along the centre line of the access for the proposed dwelling and the extremities of the site frontage shall be cleared of obstruction to visibility at and above a height of 600mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

REASON: In the interests of highway safety.

- 11 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U1A.

- 12 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

## COMMITTEE REPORT

### APPLICATION DETAILS

This application was deferred from the meeting of 25 October 2007 so that a site visit could be conducted. This application is brought to the full planning Committee because Codford Parish Council object to the proposals and your officers recommend permission.

This is an outline planning application with approval sought for the details of siting and means of access only at this stage. The proposal is for a 2-storey detached dwelling with a detached garage and turning space within the site. Access would be to the south west corner of the site and indicative information on landscaping, heights and materials have also been included. A 2-storey property is indicated with a rendered finish and plain clay tiles to the roof.

The footprint of the building would be focused on the north side of the site with a footprint of approximately 8.4 metres by 11.2 metres with a front projection of 3 metres by 6 metres. The detached garage would be located within 2 metres on the eastern boundary 5 metres wide by 6 metres.

The application site is a residential garden of an existing dwelling in a rural village location. The garden is extensive for the existing property and is enclosed on all sides by mature vegetation. To the north of the site is a public right of way and then open countryside and farm buildings. To the east, west and south are residential properties of a variety of types, heights, materials and layouts.

### CONSULTATION REPLIES:

- CODFORD PARISH COUNCIL: Object to the application on the following grounds (summarised):

- Overlooking and loss of privacy
- Inappropriate in size and style
- Road safety and vehicular access
- Parking
- Service Vehicles
- Sewerage

### STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: No objection subject to conditions:
- Visibility splays for access
  - Consolidated surfaces

- WESSEX WATER: No objection

#### INTERNAL WWDC CONSULTATIONS

- HOUSING SERVICES: No comments received.

#### PUBLICITY RESPONSES

The proposal was advertised by letters to the neighbouring properties, a site notice and through the local press. 7 letters of objection have been received raising the following comments:

- Highway safety (vehicular and pedestrian) in proximity to sharp bend.
- Conservation of Trees / Landscaping
- Overlooking, loss of privacy and loss of light
- Drainage / sewerage disposal
- Lack of consultation and clarity of application site
- Executive style property
- Overdevelopment
- Disagree with some of the officer comments in committee report for 25 October 2007

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)

- C2 Area of Outstanding Natural Beauty
- C31a Design
- C32 Landscaping
- C38 Nuisance
- H2 Affordable Housing Within Towns and Villages
- H17 Village Policy Limits

- PPS1 Delivering Sustainable Development
- PPS3 Housing
- PPS7 Sustainable Development in Rural Areas
- PPG13 Transport

- SPD Residential Design Guide (2005)

#### RELEVANT PLANNING HISTORY

None

#### KEY PLANNING ISSUES

The key issues to consider with this application are the principle of a dwelling, potential impact on the street scene, character of the area, neighbour amenity and highway safety.

#### PLANNING OFFICER COMMENTS

The application site is located within the defined village policy limit and therefore the principle of further housing development is acceptable subject to criteria set out in Policy H17 of the West Wiltshire District Plan 1st Alteration (2004). This includes development being in keeping with the character, appearance and distinctive spatial form of the settlement; protecting the natural environment; avoiding the loss of an important visual gap and it being satisfactorily serviced including highway safety.

The proposal is at this stage in outline form and approval is only sought at this stage for siting and means of access. However indicative information received in the design and access statement highlights the intention is for a 2-storey property with a simple render finish and plain clay tiles to the roof.



The proposed site is considered to be sufficient to accommodate a detached family house with associated parking. This allows for a respectable level of amenity space commensurate with a family home and to maintain the open and low-density residential character of this part of the village. At the same time the proposal makes a more efficient use of land in accordance with national government guidance in PPS3 on housing. It is lower than the recommended density, however given the densities typical of the area and its edge of village position it is considered to be acceptable. Similar detached family homes in the immediate area, such as those in Bury Mead are of a similar density. Based on this information and the character of the surrounding building plots it is not considered that this is overdevelopment of the site. The proposal would front onto and relate generally to the west and south, where the built form is spacious, detached and two-storeys in height. The dwellings to the east are slightly different with a higher density and include bungalows, however the site is less well related to this area.

The proposal includes a detached garage which in principle is acceptable with further space for parking and turning of vehicles. This should enable vehicles to enter and leave the site in a forward gear. It is acknowledged that there is a sharp bend in the road to the north of the site however this is not considered to create a significant highway hazard beyond the existing level of use, especially if the Highways recommended conditions are applied to any permission. This proposal would ensure better visibility for the existing and proposed access. The Highway Authority raises no objection. Parking provision in the site is sufficient and would not lead to on-street parking, as such no conflict with existing movements would be caused, including service vehicles.

The principle of two-storey development is considered acceptable given the character of the area and it is likely that the proposals could be designed to prevent any loss of amenity to neighbours. Given that this is an outline permission and design is still reserved then issues of overlooking can be fully addressed within the final design stage over which the Council retains control.

It is considered that the proposal is unlikely to lead to any harm in terms of dominance or overbearing, impact on neighbouring dwellings, as it would be set within a relatively large and well-established garden sufficiently away from the neighbouring properties. In summary there are no amenity concerns from the proposed development based on the scale parameters submitted.

The proposal is for the creation of one additional dwelling only and therefore it is no longer a requirement for an affordable housing contribution to be made.

The proposal has a public right of way running to the north of the site which would be unaffected. Details of landscaping are reserved, however, it is noted that some information has been indicated on the plan. The only trees to be lost would be the ornamental trees within the garden and 3 within the frontage hedge. A landscaping condition would ensure future replanting.

There are no other objections and disposal of surface water and sewerage can similarly be controlled by condition.

## CONCLUSION

It is considered that the proposed development would not cause any demonstrable harm to any acknowledged planning interests and should be encouraged in light of the national government advice to encourage suitable infill development and the need for additional housing.

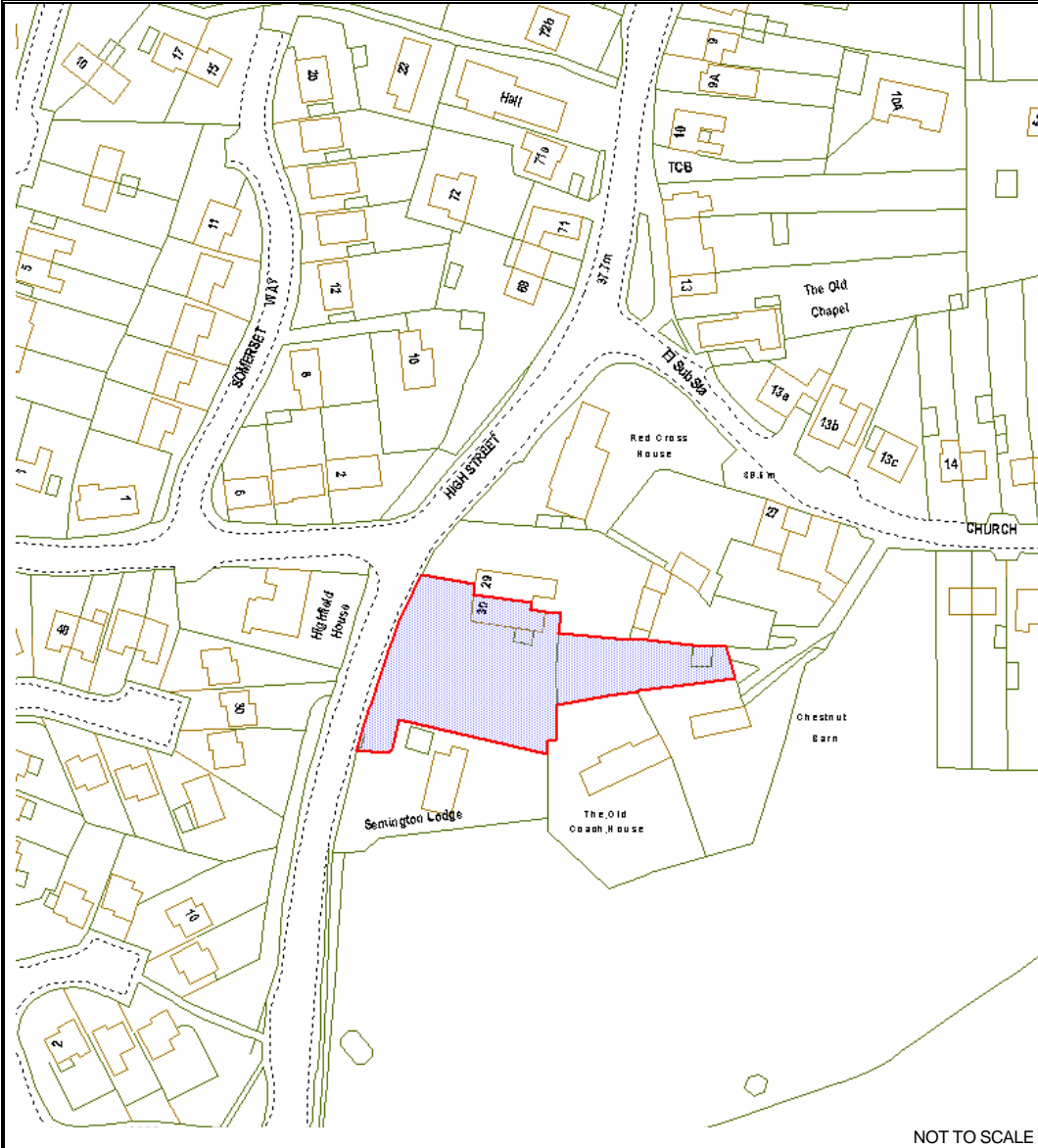
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 02

APPLICATION NO: 07/03103/FUL

LOCATION: Semington House 30 High Street Semington  
Wiltshire BA14 6JW



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SLA: 100022961

**02 Application: 07/03103/FUL**

**Site Address: Semington House 30 High Street Semington Wiltshire BA14 6JW**

Parish: Semington Ward: Summerham  
Grid Reference 389767 160506  
Application Type: Full Plan  
Development: Replace side extension  
Applicant Details: Mr And Mrs Yeandel  
Semington House 30 High Street Semington Wiltshire BA14 6JW  
Agent Details: Mr A Howard  
32 Shurnhold Melksham Wilts SN12 8DG  
Case Officer: Mr Russell Brown  
Date Received: 01.10.2007 Expiry Date: 26.11.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the character and fabric of the listed building is protected.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C28.

- 3 All existing stonework shall be carefully dismantled, set aside and stored in a safe place for re-use in the works to the listed building.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration – Policy C28.

- 4 Details of all new or replacement rainwater goods, which shall be of cast iron construction and finished in black, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration – Policy C28.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee because the Parish Council object to the application for Listed Building Consent for the same application.

The replacement of lean-to with garden room. The lean-to is predominantly modern and the proposed replacement would be a Georgian style extension built in ashlar stone with a parapet and windows to match the main house.

### **CONSTRAINTS**

Grade II listed building.

### **POLICIES**

PPG15  
Structure Plan – HE7  
West Wiltshire District Plan 1st Alteration (2004) – C28

### **RELEVANT PLANNING HISTORY**

None relevant

### **SITE VISIT/STATUTORY SITE NOTICES**

Pre-app site visit 11/06/07. Viewed existing situation. Lean-to extension to be replaced is a modern addition with no architectural merit. The internal walls to be removed are modern stud partitioning. There is a section of stone tiles on a roof slope that have been laid very poorly, there are fibre slate tiles on the reverse slope.

05/10/07 Site notice attached to lamp post outside.

Site visit 23/10/07. Viewed ongoing works relating to the listed building consent. The situation regarding the lean-to is as above.

### **KEY ISSUES**

Effect on character and fabric of the listed building.

## **CONSULTATIONS**

*Parish/Town Council:* No objections

*Neighbours:*

Two letters have been received from the same address objecting to the application stating that "...if the existing extension is to be removed it should be renovated or replaced within keeping of the Georgian style of the property. The windows should be made to Georgian specifications probably a 3 over 6 sash window or similar using P1 conservation glass"

## **OFFICER APPRAISAL**

The existing lean-to building has an ashlar block built plinth with continuous uPVC windows around the upper section and a slate roof. This is not entirely modern but has been altered significantly over the years to its current unfortunate state. The proposed replacement would reuse the ashlar and remove the uPVC windows in favour of a traditional form of extension with a parapet roof and timber windows to be in keeping with the rest of the main house.

The existing lean-to extension does not respect the form, fabric and character of the listed building and the proposed replacement would be in keeping with all these features. Therefore there is no objection to the proposed replacement extension.

The comments from the neighbour can be addressed by reiterating that the proposed extension would result in a form of development entirely in keeping with the Georgian style of the main house.

## **RECOMMENDATION**

Permission.

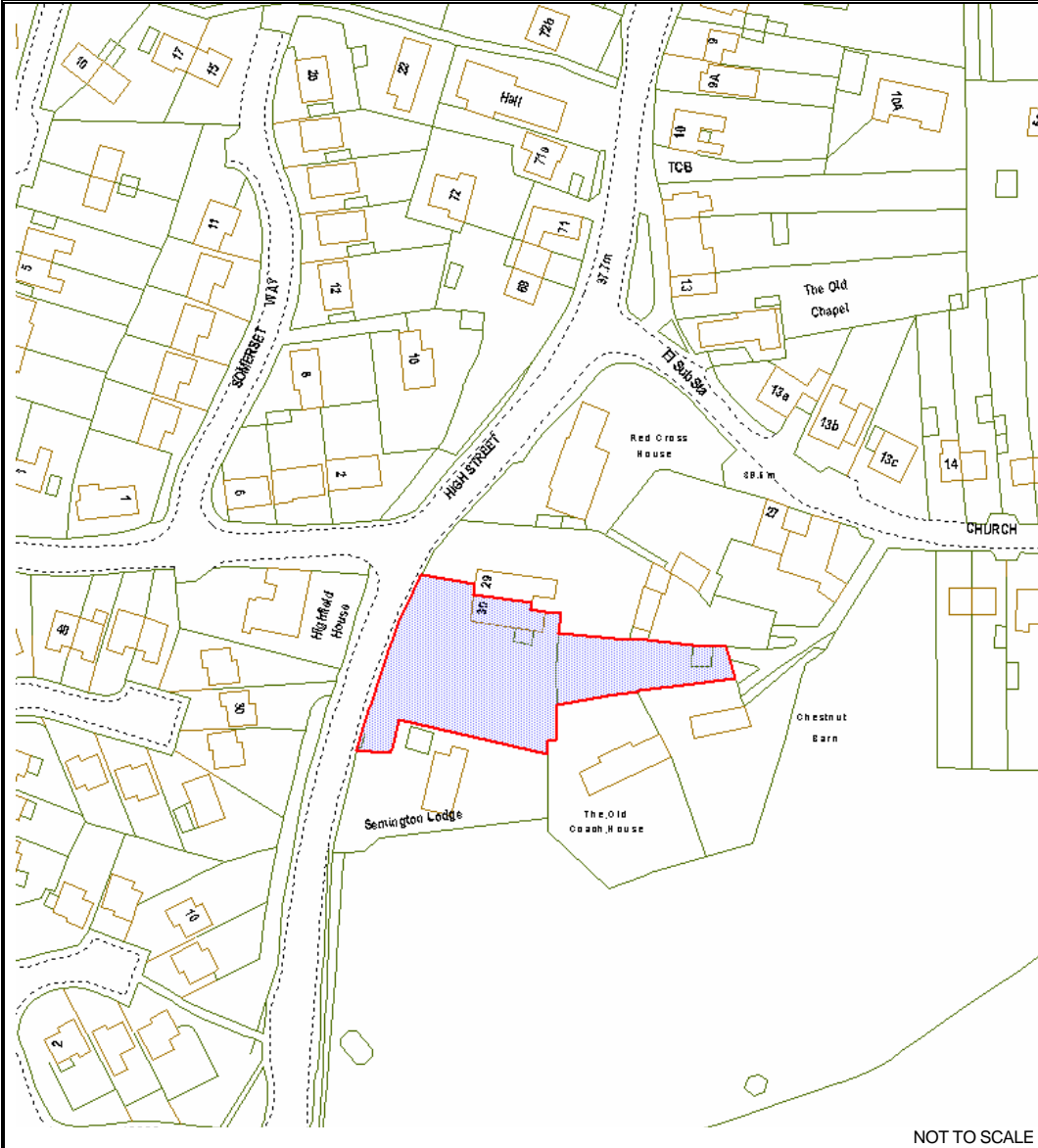
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 03

APPLICATION NO: 07/03025/LBC

LOCATION: Semington House 30 High Street Semington  
Wiltshire BA14 6JW



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SLA: 100022961

**03 Application: 07/03025/LBC**

**Site Address: Semington House 30 High Street Semington Wiltshire BA14 6JW**

Parish: Semington Ward: Summerham  
Grid Reference 389767 160506  
Application Type: Listed building  
Development: Refit/refurbishment of kitchen including removal of modern partition (also bedroom), replacement of lean to with garden room, partial re-roof replacing imitation slates and stone with natural slate and modern rooflight with conservation rooflight  
Applicant Details: Mr And Mrs Yeandel  
Semington House 30 High Street Semington Wiltshire BA14 6JW  
Agent Details: Mr A Howard  
32 Shurnhold Melksham Wilts SN12 8DG  
Case Officer: Mr Russell Brown  
Date Received: 21.09.2007 Expiry Date: 16.11.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Consent**

**Condition(s):**

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the character and fabric of the listed building is protected.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C28.

- 3 Details of the elevations of all new or replacement external windows, rooflights and doors including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1 :2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C28.

- 4 Details of all new or replacement rainwater goods, which shall be of cast iron construction and finished in black, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

- 5 All existing stonework shall be carefully dismantled, set aside and stored in a safe place for re-use in the works to the listed building.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C28.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application has been brought to Planning Committee as the Parish Council object and your officer's recommend consent.

This a listed building consent application for the refit of a kitchen including removal of modern partition (also bedroom), replacement of lean to with garden room, partial re-roof replacing imitation slates and stone with natural slate and modern rooflight with conservation rooflight.

The applicants have started the works and therefore this application is partially retrospective. The agent informed the Council of their intention to start works.

### **CONSTRAINTS**

Grade II listed building.

### **POLICIES**

PPG1  
Structure Plan - HE7  
West Wiltshire District Plan 1st Alteration (2004) - C28

### **RELEVANT PLANNING HISTORY**

None relevant



## **SITE VISIT / STATUTORY SITE NOTICES**

Pre-application site visit 11/06/07. Viewed existing situation. Lean-to extension to be replaced is a modern addition with no architectural merit. The internal walls to be removed are modern stud partitioning. There is a section of stone tiles on a roof slope that have been laid very poorly, there are fibre slate tiles on the reverse slope.

Site visit 23/10/07. Viewed ongoing works - started prior to consent. Works proceeding at owners risk and to a high standard of work. Witnessed the asbestos guttering that has come off and the cast iron that has been installed. Internal modern partitions have been removed and lime plastering was progressing well.

## **KEY ISSUES**

Effect on character and fabric of the listed building.

## **CONSULTATIONS**

*Parish/Town Council* : Objections to the removal of the stone tiles and replacement with slate at the rear of the property. Concern over the replacement of existing high volume gutter with a lower capacity one. Work has been commenced prior to any permissions. There is strong local opposition to this application.

*Neighbours* : The application has been advertised in the press and by a site notice attached to a lamp post outside the site.

Three letters have been received from the same address objecting to the application on the following grounds:

- The replacement of the original stone roof with slate changes the nature and visual appearance of this listed building.
- Replacement of original gutters with modern gutters is not covered by the application and is out of keeping.
- Installation of a new plastic drainpipe is out of keeping with the character of the listed building especially when viewed from the neighbouring property. The drainpipe trespasses on the neighbouring property.
- Did not receive individual notification but saw the public notice on the lamp post.

A petition signed by 34 people has been submitted which states: "We the undersigned wish to object to listed building consent for removal of original 200 year old stone roof tiles from no 30 High Street Semington as this will change the character of the building and alter the visual amenity of Semington Village."

## **OFFICER APPRAISAL**

Removal of partitions

The partitions in question are modern stud walls that were put in when the House was split into two dwellings. The removal of these walls would return the rooms to their original size and proportions. This work has been partially completed and the results are of definite benefit to the character of the listed building. The walls are being replastered in traditional haired lime plaster to great visual effect. There is no objection to these works.

## Replacement of lean-to

The existing lean-to building has an ashlar block built plinth with continuous uPVC windows around the upper section and a slate roof. This is not entirely modern but has been altered significantly over the years to its current unfortunate state. The proposed replacement would reuse the ashlar and remove the uPVC windows in favour of a traditional form of extension with a parapet roof and timber windows to be in keeping with the rest of the main house.

The existing lean-to extension does not respect the form, fabric and character of the listed building and the proposed replacement would be in keeping with all these features. Therefore there is no objection to the proposed replacement extension.

## Roof works

This work relates to the roof of a rear extension to the main building. The rest of the roof slopes on the building are in natural slate.

The south roof slope was clearly not originally in stone. The stone tile roof was viewed on site and was in a very poor condition, both in terms of the quality of the stone and in terms of the way they were laid. The roof was failing due to these reasons. It is likely that these stone tiles had come from another building and were reclaimed when they were used on this building, hence why they did not lie properly on the roof and result in problems of water ingress and consequent damage.

The north roof slope has asbestos fibre imitation slates. These are modern and inappropriate and therefore there is no objection to their removal.

The disparity between these two roof slopes has created a problem with weight distribution as there is uneven weight on the roof structure which is causing part of the problem that needs to be rectified.

The replacement of both of the above roof slopes with natural Welsh slates is considered to be a great improvement to both the visual character of the listed building and the integrity of the building. The new slate roof would stop the ingress of water and therefore prevent the damage to the fabric of the building that was beginning to occur under the previous roof system.

The petition that was submitted was not based on accurate information, as described above.

The stone roof also had a modern velux window, this would be replaced with a conservation style rooflight. No objections.

## Replacement guttering

The comments made by the Town Council and the neighbour letters are not an accurate assessment of the situation.

The existing guttering was asbestos and therefore both not original in any sense and a potential hazard in general. The guttering and downpipes have been replaced with traditional deep ogee section cast iron guttering and traditional round cast iron downpipes. There is no reduction in the capacity of the guttering. The alteration is welcomed for the improvement this has made to the character of the listed building.

## Other issues raised by publicity comments

This was originally one property that was split into two dwellings, it is normal therefore to have guttering from one property overlapping onto the other. Indeed, in this case some of the guttering in question takes the water from the main roof of both properties. Consequently it can be seen that the improvements to the guttering that have been undertaken are not only of benefit to the character of the listed building but also of benefit to the maintenance tasks and general amenity of the occupiers of both dwellings.

It is noted that the public notice was sufficient to inform the neighbouring interested parties of the application.

## **RECOMMENDATION**

Consent.

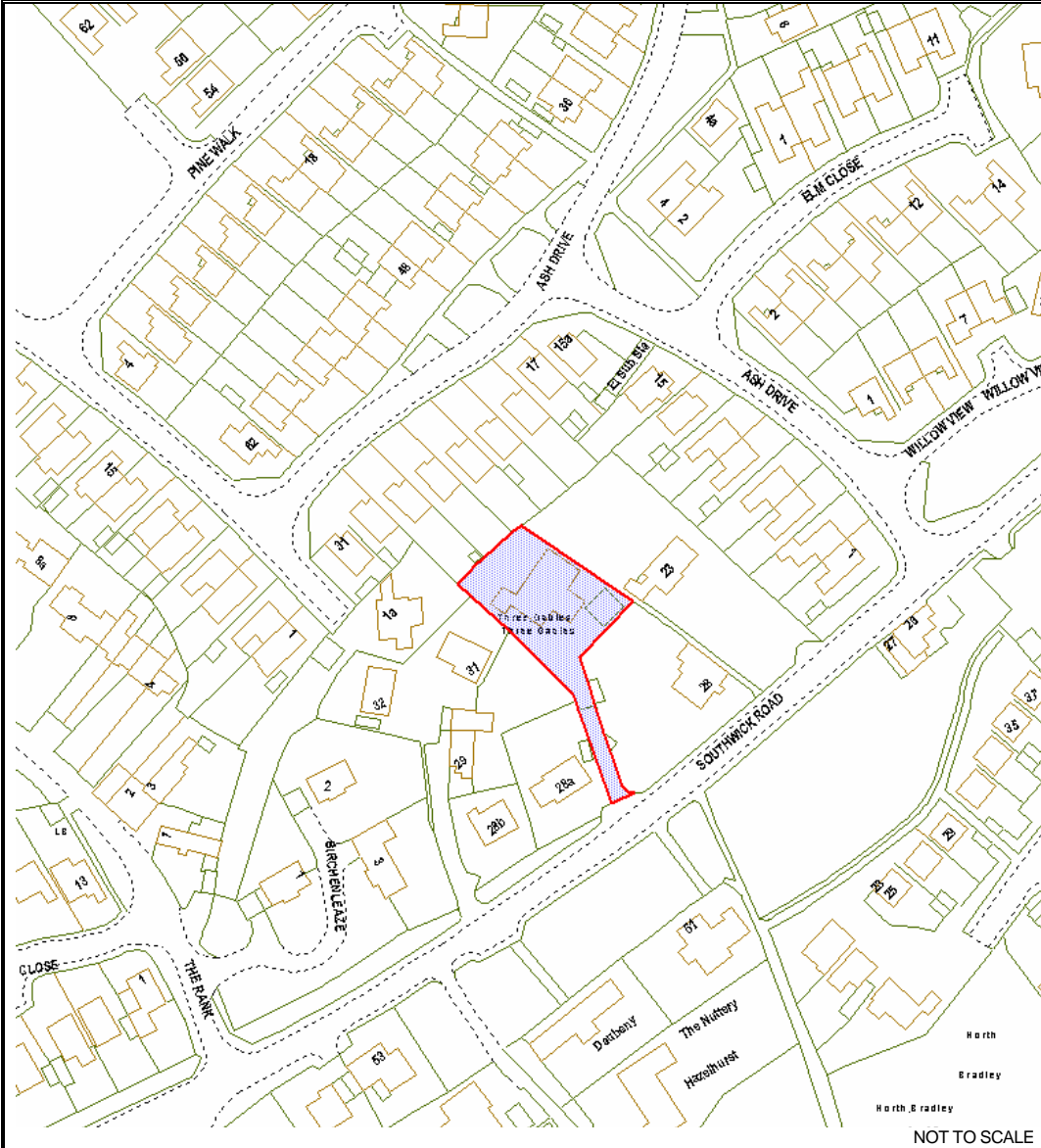
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 04

APPLICATION NO: 07/03197/FUL

LOCATION: Three Gables Southwick Road North Bradley  
Wiltshire BA14 0SJ



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SLA: 100022961

**04 Application: 07/03197/FUL**

**Site Address: Three Gables Southwick Road North Bradley Wiltshire BA14 0SJ**

Parish: North Bradley Ward: Trowbridge And North Bradley

Grid Reference 385393 155082

Application Type: Full Plan

Development: Proposed velux roof window to front of bungalow

Applicant Details: Mr & Mrs Dell  
Three Gables Southwick Road North Bradley Wiltshire BA14 0SJ

Agent Details: Cousins Thomas Rose  
10 Church Walk Trowbridge Wilts BA14 8DX

Case Officer: Mrs Judith Dale

Date Received: 08.10.2007 Expiry Date: 03.12.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The rooflight approved by this permission shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity.

POLICY: West Wiltshire District Plan – 1st Alteration 2004 – Policy C38.

**COMMITTEE REPORT**

**APPLICATION DETAILS**

This application is brought to Committee because of the Parish Council's recommendation for refusal contrary to that of the Planning Officer.

This is a retrospective application for the retention of a small Velux rooflight approximately 800mm by 1,000mm installed in the front elevation of this recently constructed bungalow. The rooflight has been obscurely glazed and is to illuminate a bedroom now accommodated within the roof area.

The property is located within a backland position to the rear of the Old Rectory but shares a vehicular access onto the Southwick Road.

## **CONSTRAINTS**

- 1) This is a retrospective application for development that has already been carried out.
- 2) The siting of this bungalow is in a backland position relative to the rear of The Old Rectory.

## **POLICIES**

West Wiltshire District Plan - 1st Alteration 2004

C31a Design  
C38 Nuisance

## **RELEVANT PLANNING HISTORY**

03/00216/FUL - Erection of bungalow with detached double garage and detached single garage Permission 05.06.2003. Condition 10 of that permission removes permitted development rights to Classes Band C of development, which includes rooflights and windows.

03/01264/FUL - Velux roof windows to the rear elevation of bungalow - Permission 13.11.2003.

## **SITE VISIT / STATUTORY SITE NOTICES**

15 October 2007.

## **KEY ISSUES**

The key issue raised by this application is considered to be the impact of the development on the amenity of the adjoining properties.

## **CONSULTATIONS**

NORTH BRADLEY PARISH COUNCIL - "Two objections were raised to this application, one being that there were objections to the Velux windows on the original building, and there does not seem to be any indication of the purpose of this window on the plans. The comments were also made as to whether the near neighbours object to another Velux window in the property. Some members of the Council would not object if the neighbours agreed to the proposal."

Neighbours: Neighbours were notified of the proposal and one letter of objection was received on the following grounds: -

- Installation of the Velux window took place in March this year without consultation with the neighbours or the Council and in clear contravention of the original planning permission;
- The original planning permission was for a single-storey dwelling only on the basis that this would cause the least intrusion to surrounding properties;
- The proposed development will seriously affect surrounding properties by infringing their privacy;
- The proposed development reflects a slow erosion of the original planning permission.

## **OFFICER APPRAISAL**

Notwithstanding that this application is for retrospective permission, the main consideration is whether the development has a detrimental impact on adjoining properties by reason of overlooking or loss of privacy.

The host building is a substantial bungalow built within a large backland plot with its main 'front' elevation approximately 12m from the rear boundary of the frontage property, The Old Rectory. This is a listed building but its status is not a material concern with regard to the current proposal. The rooflight the subject of this application has been installed in the front elevation to illuminate a bedroom which has since been accommodated within the roof area of the original bungalow. A combination of the particular roof-pitch, the level at which the roof light has been installed and the obscure glazing of the opening has effectively created a 'blind' window which does not give rise to any overlooking or loss of privacy to the frontage property. The roof light is in keeping with the character and appearance of the existing dwelling and is similar to one already installed in another part of the front roof slope approved under 03/01624/FUL.

As currently installed, it would difficult to argue a loss of amenity to adjoining residents and the proposal is, therefore, retrospectively recommended for permission.

## **RECOMMENDATION**

Subject to a condition requiring retention of obscure glazing within this rooflight there can be no planning objection to the retention of the window and permission is recommended.

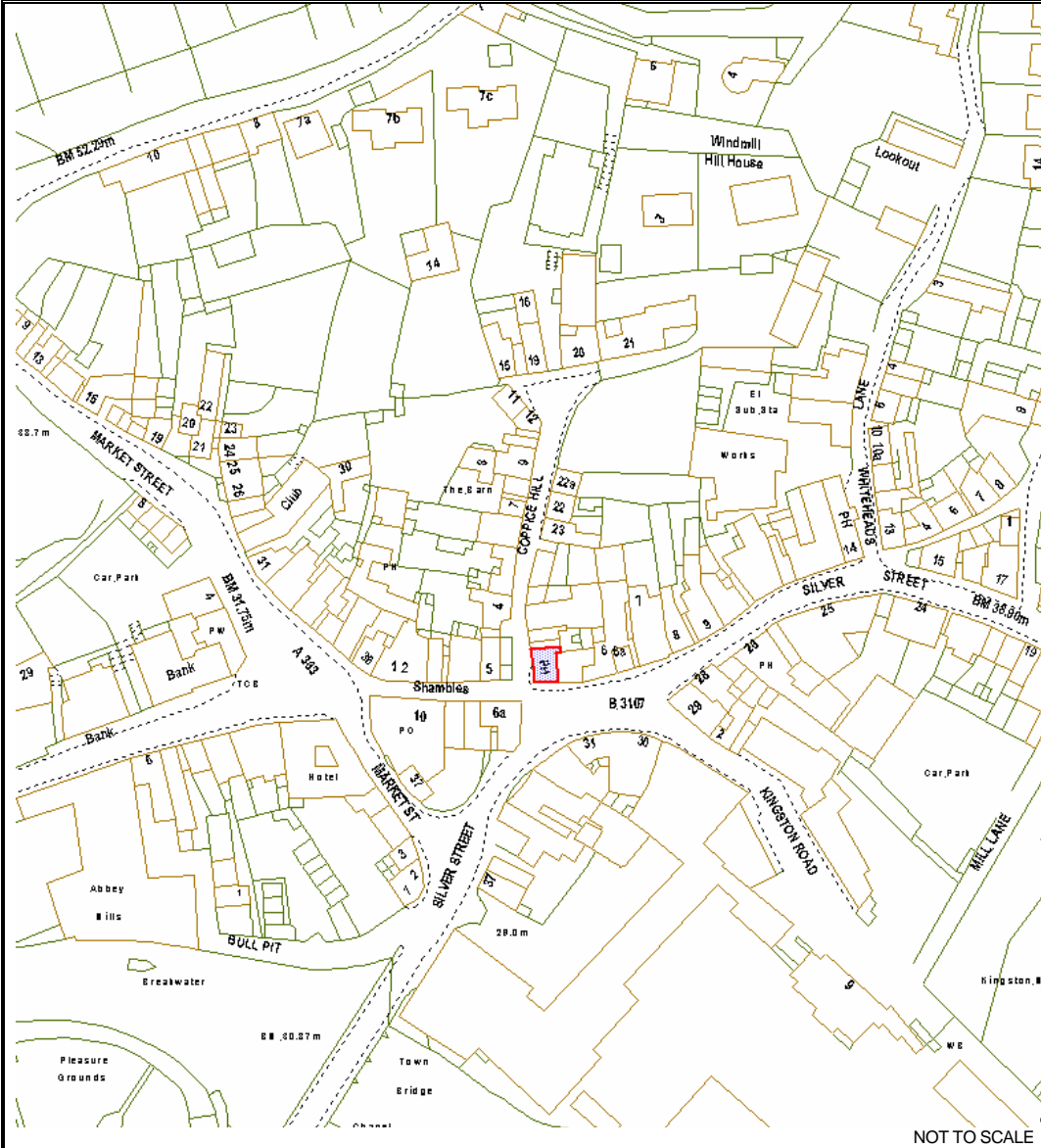
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 05

APPLICATION NO: 07/02606/FUL

LOCATION: Kings Arms 24 Coppice Hill Bradford On Avon  
Wiltshire BA15 1JT



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SLA: 10002961



**05 Application: 07/02606/FUL**

**Site Address: Kings Arms 24 Coppice Hill Bradford On Avon Wiltshire BA15 1JT**

Parish: Bradford On Avon Ward: Bradford On Avon North  
Grid Reference 382667 161008  
Application Type: Full Plan  
Development: Erection of a wooden traditional Victorian sunblind 2.5m by 1.5m  
Applicant Details: Mr Marcus Pope  
Kings Arms 24 Coppice Hill Bradford On Avon Wiltshire BA15 1JT  
Agent Details: Design Cluster  
F A O Mr G Burnham Puma Way Coventry Warwickshire CV1 2TT  
Case Officer: Mr Mark Reynolds  
Date Received: 16.08.2007 Expiry Date: 11.10.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 No development shall take place until samples of the materials to be used in the construction of the sunblind (awning) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 3 The proposed awning shall be made of a cloth material.

REASON: In the interests of protecting the character and appearance of the listed building.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - Policy C28.

**Note(s) to Applicant:**

- 1 The applicant is advised that the formal consent of the Highway Authority is required under the Highways Act for anyone to erect a sign or similar structure which will overhang the highway and this may be obtained from the Area Highway Surveyor who can be contacted on Tel: 01225 702649.

**COMMITTEE REPORT**

## APPLICATION DETAILS

This application was deferred from the meeting of 25 October 2007.

This application is brought to committee because Bradford on Avon Town Council object to the application and Officer's recommend permission.

This is an application for full planning permission to erect a wooden Victorian sunblind (awning) at the Kings Arms public house in Bradford on Avon at 24 Coppice Hill. The sunblind would be located on the south elevation of the building fronting onto the street. The sunblind would project 1.5m out from the building be 2.5m in width and it would be 2.4m in height above the pavement at its base. The sunblind would be constructed in timber with canopy covering and black iron arms and sides. The host building is a Grade II listed building located in the heart of Bradford Town Centre within a Conservation Area.

## CONSULTATION REPLIES:

- BRADFORD ON AVON TOWN COUNCIL: Original comments;

The use of a traditional Victorian sunblind on the domestic scale windows of the building is incongruous and would (especially when open) detract from the character of the building. It would also affect the street scene and the conservation area. The stated intention of the blind, which is to be used as a smoking shelter, is highly undesirable in this location for several reasons. The blind is likely to be used each day irrespective of the weather and would thereby be especially obtrusive, particularly in the winter months. It would also encourage customers to congregate and obstruct a busy section of pavement to the detriment of passers-by and shoppers in the town.

On commenting on revised plans;

The Town Council notes the revisions but repeats its previous comments.

- HIGHWAY AUTHORITY: Advise that the no highway objection is raised.

## INTERNAL WWDC CONSULTATIONS

- ENVIRONMENTAL HEALTH: Recommend approval
- HERITAGE/DEVELOPMENT OFFICER: No objections

## PUBLICITY RESPONSES

The proposal was advertised by letters to the neighbouring properties, a site notice and through the local press. One letter was received in relation to the listed building consent application which raised the following objections;

- Inappropriate addition to the building
- Would harm amenity

## RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)

C17	Conservation Areas
C18	New development in Conservation Areas
C28	Alterations and Extensions to Listed Buildings
C31a	Design
C38	Nuisance

PPG15 - Planning and the Historic Environment

## RELEVANT PLANNING HISTORY

There have been a number of planning applications at the site the following are considered relevant;

- 82/00800/ADV - Illuminated projecting swing sign - Permission 9.8.1982

## KEY PLANNING ISSUES

Section 66 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving and enhancing the character or appearance of the conservation area.

The main issues to consider are the character and appearance of the listed building and the Conservation Area, highway safety and amenity.

## PLANNING OFFICER COMMENTS

National planning advice in PPG15 - Planning and the Historic Environment - Annex C states at paragraph C.54 that retractable awnings covered in canvas are often characteristic features of historic shopfronts and should be retained. This building is a pub not a shopfront however it is located within Bradford on Avon town centre where there are a number of awnings on buildings. The proposed awning is of a traditional design it is modest in width and would not dominate the frontage of the building. The character and appearance of the listed building would be retained. The Heritage development officer raises no objection to the proposal and permission is recommended. The character and appearance of the conservation area would be preserved by this proposal.

The awning is required as a form of smoking shelter. The Town Council and a respondent are concerned that this may harm amenity. The Environmental Health department were consulted on the application and they have raised no objection to the proposals. Whilst the proposal will involve people standing outside smoking this is inherently the current situation given the smoking ban in public places. The pub is located in the town centre and therefore an element of disturbance is to be expected because of the mix of uses in the centre which comprises public houses, shops and residential properties. It is not considered that the addition of an awning to be used by smokers will result in an unacceptable loss of residential amenity.

The design of the awning has been revised during the processing of the application to ensure that it is located 2.4m above pavement level. The Highway Authority is content with the revised scheme in this respect and raise no further objections.

## CONCLUSION

For the reasons outlined above permission is recommended.

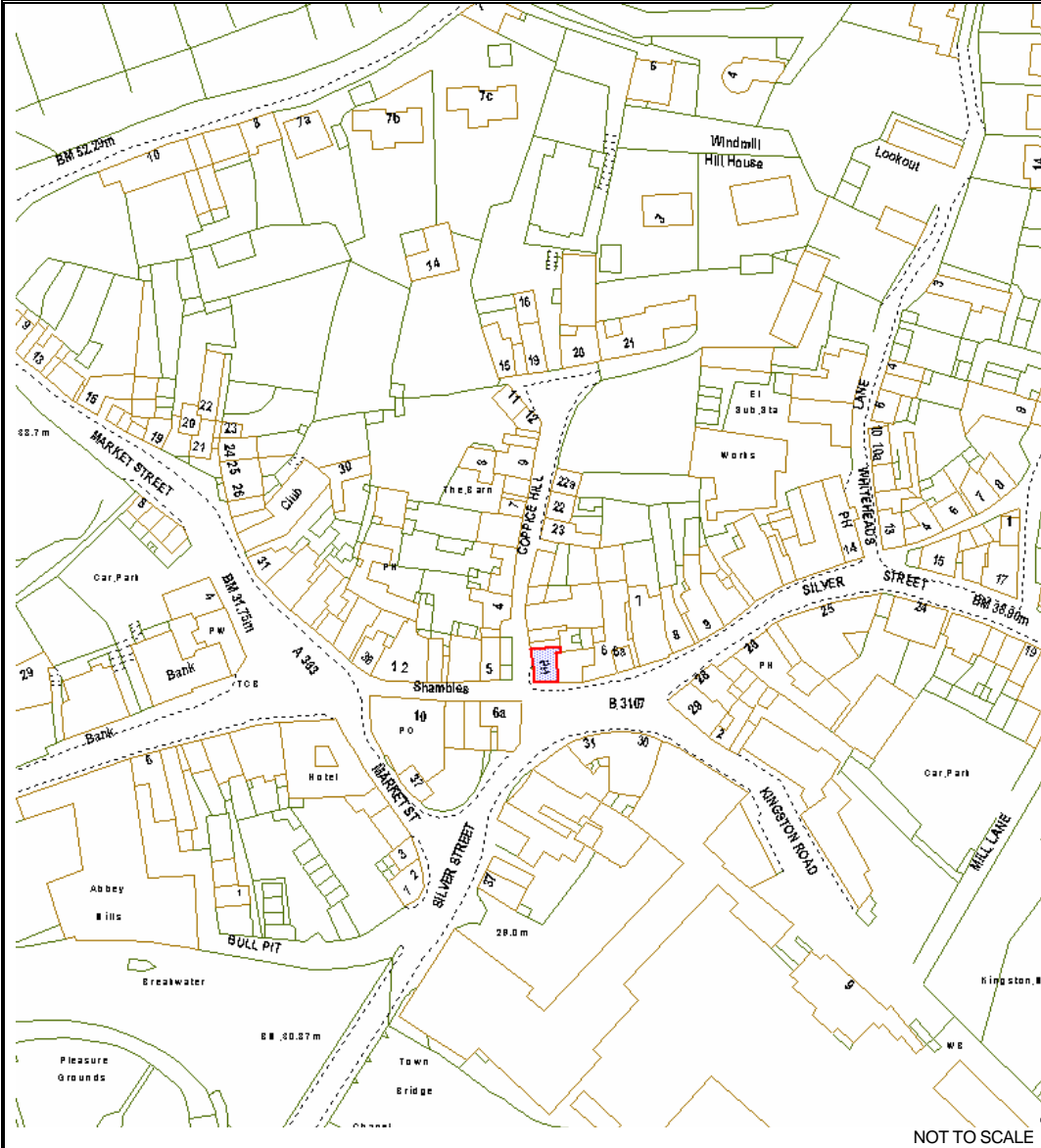
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 06

APPLICATION NO: 07/02605/LBC

LOCATION: Kings Arms 24 Coppice Hill Bradford On Avon  
Wiltshire BA15 1JT



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SLA: 10002961

**06 Application: 07/02605/LBC**

**Site Address: Kings Arms 24 Coppice Hill Bradford On Avon Wiltshire BA15 1JT**

Parish: Bradford On Avon Ward: Bradford On Avon North  
Grid Reference 382667 161008  
Application Type: Listed building  
Development: Erect a wooden traditional victorian sunblind measuring 2.5m by 1.5m  
Applicant Details: Mr Marcus Pope  
Kings Arms 24 Coppice Hill Bradford On Avon Wiltshire BA15 1JT  
Agent Details: Design Cluster  
F AO Mr Grant Burnham Puma Way Coventry Warwickshire CV1 2TT  
Case Officer: Mr Mark Reynolds  
Date Received: 16.08.2007 Expiry Date: 11.10.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposal would preserve the character and appearance of this grade II listed building.**

**RECOMMENDATION: Consent**

**Condition(s):**

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The proposed awning canopy shall be made of a cloth material.

REASON: In the interests of protecting the character and appearance of the listed building.

POLICY: West Wiltshire District Plan 1st Alteration (2004) - Policy C28.

- 3 No development shall take place until samples of the materials to be used in the construction of the sunblind (awning) hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A and C28.

## COMMITTEE REPORT

### APPLICATION DETAILS

This application was deferred from the meeting of 25 October 2007.

This application is brought to committee because Bradford on Avon Town Council object to the application and Officer's recommend consent.

This is a listed building application to erect a wooden Victorian sunblind (awning) at the Kings Arms public house in Bradford on Avon at 24 Coppice Hill. The sunblind would be located on the south elevation of the building fronting onto the street. The sunblind would project 1.5m out from the building be 2.5m in width and it would be 2.4m in height above the pavement at its base. The sunblind would be constructed in timber with acrylic or cloth covering and black iron arms and sides. The host building is a Grade II listed building located in the heart of Bradford Town Centre within a Conservation Area.

### CONSULTATION REPLIES:

- BRADFORD ON AVON TOWN COUNCIL: Original comments;

The use of a traditional Victorian sunblind on the domestic scale windows of the building is incongruous and would (especially when open) detract from the character of the building. It would also affect the street scene and the conservation area. The stated intention of the blind, which 'is to be used as a smoking shelter, is highly undesirable in this location for several reasons. The blind is likely to be used each day irrespective of the weather and would thereby be especially obtrusive, particularly in the winter months. It would also encourage customers to congregate and obstruct a busy section of pavement to the detriment of passers-by and shoppers in the town.

On commenting on revised plans;

The Town Council notes the revisions but repeats its previous comments.

### INTERNAL WWDC CONSUL STATIONS

- HERITAGE/DEVELOPMENT OFFICER: No objections

### PUBLICITY RESPONSES

The proposal was advertised by letters to the neighbouring properties, a site notice and through the local press. One letter was received raising the following objections;

- Inappropriate addition to the building -Would harm amenity

### RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)

C27 Listed Buildings

C28 Alterations and Extensions to Listed Buildings

PPG15 -Planning and the Historic Environment

### RELEVANT PLANNING HISTORY

There have been a number of planning applications at the site the following are considered relevant:

82/00800/ADV -Illuminated projecting swing sign -Permission 9.8.1982

## KEY PLANNING ISSUES

Section 66 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The main issue to consider is whether the proposed works would maintain the character and appearance of this listed building.

## PLANNING OFFICER COMMENTS

National planning advice in PPG15 -Planning and the Historic Environment -Annexe C states at paragraph C.54 that retractable apron blinds covered in canvas are often characteristic features of historic shopfronts and should be retained. This building is a pub not a shopfront however it is located within Bradford on Avon town centre where there are a number of awnings on buildings. The proposed awning is of a traditional design it is modest in width and would not dominate the frontage of the building. The character and appearance of the listed building would be retained. The Heritage development officer raises no objection to the proposal and consent is recommended.

The Town Council and a respondent have objected to the proposal on grounds which may be considered under the accompanying application for full planning permission.

## CONCLUSION

For the reasons outlined above it is considered that the proposals would preserve the character and appearance of the listed building.

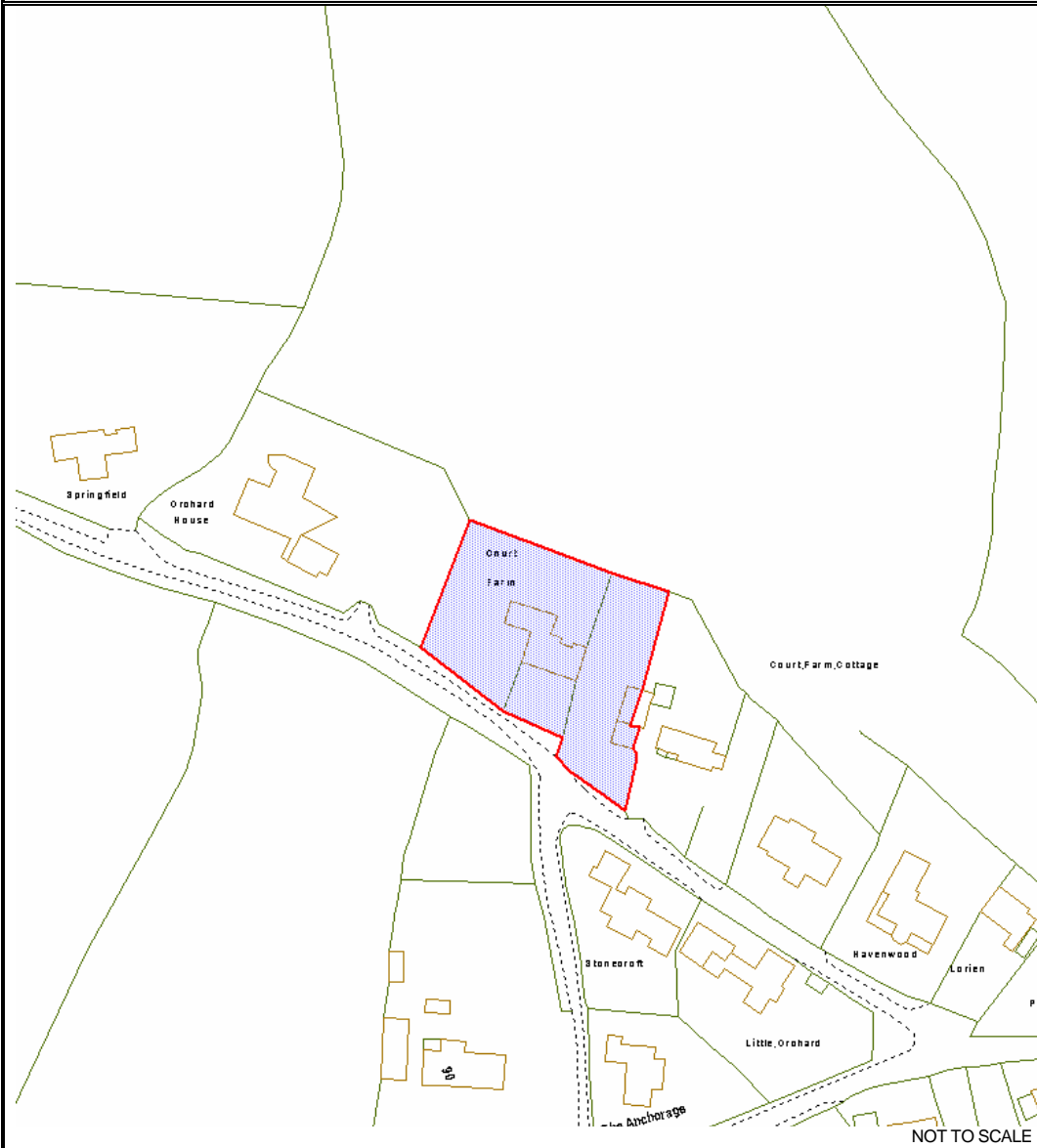
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 07

APPLICATION NO: 07/02715/FUL

LOCATION: Court Farm Court Lane Corsley Wiltshire BA12 7PA



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SLA: 100022961



**07 Application: 07/02715/FUL**

**Site Address: Court Farm Court Lane Corsley Wiltshire BA12 7PA**

Parish: Corsley Ward: Shearwater  
Grid Reference 381728 146232  
Application Type: Full Plan  
Development: First floor rear bathroom extension, rear porch extension, internal alterations to second floor and conversion of outbuilding and position of new swimming pool  
Applicant Details: Mr And Mrs Holland  
Court Farm Court Lane Corsley Wiltshire BA12 7PA  
Agent Details: Simon Hill Architectural Design  
Orchard House Rodden Down Frome Somerset BA11 5LD  
Case Officer: Mr James Taylor  
Date Received: 22.08.2007 Expiry Date: 17.10.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 3 Prior to the commencement of development on site full details of the proposed means of drainage for the swimming pool shall be submitted to and approved in writing by the Local Planning Authority. Further details of any plant housing in connection with the swimming pool shall also be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

REASON: In order to protect the local environment.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy C31A.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application was not heard at the meeting on 25 October 2007 because of lack of time. This application is brought to the Committee because Corsley Parish Council object to the proposed development and your officers recommend permission.

This is a full planning application for the erection of a first floor rear extension, a rear porch and the creation of a swimming pool. The first floor extension would be constructed from matching materials to the existing with a projecting gable facing to the north. It would be approximately 2.5 metres by 2.5 metres externally with a ridge height of 6.7 metres; providing space for en-suite facilities. The rear porch would be approximately 900mm by 2 metres externally, 2 metres in height to the lead flat roof. The proposed swimming pool would be positioned in the north east corner of the site which is a separately walled garden of the domestic cartilage. It would be approximately 9 metres by 4.5 metres within 5 metres of the boundary of the site.

The application site is located on the edge of this rural village with open countryside to the north and south west. There are neighbouring residential properties to the east and west.

The scale of development in this area is low density with large detached properties typical set within their own spacious curtilages. The host building is typical in this respect. It is Grade II listed stone building and accommodation is over 3 storeys including rooms in the attic. The host building has undergone numerous alterations and extensions to the rear elevation, however the frontage has remained unaltered.

### **CONSULTATION REPLIES:**

- **CORSLEY PARISH COUNCIL:** Object on the following grounds:
  - round window proposed for en-suite is out of keeping with house.
  - Velux windows on outbuilding are out of keeping, especially as they would be visible from the lane.
  - due consideration should be given to neighbours privacy and drainage in regard to swimming pool.

### **STATUTORY CONSULTATIONS**

- **ENVIRONMENT AGENCY:** No comments received.
- **WESSEX WATER:** No objection in principle subject to the Council being satisfied with any arrangement for the disposal of foul and surface water flows generated by the development.

### **INTERNAL WWDC CONSULTATIONS**

- **HERITAGE DEVELOPMENT OFFICER:** No objection.

## PUBLICITY RESPONSES

The proposal was advertised by letters to the neighbouring properties, a site notice and through the local press. No comments received.

## RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)

C3 Special Landscape Area  
C28 Alterations and Extensions to Listed Buildings  
C31a Design  
C38 Nuisance

SPG Supplementary Planning Guidance on House Alterations and Extensions

PPS1 Delivering Sustainable Development  
PPG15 Planning and the Historic Environment

## RELEVANT PLANNING HISTORY

07/02714/LBC – Parallel listed building consent application.

## KEY PLANNING ISSUES

Section 66 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The key issues to consider with this application are the potential impact on the character, appearance and setting of the listed building and neighbouring amenity. Also the impact on the special landscape character must be considered.

## PLANNING OFFICER COMMENTS

The full implications of the development to the listed building are considered under the parallel listed building application 07/02714/LBC. The Council's Heritage Development Officer raises no objection. Suffice to say in this context that the proposal is considered to be of a form and scale that respects the host building incorporating matching materials and similar design qualities existing on this elevation. The use of a round window may not be ideal, an oval window of this type would be a traditional feature. However, there are a variety of fenestration details existing on this elevation alone and the introduction of another would not cause any demonstrable harm. The rear porch would be of such a modest scale that it cannot be considered harmful on this much altered elevation. The swimming pool poses no design issues.

The proposed first floor extension would be of a scale and siting that would cause no harm to neighbouring amenity. There would be no overlooking from the proposed development.

The swimming pool is located on established garden space and the use of this area for swimming pool is not going to cause a substantial increase in ancillary activity, certainly not sufficient harm to merit refusal.

Issues of drainage have been considered with regard to the swimming pool. It is not considered that any harm is likely to result in this respect. However, it has been considered prudent in light of the concerns raised by both a neighbour and the Parish Council to consult with the Environment Agency and Wessex Water. The comments of Wessex Water have been noted and none have been received from the Environment Agency to date. It is not an unusual form of development and a condition to secure details of drainage is considered appropriate. Once details have been received of the method of drainage the Council will consult with its own Drainage Engineer, Wessex water and the Environment Agency to ensure that the arrangements are satisfactory and would cause no harm to the environment.

The proposed development is limited to the established residential curtilage and is of a form scale and siting that would not impact on the special landscape character.

The conversion of the outbuilding as ancillary accommodation to provide a shower for the pool and domestic workshop, incidental to the enjoyment of the dwellinghouse, is permitted development. Design details can be controlled through the listed building application.

## CONCLUSION

The proposed development would cause no harm to any acknowledged planning interests.



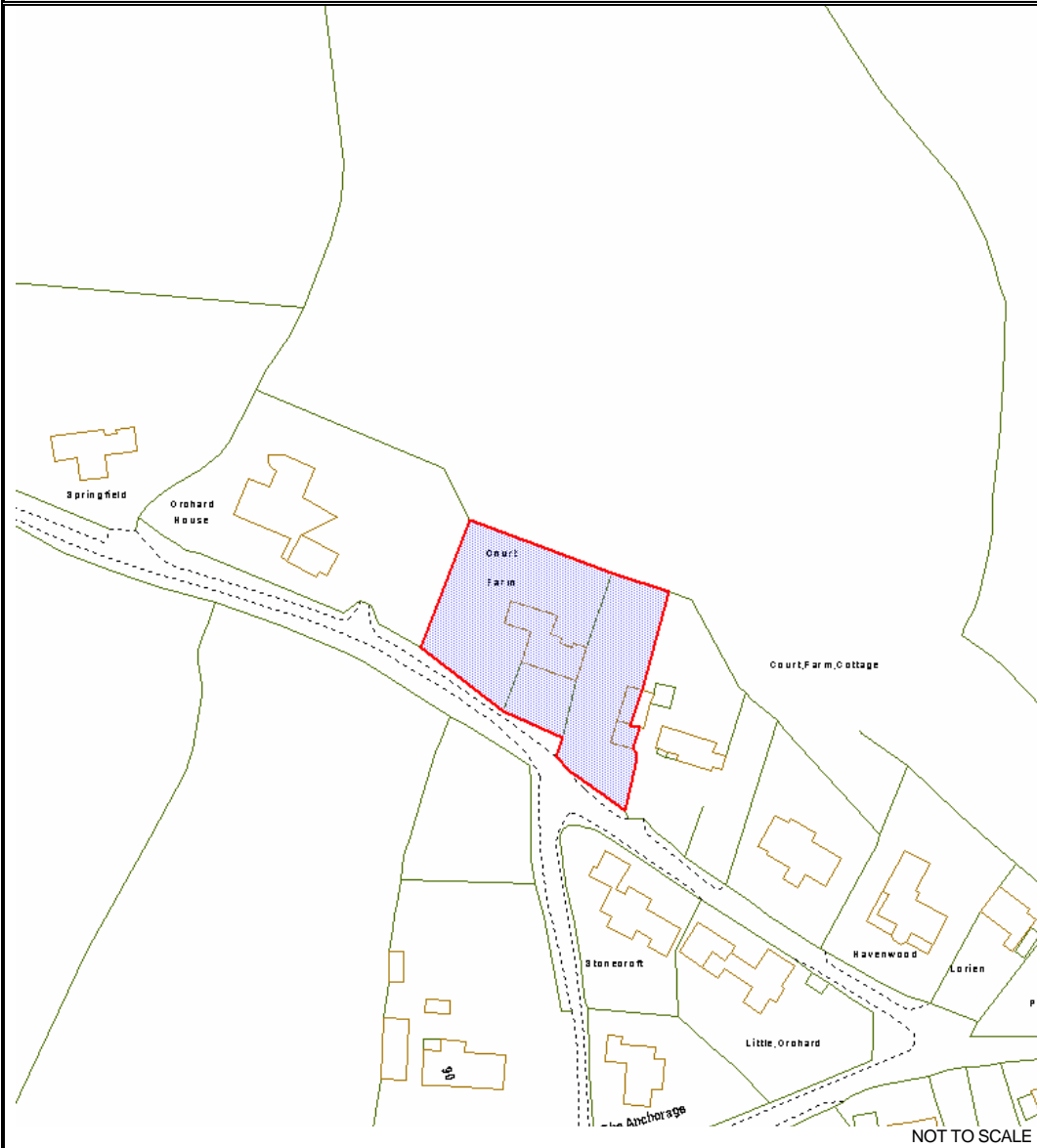
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 08

APPLICATION NO: 07/02714/LBC

LOCATION: Court Farm Court Lane Corsley Wiltshire BA12 7PA



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SLA: 100022961

**08 Application: 07/02714/LBC**

**Site Address: Court Farm Court Lane Corsley Wiltshire BA12 7PA**

Parish: Corsley Ward: Shearwater  
Grid Reference 381728 146232  
Application Type: Listed building  
Development: First storey rear bathroom extension, rear porch extension, internal alterations to second floor, conversion of outbuilding to workshop and positioning of new swimming pool  
Applicant Details: Mr And Mrs Holland  
Court Farm Court Lane Corsley Wiltshire BA12 7PA  
Agent Details: Simon Hill Architectural Design  
Orchard House Rodden Down Frome Somerset BA11 5LD  
Case Officer: Mr James Taylor  
Date Received: 22.08.2007 Expiry Date: 17.10.2007

**REASON(S) FOR RECOMMENDATION:**

**The character and setting of the listed building would be preserved and enhanced.**

**RECOMMENDATION: Consent**

**Condition(s):**

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the character and fabric of the listed building is protected.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 – Policy C28.

- 3 All new or replacement rainwater goods shall be of cast iron or cast aluminium construction and finished in black.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C28.

- 4 Details of the elevations of all new or replacement external windows, rooflights and doors including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1 :2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.

POLICY: West Wiltshire District Plan - 1st Alteration – Policy C28.

## COMMITTEE REPORT

### APPLICATION DETAILS

This application was not heard at the meeting on 25 October 2007 because of lack of time. This application is brought to the Committee because Corsley Parish Council object to the proposed development and your officers recommend consent.

This is a listed building application for the erection of a first floor rear extension, a rear porch, internal alterations to the roof space to facilitate ensuite WC facilities and the conversion of an outbuilding to workshop including the insertion of 3 rooflights.

The first floor extension would be constructed from matching materials to the existing with a projecting gable facing to the north. It would be approximately 2.5 metres by 2.5 metres externally with a ridge height of 6.7 metres; providing space for en-suite facilities. The rear porch would be approximately 900mm by 2 metres externally, 2 metres in height to the lead flat roof. The internal WC facilities would involve the erection of a stud wall in an existing bedroom in the attic space. The conversion of the outbuilding would include the erection of 3 rooflights otherwise the alterations are limited to internal works such as new stud walls.

The application site is located on the edge of this rural village with open countryside to the north and south west. There are neighbouring residential properties to the east and west. The scale of development is very low density with large detached properties typical set within their own spacious curtilages. The host building is typical in this respect; it is Grade II listed stone building and accommodation is over 3 storeys including rooms in the attic. The host building has undergone numerous alterations and extensions to the rear elevation; however the frontage has remained unaltered. To the east of the site is a stone built single storey outbuilding with clay pantiles to the roof. It is currently used for ancillary storage to the dwelling including garaging of vehicles.

### CONSULTATION REPLIES:

- CORSLEY PARISH COUNCIL: Object on the following grounds:
  - round window proposed for en-suite is out of keeping with house.
  - Velux windows on outbuilding are out of keeping, especially as they would be visible from the lane.
  - due consideration should be given to neighbours privacy and drainage in regard to swimming pool.

### INTERNAL WWDC CONSULTATIONS

- HERITAGE DEVELOPMENT OFFICER: No objection. Rooflights as long as they are conservation style would not be out of keeping with a cartilage building such as this and allows light into building without enlarging the existing openings. The proposal employs good materials and would not detract from the character of the building considering the other extensions around it. The round window would add to the overall mix of fenestration that characterises this elevation of the building.



## PUBLICITY RESPONSES

The proposal was advertised by letters to the neighbouring properties, a site notice and through the local press. No comments received.

## RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)  
C28 Alterations and Extensions to Listed Buildings

PPS1 Delivering Sustainable Development  
PPG15 Planning and the Historic Environment

## RELEVANT PLANNING HISTORY

07/02715/FUL – Parallel full planning application.

## KEY PLANNING ISSUES

Section 66 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

The key issues to consider with this application are the potential impact on the character, appearance, fabric, integrity and setting of the listed building.

## PLANNING OFFICER COMMENTS

### Main building

The proposed external alterations to the listed building would utilise materials to match the existing and a form that is reflective of the existing character of the building. The rear elevation has undergone considerable alteration and evolution compared to others on the building which have generally maintained their original appearance. The one constant on the rear elevation is that good quality materials are generally prominent. This would be maintained. The use of the flat roof on the porch is acceptable given that it would be lead and the round window is simply a further variation on the already diverse range of window types and proportions evident on this elevation of the building.

Internally alterations are very modest with the creation within the attic space of a stud wall to enclose the en-suite bathroom. The attic has already been converted to bedroom and bathroom facility, but this proposal would allow for a WC and a stud wall to make it private. The only important features in this area are the shape of the roof and the exposed beams, neither of which would be affected by the proposal.

### Outbuilding

The conversion of the outbuilding which appears to be in use as ancillary space to the main house poses no concerns in principle. There are no features internally that are of significant note and as such the conversion of this area, including the erection of stud walls to facilitate wash facilities poses no objections. The insertion of roof lights would indeed be visible from the main road; however rooflights are a perfectly acceptable means of allowing additional light into the building. Indeed this would be preferable to widening existing openings that are of traditional proportions. The use of Conservation rooflights can be controlled by conditions.

Finally, the Council's Heritage Development Officer raises no objection to the proposed development subject to the appropriate use of conditions. Indeed they highlight that the variety of fenestration on the rear elevation that currently exists is part of the character of the building and the use of a bulls-eye window would simply be another variation to this theme.

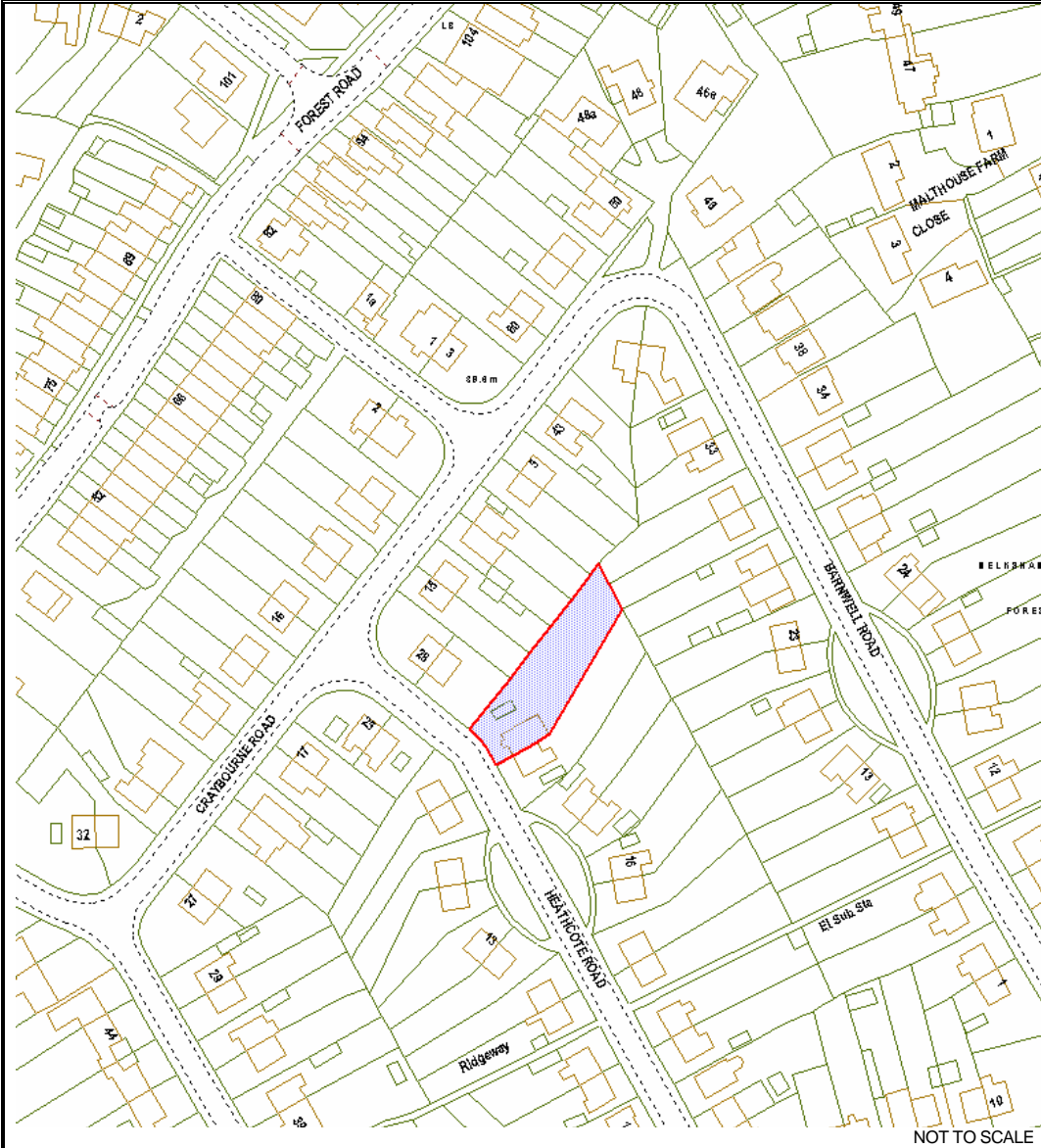
## CONCLUSION

The proposed development would cause no harm to the historic environment.

# PLANNING COMMITTEE

15 November 2007

ITEM NO: 09  
APPLICATION NO: 07/02832/FUL  
LOCATION: Land Adjoining 24 Heathcote Road Melksham  
Wiltshire



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SLA: 100022961

**09 Application: 07/02832/FUL**

**Site Address: Land Adjoining 24 Heathcote Road Melksham Wiltshire**

Parish: Melksham (Town) Ward: Melksham East  
Grid Reference 391159 164460  
Application Type: Full Plan  
Development: New dwelling  
Applicant Details: Mr Frank Watts  
24 Heathcote Road Melksham Wiltshire SN12 7DF  
Agent Details: A Harlow & Son  
46 Longford Road Melksham Wiltshire SN12 6AT  
Case Officer: Mr David Cox  
Date Received: 07.09.2007 Expiry Date: 02.11.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 Notwithstanding the provisions of Class D of Part 1 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 24 and the new dwelling shall not change or replace their front porches without the need for planning permission.

REASON: In the interests of preserving consistent, well designed frontages to the dwellings

POLICY: H24 and C31a of the West Wiltshire District Plan 1st Alteration 2004

- 3 Notwithstanding the approved plans, revised plans showing the re-alignment of the 2 parking bays for each dwelling to allow for a 1 metre clearance between them and the front door of No 24 shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of works on site.

**Note(s) to Applicant:**

- 1 The applicant is advised to agree connection to Wessex Water systems prior to the commencement of works on site.

- 2 In order to comply with Condition 3 the applicant is advised to move the left parking bay of No 24 over onto part of the new dwellings land. This should allow for a sufficient gap between the parking bay and the front door of No 24.

## **COMMITTEE REPORT**

### APPLICATION DETAILS

This application was not heard at the meeting on 25 October 2007 because of lack of time.

This application is brought to Committee because Melksham Town Council object and your officers recommend permission.

This application is for a new dwelling to be built on the side elevation of an existing semi-detached pair at 24 Heathcoat Road.

The building would be of the same width as the two semi-detached dwellings. Its roof would be set down by 300mm from the ridge of semi-detached pair but with its front and back walls flush. The proposals also include replacing the existing lean to porch of No 24 to replace it with a design to match the overhanging one at No 22. New dwelling would also have the same porch design. The fenestration details would match that on host building.

The application site is located on a higher ground level than the other dwellings in the street with the ground falling away in a north-westerly direction towards the junction with Craybourne Road. This is why the proposal has been set down from the host building to follow the drop in ground level.

### CONSULTATION REPLIES

#### MELKSHAM TOWN COUNCIL

Objection: The proposed development is out-of-keeping, due to its mass and scale (as large as the host building).

### STATUTORY CONSULTATIONS

#### HIGHWAY AUTHORITY

No objection subject to the "left side" car parking space for the existing property would obstruct access to the front door. 1 metre is required from the door to the parked vehicle to allow sufficient space.

#### WESSEX WATER

No objection.

### PUBLICITY RESPONSES

One letter of objection was received from neighbours who were consulted by letter.

- Turning a semi-detached dwelling into a terrace is totally out of character with the surrounding area. Properties are almost exclusively semi-detached, with a few detached dwellings. This will be detrimental to the street scene.
- The proposed development is also aesthetically undesirable with it being at a different height than the existing building, it will look decidedly out of place and because of its size appears to be an overdevelopment of the site.
- Dropping the curb to allow for the off-street parking spaces would reduce the amount of on-street parking for people who do not have private drives.
- I hope that an external right of way to the back of No 24 is provided for future occupants.

## PLANNING POLICY

West Wiltshire District Plan 1st Alteration 2004 - Policies: H1, H24, C31a and C38.

Planning Policy Statement 3 - Housing.

## RELEVANT PLANNING HISTORY

None

## KEY PLANNING ISSUES

- Principle of development
- Impact on host building
- Impact on setting of street scene
- Impact on neighbouring amenity
- Highway Safety

## PLANNING OFFICER COMMENTS

- The site is within Town Policy Limits and would represent a density of approximately 28 dwellings per hectare. Whilst this is below the target of 30 dwellings per hectare in PPS3, it is not considered that this is an inefficient use of land especially the density of the surrounding area is approximately 20 dwellings per hectare.

- Although the residential area comprises of semi-detached properties, it is considered that the creation of this terrace would not harm the appearance of the semi-detached pair or the setting of the street scene in general. The proposed dwelling would have the same width of the two semis which would respect its proportions.

- The proposal has taken into account the topography of the site and surrounding area. By stepping the dwelling down from the semi-detached pair it respects the downwards slope of the site. If the dwelling shared the same ridge height as the semi-detached pair it could appear to be overly dominant on the setting of the street scene when viewed from the junction with Craybourne Road.

- The proposal has also improved the design element of the proposed dwelling and of No 24 by replicating the porch design of No 22. However this could be undone with the Permitted Development Rights were not removed for the two properties that could allow for the eventual replacement of the existing lean-to porch design as seen on No 24. Therefore a condition will be made to remove the Permitted Development Rights for Porches.

- The proposal would not harm the amenities enjoyed by the adjoining neighbours. This is because there would be no windows overlooking their side garden and there would still be sufficient space between them to allow for sufficient daylight.

- The Highway Authority has stated no objection to the proposal however have requested that the left parking bay for No 24 is revised to allow for clearance between the front door and the parking space. This can be secured through planning condition.

## CONCLUSION

For the above reasons the Town Council's objections cannot be supported and the application should be granted planning permission.

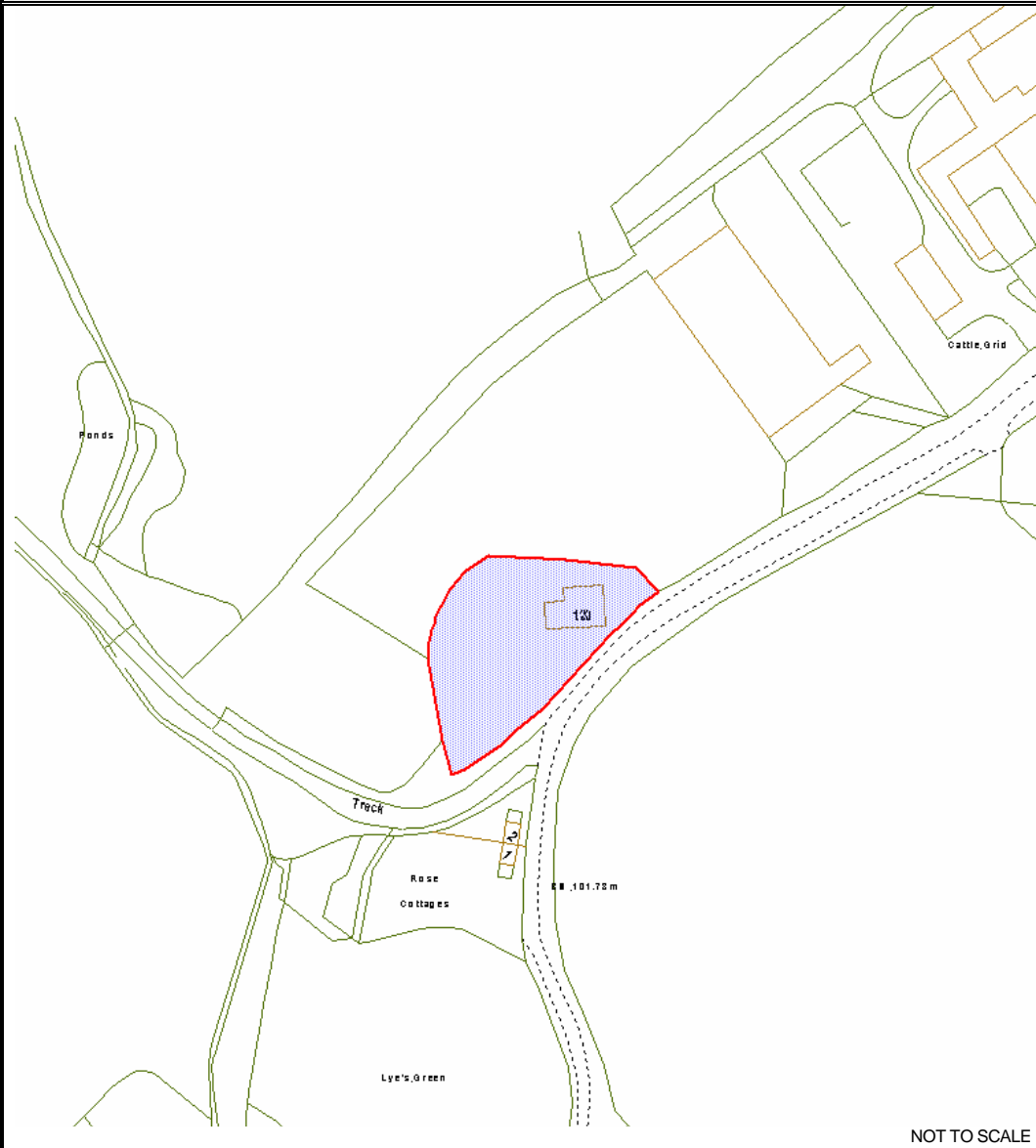
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 10

APPLICATION NO: 07/02564/FUL

LOCATION: 120 Lyes Green Corsley Wiltshire BA12 7PB



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SLA: 100022961

**10 Application: 07/02564/FUL**

**Site Address: 120 Lyes Green Corsley Wiltshire BA12 7PB**

Parish: Corsley Ward: Shearwater  
Grid Reference 382075 146454  
Application Type: Full Plan  
Development: Erect extensions to dwellings with swimming pool on ground floor and bedroom and bathroom on first floor  
Applicant Details: M J Butler  
Greenfields 120 Lyes Green Corsley Wiltshire BA12 7PB  
Agent Details: Mr C Sault  
Corner Cottage Nursteed Devizes Wilts SN10 3HE  
Case Officer: Ms Margaretha Bloem  
Date Received: 07.08.2007 Expiry Date: 02.10.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 3 Prior to the commencement of development on site full details of the proposed means of drainage for the swimming pool shall be submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details.

REASON: In order to protect the local environment.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policy C31A.

## COMMITTEE REPORT

### APPLICATION DETAILS

This application was not heard at the meeting of the Planning Committee on 25 October 2007.

The application is brought to Committee because Corsley Parish Council object and your officers recommend permission.

The application site is located on the western side of Lyes Green and comprises a cottage with previous extensions including a two storey extension, conservatory and detached double garage. The site falls within an area of Special Landscape Character.

The proposal is for the erection of a two storey side extension (4.9 metres by 7.8 metres) to make provision for a bedroom, en suite and shower room and covered swimming pool single storey extension (10.3 metres by 8.1 metres).

The scheme has been revised to remove the gable feature on the south elevation facing Lyes Green and propose the gable feature on the north elevation. The revised scheme also introduces soft landscaping including a hedge along the front boundary.

### CONSULTATION REPLIES:

#### - CORSLEY PARISH COUNCIL:

The proposed extension was considered to be overdevelopment and out of keeping with the landscape in the area. Concerns about waste water in an area without mains water/drainage were also raised. The proposed extension appeared to be the same size as the existing property. The Parish Council still objects to the amended plans.

### INTERNAL WWDC CONSULTATIONS

- Drainage Engineer: No objection as land drainage seems to be unaffected.

### PUBLICITY RESPONSES:

Neighbours were notified and one letter of support has been received from Malthouse Farm.

### RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration 2004

C31A - Design

C38 - Effects of development on neighbouring properties

C3 - Special Landscape Areas

PPS 1 - General Policies and Principles

SPG - Supplementary Planning Guidance - Household Alterations and Extensions

### RELEVANT PLANNING HISTORY

04/00868/FUL - Single storey extension - Approved 17.06.04

98/00565/FUL - Two storey extension and garage and provision of new access -  
Approved 08.06.98



## KEY PLANNING ISSUES

The main issues to consider in this application are the impact which the scheme would have upon neighbouring amenities and the impact upon the Special Landscape Area.

## PLANNING OFFICER COMMENTS

The issue of neighbour amenity may first be considered. The isolated location of the property means that neighbour amenity would not be adversely affected by the proposal. The nearest residential neighbours at Rose Cottages are 45 metres to the south of the application site.

The impact upon the surrounding area may now be considered. The proposal would be visible from the street. The scale and massing of the two storey and single storey extension would appear as subordinate to the main dwelling. Taking into account that the dwelling is set at an angle with the road, that more than half the length of the extension is single storey and that the land slopes towards the rear of the site, it is on balance considered acceptable. The applicant also includes some landscaping that would further minimize the impact on the streetscene.

The applicant submitted information regarding water usage and disposal and it is not considered that the proposal will cause concern regarding drainage. Furthermore, the issue of drainage has been considered by the Council's Drainage Engineer who has no concerns. A pool is not an unusual form of development and a condition to secure future details of drainage to ensure that there would be no nuisance or harm to the water environment is recommended.

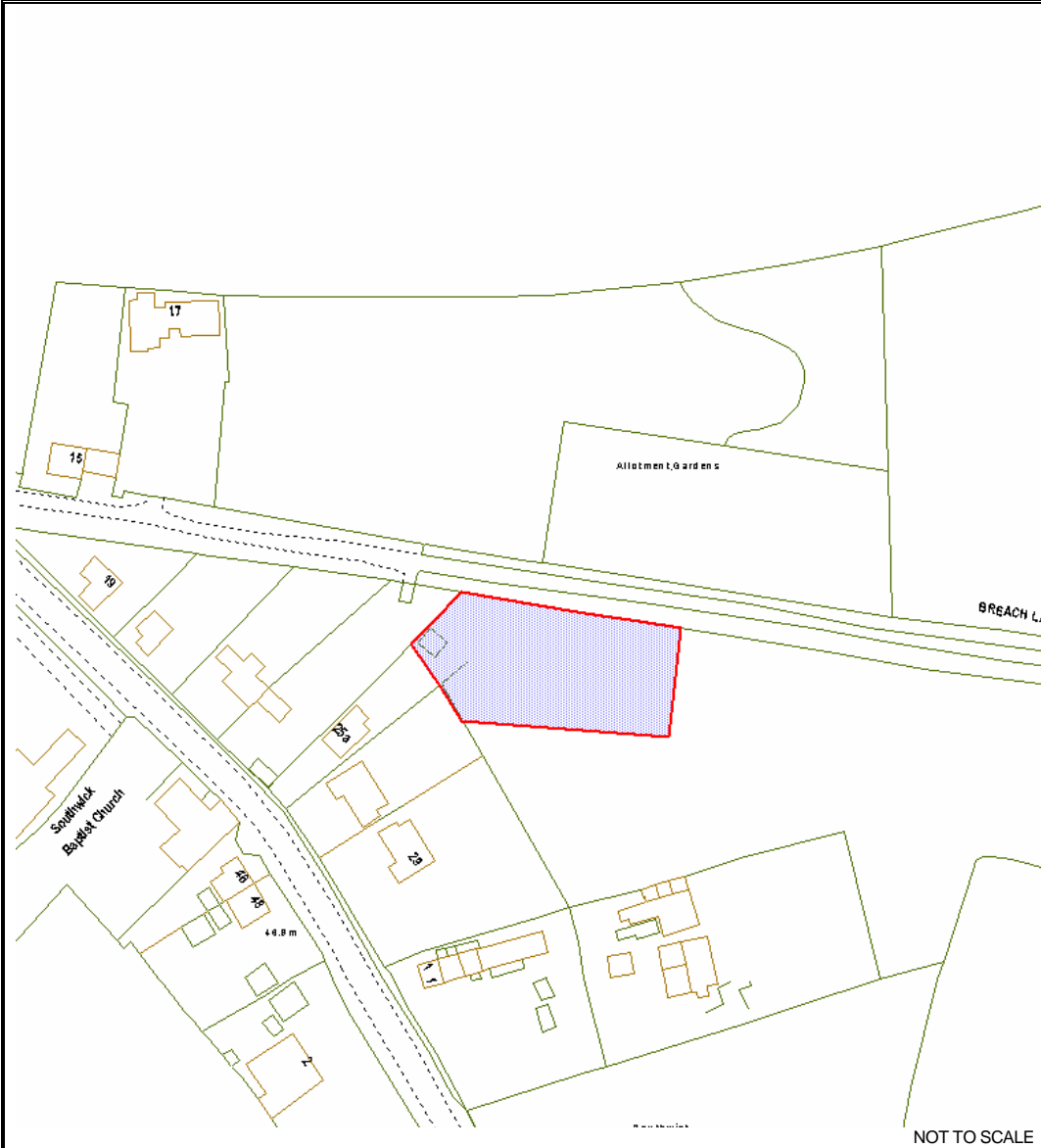
## CONCLUSION

The proposal would not harm the setting of the site within the Special Landscape Area or the neighbouring amenity and there would be no harm to visual amenity.

# PLANNING COMMITTEE

15 November 2007

ITEM NO: 11  
APPLICATION NO: 07/02683/FUL  
LOCATION: Land Rear Of 27 Wynsome Street Southwick  
Wiltshire



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SLA: 100022961

**11 Application: 07/02683/FUL**

**Site Address: Land Rear Of 27 Wynsome Street Southwick Wiltshire**

Parish: Southwick Ward: Trowbridge And Southwick

Grid Reference 384225 155076

Application Type: Full Plan

Development: Erection of stables, feed store and menage (for private use)

Applicant Details: M E Jones  
Barncroft The Barton Kingston Langley Chippenham Wiltshire

Agent Details:

Case Officer: Mr Peter Westbury

Date Received: 17.08.2007 Expiry Date: 12.10.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be used for commercial purposes, including the keeping of horses at livery or as a riding school.

REASON: In the interests of highway safety and to protect the living conditions of nearby residents.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy E10.

- 3 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

- 4 Contaminated water shall not be discharged to any stream, watercourse or underground strata, whether direct or via soakaways.
- REASON: To minimise the risk of pollution of the water environment.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy U4.
- 5 No materials, including manure, shall be burnt on site.
- REASON: In order to minimise nuisance
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38
- 6 Details of lighting to the stables (including measures to minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall only be carried out in accordance with the approved details.
- REASON: In the interests of pollution prevention.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C35.
- 7 There shall be no lighting of any sort to the menage.
- REASON: In order to minimise nuisance and pollution prevention
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C35 and C38
- 8 Before the commencement of any development on site, a method of storage and disposal of manure, which shall not include burning, shall be submitted and approved in writing by the local planning authority. Storage and disposal shall thereafter be in accordance with the approved method for so long as the stables hereby permitted remain on the site.
- REASON: In order to protect groundwater
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies U4 and C38
- 9 The proposed access to the menage shall incorporate splays on both its sides to the rear of the existing bridleway based on co-ordinates of 2.4m by 2.4m and which shall be kept free of obstruction at all times.
- REASONS: In the interests of highway safety
- 10 Before any development is commenced on site, including site works or storage of any description, all trees to be retained on site must be protected. The protective fencing should be at minimum, weld mesh panels (Heras or similar) erected on a scaffold framework driven in to the ground by a minimum of 600mm. Alternatively a three-bar post and rail fence should be erected with galvanised livestock mesh attached to it.
- The protective fence should be erected at a minimum of 2 metres outside the canopy of each tree or hedgerow. If a group of trees are to be protected the fence should be erected a minimum of 5 metres outside the group canopy.
- Within the areas so fenced off the existing ground level shall neither be raised or lowered and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon.

If trenches for services are required within the fenced off area, they shall be excavated and back-filled by hand avoiding any damage to the bark and any principal tree roots encountered shall be left unsevered. Where excavations do expose roots, should be surrounded with sharp/grit sand before replacing soil or other material in the vicinity. For further details relating to Tree in relation to construction the applicant should refer to BS 5837: 1991.

The fences shall not be removed without the consent of the local Planning Authority until the whole of the development is complete

REASON: To ensure that existing trees of value are adequately protected.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C40.

- 11 No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 12 All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 13 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

**Note(s) to Applicant:**

- 1 The applicant should ensure that no pollution occurs from the surface water drainage from the ménage. There is a potential for contamination of this surface water by manure and dirty water deposits on the surface of the ménage. All possible steps should be taken to ensure that this does not result in the pollution of the receiving watercourse. Such a pollution may result in formal action from this Agency.

One such preventative measure should be the regular removal of all manure deposits from the ménage to ensure a short residency time. Manure/dung heaps should be sited in an area where it/they will not cause pollution of any watercourse or water source by the release of contaminated run-off. The subsequent disposal of collected wastes should be undertaken in accordance with the MAFF Code of Good Agricultural Practice for the Protection of Water.

The site must be drained on a separate system with all clean roof and surface water being kept separate from foul drainage.

There must be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or via soakaways/ditches.

- 2 You are advised to contact Wessex Water to arrange connection onto their apparatus
- 3 You are advised that a landscaping scheme needs to include planting to the western boundary of the site.
- 4 You are advised that there are land ownership issues raised with this application as regards the use of the bridlepath.
- 5 You are advised to contact the Rights of Way Section at Wiltshire County Council as regards use of the bridleway.

## **COMMITTEE REPORT**

### APPLICATION DETAILS

This application was not considered on 25 October 2007 because of lack of time.

This application is brought to Committee because Southwick Parish Council object and your Officer's recommend permission.

This is an application for full planning permission for the erection of a block of three stables, a feed store, and ménage at land to the rear of 27 Wynsome Street, Southwick.

The application site is located to the north of Wynsome Street. A new gravel access has been provided off the bridlepath running along the northern boundary of the site. This access is gated. This boundary has a mature hedgerow with several mature trees running along it. The bridleway is roughly surfaced up to the entrance at the rear of number 25, beyond which it is grass and un-surfaced, with a locked gate preventing vehicular traffic using it. Residential properties run along Wynsome Street to the south and west of the site, with agricultural land to the north and east.

The proposal is to provide a block of three stables along the northern boundary of the site, the plans indicate that the proposed stables would be 12.3 metres by 5.0m by 3.5m tall. Retrospective permission is also sought for a food store located in the western corner of the site. The plans indicate that the store would be 5.0m by 5.0m by 3.5m tall, constructed of the same materials as the stables.

An unlit ménage would also be provided. The plans indicate that this would be 39m long by 19m wide. It would be located centrally on the plot, approximately 19 metres away from the northern boundary of the site. It would be bordered by rail fencing. No details of surfacing of the ménage have been provided. The site slopes upwards towards the east: no sectional drawings or information have been provided.

The access to the site has already been provided to the site, although the discharge of conditions controlling this under planning permission 06/01430/FUL has not been occurred. The applicant proposes to retain the hedge and trees along the northern boundary of the site. It is also stated that the stables, feed store and ménage would be for private use only.

The site lies in the open countryside, adjacent to Southwick's village policy limit (Policy H17).

## CONSULTATION REPLIES:

### - SOUTHWICK PARISH COUNCIL: Object

"The Parish Council object to this application; the bulk of their comments made under application 06/01430/FUL still being applicable:

i) The council note the applicant's letter states the ménage and stables are for private use, however, if the council were to agree to this application they would request a condition stipulating it remain for private use only and a further conditions stating the lighting of the ménage would not affect the locality as it has an environmental act of increasing light pollution, disturbing wildlife, interfering with other houses and could blind traffic etc.

ii) The council would also like details for the arrangements for disposal of manure and drainage and the position of the stables prior to plans being passed.

iii) The access along the northern side forms part of the bridleway and the council would want to see the bridleway remain as is and not be used for vehicular access particularly as the proposed access point is next to several well-established trees; the council express concern that any high sided vehicles (e.g. horse boxes, hay delivery wagons) could damage these mature trees when entering the site."

## STATUTORY CONSULTATIONS

- HIGHWAY AUTHORITY: State: - No objection

- ENVIRONMENT AGENCY: No objection

- WESSEX WATER: State: - "The development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

"The developer has proposed to dispose of surface water to be piped to a ditch. It is advised that your Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal.

"With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

"It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure."

## INTERNAL WWDC CONSULTATIONS

- ENVIRONMENTAL HEALTH: No objection subject to conditions.

## PUBLICITY RESPONSES

One representation has been received objecting to the application on the following grounds:

- Additional traffic using the bridleway.
- There are ownership issues attached to the bridleway
- The dwelling as constructed on the site is position in such a way as to preclude any vehicular access from the front of the property through to the rear.
- The ménage and food store are already constructed.
- The Bridleway is part of the local environment, it has certain rights attached to it which seem to be overridden by retrospective Planning Applications.

## RELEVANT PLANNING POLICY

### Wiltshire Structure Plan 2016

DP1 - Priorities for sustainable development

DP2 - Infrastructure

DP14 - Housing, employment and related development in the open countryside

T6 - Demand management

C1 - Nature conservation

C5 - The water environment

### West Wiltshire District Plan - 1st Alteration 2004

C1 - Countryside protection

C6A - Landscape features

C31A - Design

C32 - Landscaping

C35 - Light pollution

C36 - Noise

C38 - Nuisance

C40 - Tree planting

R11 - Footpaths and rights of way

E10 - Horse related development

T10 - Car parking

T12 - Footpaths and bridleways

U1A - Foul water disposal

U2 - Surface water disposal

U4 - Groundwater Source Protection Areas

### National Guidance

PPS1 - Delivering Sustainable Development

PPS7 - Sustainable Development in Rural Areas

PPG13 - Transport

## RELEVANT PLANNING HISTORY

06/01430/FUL - Erection of stables and ménage for private use - Permission 27.10.2006

06/02397/FUL - Erection of four-bedroomed residential dwelling - Undetermined. Non determination appeal allowed 22.02.2007

06/03054/FUL - Erection of three-bedroomed dwelling - Permission 13.01.2007.

07/01434/FUL - Erection of stables, feed store and ménage - Refused on the grounds of lack of accurate information - 21.06.2007

## KEY PLANNING ISSUES

This application raises the following planning matters: -

- Impact on the open countryside;
- Highway matters, particularly use of a public bridleway;
- Amenity;
- Planning history



## PLANNING OFFICER COMMENTS

This is a full application for the erection of stables, a feed store and ménage to the rear of 27 Wynsome Street, Southwick. Such proposals need to be considered under Policy E10 of the West Wiltshire District Plan - 1st Alteration, which states that proposals for equestrian facilities will be required to have regard to minimising their effects on the appearance of the countryside and to highway implications, siting, design, materials and construction to ensure they blend in with their surroundings and do not have an adverse impact on the countryside and the natural environment including the water environment.

Planning permission has already been granted, subject to conditions, on this site for an L-shaped block of 4 stables, a tack room and food store, and ménage under reference (06/01430/FUL). The block was located along the western boundary of the site. The current proposal has three stables along the northern boundary of the site, a ménage in front of it, and then a separate feed store building south-western corner of the site.

Vehicular access to the stables would be from the public bridleway. The proposed location of the stables is even further from the neighbouring residential properties than the previously approved scheme, 06/01430/FUL. Subject to conditions concerning materials, manure disposal, lighting of the stables and food store, tree and hedgerow protection and landscaping (particularly along the western boundary), and no implementation of 06/01430/FUL, the proposal is considered acceptable and not detrimental to neighbouring amenity.

The application also proposes a ménage, which would be set down into the landscape. No lighting is proposed, nor would it be acceptable in this location in view of the rural character of the area and impact on neighbouring properties. A condition is recommended to address the levels of the proposed ménage requiring that sectional drawings be submitted and requiring that details of the lighting be submitted.

Policy E10 also requires equestrian proposals not to raise highway problems, access to the site will be from a public bridleway, and subject to conditions requesting the site to personal use, details of works to the bridleway, and visibility splays, no objection is raised. The issues of ownership raised in the representation received are issues between the Applicant and neighbouring properties. The Highway Authority have raised no objection to the vehicular use of this bridleway.

Identical conditions to those attached to permission 06/01430/FUL with the exception of condition 9 which required the access to be implemented.

There is no requirement for this condition as access to the site has already been provided. A further condition is proposed requiring the implementation of this permission as an alternative to the proposal approved under application 06/01430/FUL.

## CONCLUSION

The proposal is consistent with Development Plan policy and accordingly planning permission is recommended.

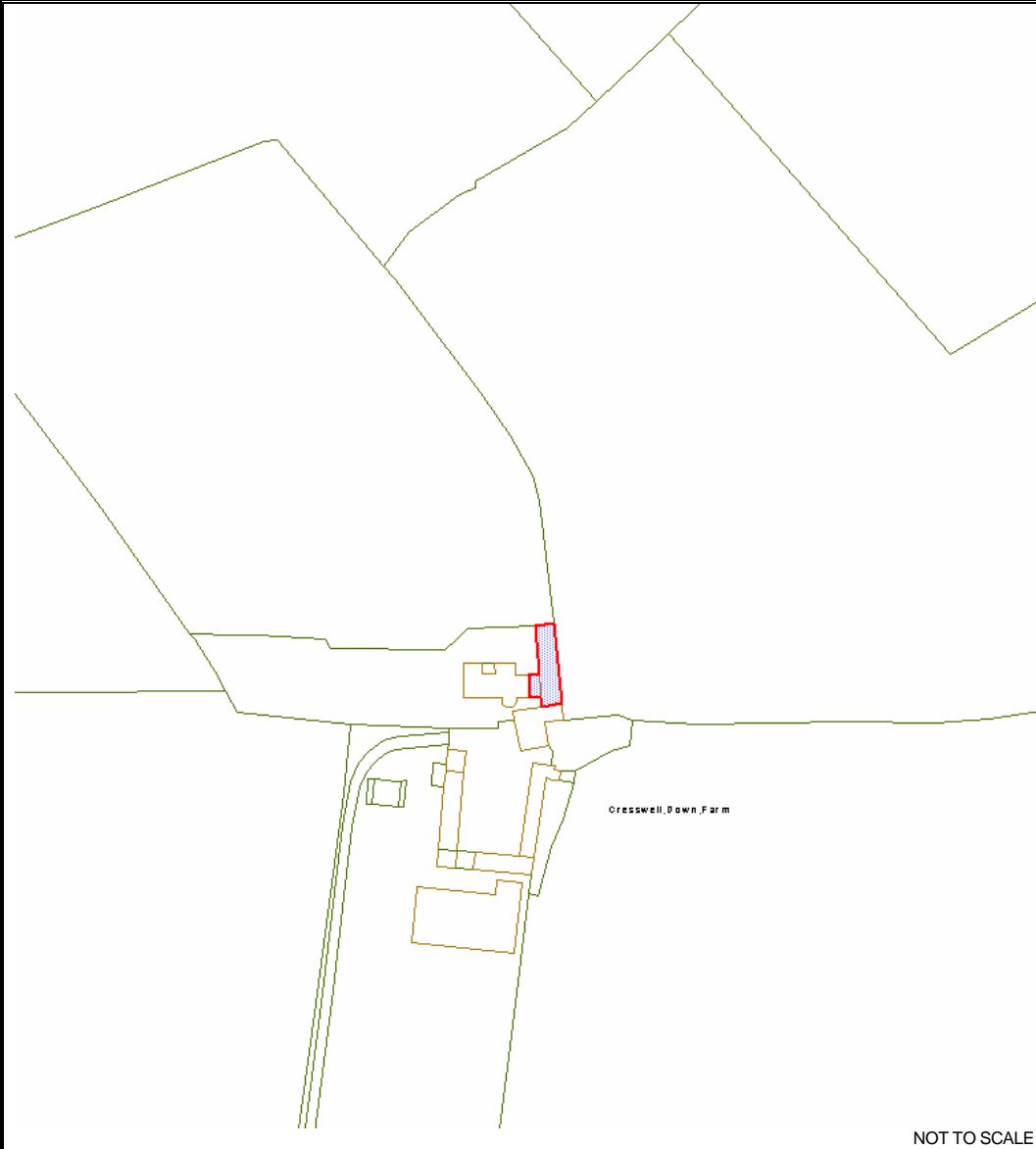
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 12

APPLICATION NO: 07/02823/FUL

LOCATION: Land Adjacent To Cresswell Down Farm Bratton Road West Ashton Wiltshire



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SLA: 100022961

**12 Application: 07/02823/FUL**

**Site Address: Land Adjacent To Cresswell Down Farm Bratton Road West Ashton Wiltshire**

Parish: West Ashton Ward: Ethandune

Grid Reference 390395 154366

Application Type: Full Plan

Development: Convert barn and two storey derelict cottage also link to granny annexe for two dependant relatives

Applicant Details: Miss J Cripps And Mr A Cripps  
Cresswell Down Farm Edington Westbury Wiltshire BA13 4NJ

Agent Details:

Case Officer: Mr Matthew Perks

Date Received: 03.09.2007 Expiry Date: 29.10.2007

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 The application would result in the conversion of the use of agricultural buildings to residential purposes but does not include supporting documentation showing that the applicant has made every reasonable attempt to secure business, tourism or sport and recreation re-use. The proposal is therefore contrary to Policy H21 of the West Wiltshire District Plan - 1st Alteration (2004).
- 2 The application would result in the conversion of the use of the agricultural building to residential purposes but would neither safeguard nor enhance the essential form, structure, character, and important traditional features of this building. The proposal is therefore contrary to Policy H21 of the West Wiltshire District Plan - 1st Alteration (2004).
- 3 The plans are inaccurate due to discrepancies between elevations in the submitted scale drawings in respect of the roof to the agricultural building. These plans are therefore not an accurate representation of the proposals and it is not possible to make a fully informed decision.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee at the request of Cllr Swabey in the interests of public debate.

This is a full planning application for the conversion of a barn and two-storey derelict cottage and associated link to a "granny annexe" on land adjacent to Cresswell Down Farm, Bratton Road, West Ashton.

The proposal involves the conversion the double storey "cottage" (footprint of 4.25m x 5m) and barn (footprint 9.1 x 4.25m) into two bedroomed dwelling with an undercover link to the main farmhouse. The development would include a 1.75m extension of the double storey element of the cottage and a new porch to the eastern elevation of the barn. A number of changes are proposed to openings in the buildings.

The application site is located approximately 2.5km north west of Edington, to the north of the Edington/Trowbridge Road. The site is in the open countryside.

The proposal is a resubmission of application reference 07/00384/FUL, which was refused for the following reasons:

"1. The application would result in the conversion of the use of the agricultural building to residential purposes but does not include a structural survey of the building to be converted. The proposal is therefore contrary to Policy H21 of the West Wiltshire District Plan - 1st Alteration (2004).

2. The application would result in the conversion of the use of agricultural buildings to residential purposes but does not include supporting documentation showing that the applicant has made every reasonable attempt to secure business, tourism or sport and recreation re-use. The proposal is therefore contrary to Policy H21 of the West Wiltshire District Plan - 1st Alteration (2004).

3. The application would result in the conversion of the use of the agricultural building to residential purposes but would neither safeguard nor enhance the essential form, structure, character, and important traditional features of this building and the countryside. The proposal is therefore contrary to Policy H21 of the West Wiltshire District Plan - 1st Alteration (2004)."

A structural survey has been submitted in support of the current application.

## CONSULTATION

### WEST ASHTON PARISH COUNCIL

No objections, but the Parish is of the view that the dwelling should remain part of the whole farm and cannot be sold separately.

## STATUTORY CONSULTATIONS

### HIGHWAY AUTHORITY

No objection subject to development being permanently tied to the principle dwelling.

### WILTSHIRE AND SWINDON BIOLOGICAL RECORDS CENTRE

The Society has no record of bats at this site, but there is a possible presence of protected species. A survey is recommended.

## INTERNAL WWDC CONSULTATIONS

### HOUSING

No comments received.

## PUBLICITY RESPONSES

The proposal is greater than 1km distant from any neighbour. The proposal was advertised by way of Public Notice. No comments were received.

## PLANNING POLICY

Wiltshire and Swindon Structure Plan 2016

DP1 - Sustainable development

West Wiltshire District Plan 1st Alteration, 2004

C1- Protection of the rural landscape and environment

H19 - Housing in the Countryside

H21 - Conversions of Rural Buildings

PPS 7 - Sustainable Development in Rural Areas

## RELEVANT PLANNING HISTORY

07/00384/FUL: Convert barn and two storey derelict cottage and link to granny annexe: Refused : 13.03.2007

## KEY PLANNING ISSUES

As with application 07/00384/FUL the proposed "annexe" would be comprised of an existing cottage in a poor state of repair and a converted barn plus extension. The footprint of the conversion plus extension would be over three times that of the existing cottage. Although it is conceded that the cottage element would be double storey, the main body of the new dwelling would be comprised of the farm buildings. The proposed barn conversion and extension to provide a lounge would constitute the conversion of agricultural buildings for residential purposes in the open countryside. The proposal would result in the creation of a self-contained unit joined to the existing dwelling by way of a covered link, and would require significant changes to the appearance of the agricultural buildings. The proposals under reference 07/00384/FUL as well as the current application therefore both fall to be considered under policy H21 of the West Wiltshire District Plan, 2004. The previous application did not meet the criteria under this policy, and was refused for the reasons referred to above.

The only issue in this case is therefore whether or not the reasons for refusal of application 07/00384/FUL have been overcome.

## PLANNING OFFICER'S COMMENTS

Policy considerations

Policy H21 states that the conversion of rural buildings in the countryside and in settlements without Village Policy Limits to residential use will be permitted only where:

"- The applicant has made every reasonable attempt to secure business, tourism or sport and recreation re-use, and the application is supported by a statement of the efforts which have been made;

- The building is of substantial, sound and permanent construction and capable of conversion without extensive alteration, rebuilding, and/or extension or otherwise significantly altering its original character;

- The proposed conversion safeguards and/or enhances the essential form, structure, character, and important traditional features of the building and the countryside;

- It can be satisfactorily serviced and does not create highway problems;
- It is not subject to flood risk and does not harm the natural environment including the water environment.

In considering such proposals structural surveys of buildings proposed for conversion will be required. All proposals must be submitted as detailed applications.

- Reason 1 of previous refusal

The structural survey submitted with the current application indicates that there has been long terms neglect and lack of attention to the buildings with the result that fairly extensive works will be required to achieve the conversion. However, the report does conclude that the buildings are of a substantial, sound and permanent construction capable of conversion without extensive alteration, rebuilding or significant alteration to their essential form, structure, character and traditional features.

It is considered that reason for refusal No 1 of application 07/00384/FUL has been overcome.

- Reason 2 of previous refusal

The applicant has not submitted any supporting documentation to indicate that any exercise has been carried out to secure alternative uses for this building in the open countryside.

Reason 2 for the refusal of application 07/00384/FUL has therefore not been overcome.

- Reason 3 of previous refusal

The revised proposal would elongate the double storey cottage within the length of the building cluster and would introduce a porch and fenestration to the east elevation of the agricultural building that have a distinctly residential character. The northern elevation to the building would be significantly altered. Larch lap cladding would obscure the existing red brick (characteristic of the rest of the structure) and a full-width ground floor level glazed frontage would replace the existing door and loft level storage openings. The existing chimney stack to the cottage element of the building would be removed. There is a mixture of clay tile forms on the existing buildings which it is proposed would be replaced by double roman tiles throughout. The north elevation of the drawing shows a change to the roof pitch to the agricultural portion of the building, implying a replacement roof structure to a new ridge level of 5.4m. This is not replicated on the side elevations, giving rise to a lack of clarity on this aspect.

These alterations would not preserve the essential character of this building and the variation of roof levels shown in the different drawn elevations do not allow for a full evaluation of the proposed changes.

Reason 3 for the refusal of application 07/00384/FUL has therefore not been overcome.

## CONCLUSION

Reasons 2 and 3 for the refusal of application 07/00384/FUL have not been overcome although there is now a Structural Survey to overcome Reason 1 for refusal of the previous application, a further reason for refusal is that the current plans contain inaccuracies and discrepancies. The revised application should therefore be refused.



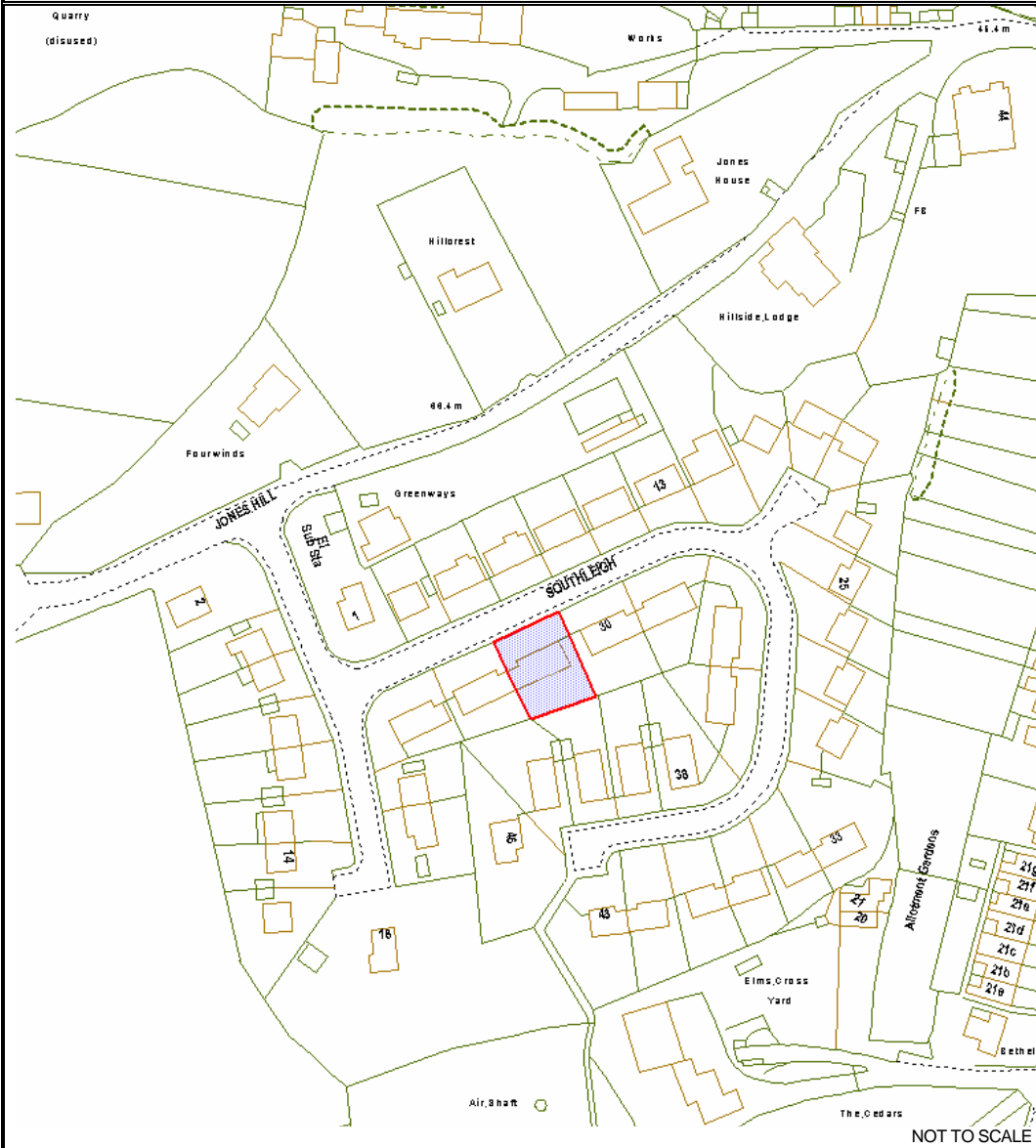
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 13

APPLICATION NO: 07/02720/FUL

LOCATION: 28 Southleigh Bradford On Avon Wiltshire BA15 2EQ



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SLA: 100022961



**13 Application: 07/02720/FUL**

**Site Address: 28 Southleigh Bradford On Avon Wiltshire BA15 2EQ**

Parish: Bradford On Avon Ward: Bradford On Avon South  
Grid Reference 382359 160169  
Application Type: Full Plan  
Development: Ground floor extension to provide new living room, porch and ensuite, loft conversion to provide study/library  
Applicant Details: Mr Nigel Bedford  
28 Southleigh Bradford On Avon Wiltshire BA15 2EQ  
Agent Details: Mr Nigel Bedford  
11 Silver Street Bradford On Avon Wiltshire BA15 1JY  
Case Officer: Miss Andrea Levin  
Date Received: 28.08.2007 Expiry Date: 23.10.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to committee because Bradford on Avon Town Council object to the proposal contrary to your officer's recommendation.

This is an application for full planning permission for extensions and alterations to an existing detached bungalow. The proposal consists of a single storey rear extension measuring 6 metres in width, 7.8 metres in depth and 4.35 metres in height to its ridge. It would be constructed from open jointed cedar weatherboarding with a single ply membrane roof. The proposal also includes

a side extension measuring 3.0 metres in width, and extending 1,5 metres in depth and 3.9 metres in height with a flat roof. It would be constructed from a dwarf stone wall, with open jointed cedar weatherboarding and a single ply membrane roof. The proposed porch extension on the front of the property measures 2.4 metres in width, 1.5 metres in depth and 2.9 metres in height with a flat roof. This would be constructed from new stone with a single ply membrane roof.

The existing property is a detached bungalow located on a street of properties of similar design and size to the host dwelling.

## CONSULTATION REPLIES

### BRADFORD ON AVON TOWN COUNCIL : Object

The Town Council recommends refusal. The size, form and scale of the proposed extension /works are excessive in relation to the existing dwelling and its curtilage and will have an adverse impact in the locality where it will be incongruous in relation to the overall design and layout of the estate. There will also be an adverse affect on neighbouring properties.

A porch in this location is inappropriate and will set an unfortunate precedent. The result of this planning application would be that it is out of scale with the rest of these 1960's bungalows on this development.

## PUBLICITY RESPONSES

The proposal was advertised by way of letters to the neighbouring properties. Twelve letters of objection were received raising the following issues:

- The plans are inaccurate.
- The proposed materials would not be in keeping with the host dwelling and the rest of the properties in the estate.
- The front porch would disrupt the existing building line within the street.
- Raising the roof on the bungalow is not in keeping with the rest of the properties in the area.
- Proposals to raise the roof height on other properties within the estate have been refused in the past.
- Levels of privacy would be reduced as a result of the proposed loft extension.
- The floor area of the property will be significantly increased as a result of the proposal, and amenity space in the small rear garden would be lost.
- The proposal would reduce the number of car parking spaces available within the driveway therefore increase levels of street parking and reduce highway safety.
- The proposal, if granted permission would set a precedent which would eventually destroy the character of the estate.

## RELEVANT PLANNING HISTORY

None

## PLANNING POLICY

West Wilts District Plan 1st Alteration 2004

C31a Design  
C38 Nuisance

SPG Planning Design Guidance (House alterations and extensions)

## KEY PLANNING ISSUES

The main issues to consider regarding this application are the potential impact on the host dwelling and the neighbouring amenity.

## PLANNING OFFICER COMMENTS

Policy C31a states that proposals for new development should respect townscape and landscape features and views; and the quality of architecture of surroundings.

The SPG planning design guidance highlights that extensions to dwellings should be subservient and sympathetic to the host building.

As the proposal would be constructed to follow the contours of the existing site it would respect the landscape features within the estate. The extension offers a contemporary design which would enhance and add interest to the existing building. The proposed rear extension has a distinctly low profile, which means that it cannot be seen from the street or from the surrounding properties. It is therefore considered that it would not upset the proportion and symmetry of the host building or the surrounding buildings in the estate.

The front porch would be constructed in a design to harmonise with the host dwelling. It would be small in size, and would be constructed from reclaimed stone from the existing wall in the rear garden so as to match the existing property.

The side extension would be a subsidiary element which would have a minimal impact upon the character of the host dwelling. Although it would be visible from the street it would not be considered to be detrimental to the setting of the street scene.

Policy C38 states that proposals will not be permitted which would detract from the amenities enjoyed by or cause nuisance to neighbouring properties. This proposal, by virtue of its scale and design would have no detrimental impact on the amenity enjoyed by neighbouring residents.

The proposal is therefore consistent with Policies C31a and C38.

The letters of objection which were received from the residents of the surrounding properties have been taken into consideration, and the following observations have been made:

- The proposed materials for the front porch would match the existing building. Although the materials used for the construction of the side extension would not match the existing dwelling, it is considered that they would be sympathetic to its design. The rear extension would not be visible from any public vantage points, therefore the materials used are not considered to be to the detriment of the host dwelling.
- The front porch would be a small addition to the property, and would be allowed through permitted development rights, as it would have a ground area of less than 3 square metres, would be less than 3 metres in height and would be positioned more than 2 metres from the edge of the highway.
- The proposal has been amended to remove the loft conversion, therefore the roof height is no longer being altered.
- There are no issues of loss of privacy as the loft extension has been removed from the proposal and the proposed single storey extension would not result in the loss of any privacy to neighbouring residents by virtue of the distance of these neighbouring properties from the application site.
- The proposal by reason of the area it will occupy will not represent overdevelopment of this site.
- The proposal will not effect the amount of parking which is available at the site. There is no evidence to support the view that it will result in increased parking in the area.
- As each application will be considered on its own merits, there will be no precedent set within the estate if this application is permitted.

With regards to the Town Council objections, many of the properties within the estate have been altered, enlarged and extended in the past, creating a variety of sizes and designs. The proposed alterations to 28 Southleigh are considered to be in scale with the host dwelling and with the neighbouring properties. Furthermore, as the proposal is predominantly positioned on the rear of the property it will not have an impact on the street scene.

## CONCLUSION

The proposed development conforms to the relevant policies of the district plan and is therefore recommended for permission.

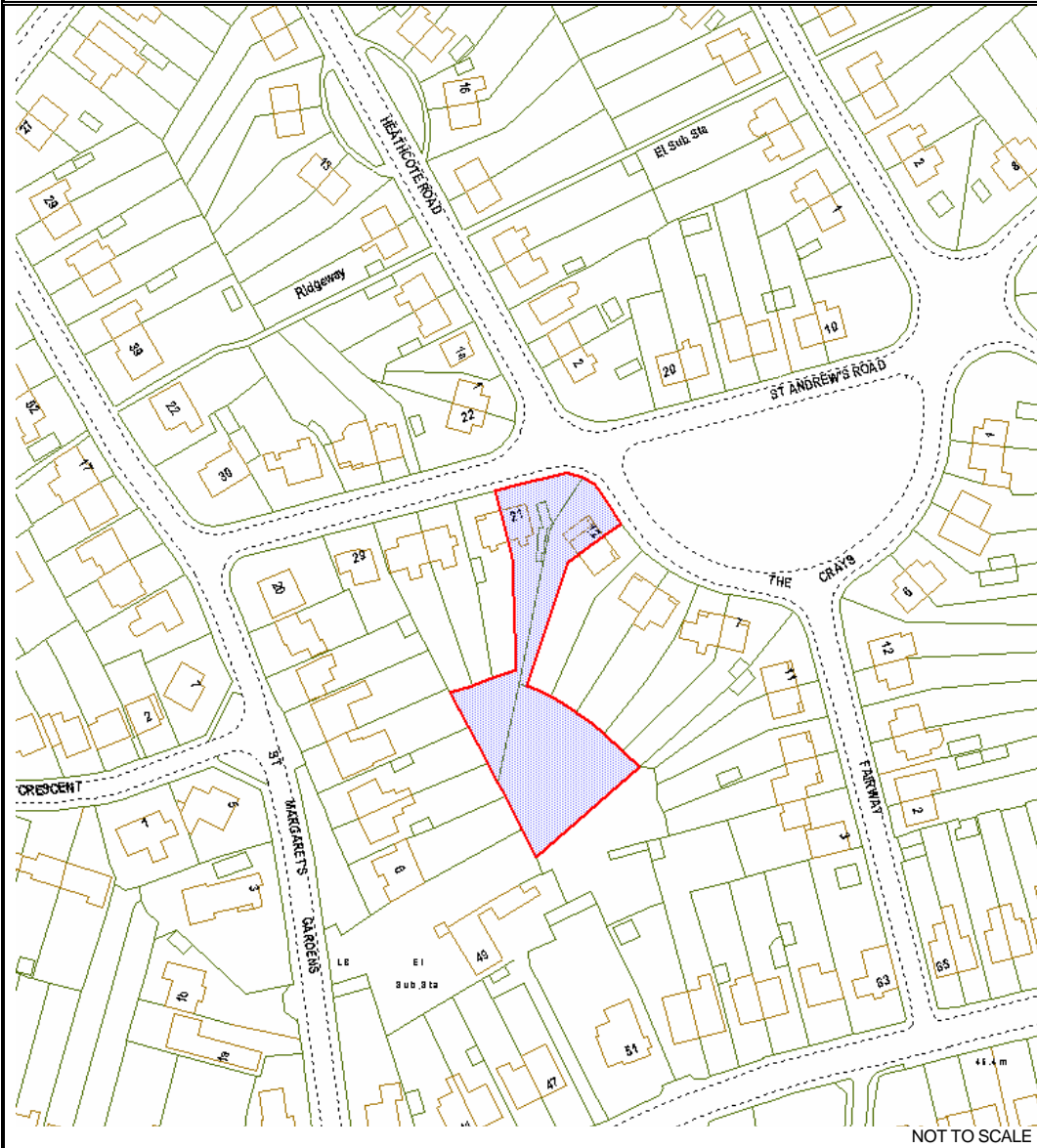
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 14

APPLICATION NO: 07/02387/FUL

LOCATION: Land South Of St Andrews Road Melksham Wiltshire



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SLA: 100022961

**14 Application: 07/02387/FUL**

**Site Address: Land South Of St Andrews Road Melksham Wiltshire**

Parish: Melksham (Town) Ward: Melksham East  
Grid Reference 391213 164248  
Application Type: Full Plan  
Development: Development of land to provide three new bungalows with associated access from St Andrews Road  
Applicant Details: Mr And Mrs G Atkinson  
12 The Crays Melksham Wiltshire SN12 7DE  
Agent Details: Mr Ken Oatley  
90a High Street Corsham Wiltshire SN13 0HG  
Case Officer: Mr Matthew Perks  
Date Received: 30.07.2007 Expiry Date: 24.09.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 3 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U1A.

- 4 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

- 5 Details of any external lighting to the site (including measures to minimise glare and light trespass) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of neighbouring amenity.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

- 6 Notwithstanding the submitted plans, full details of all external boundaries to the site shall be submitted to and approved in writing by the Local Planning Authority before development commences. The work shall be carried out in accordance with the approved details before occupation of any of the dwellings.

REASON: To provide a satisfactory landscape setting for the development and in the interests of residential amenity.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C32 & C38.

- 7 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, no development falling within Schedule 2, Part 1; Classes A and B; of the Order shall be carried out without the express planning permission of the Local Planning Authority.

REASON: The implementation of permitted development rights on this site would be unacceptable.

- 8 Before the dwellings hereby permitted are first brought into use the area between the nearside carriageway edge and lines drawn between a point 2.4m back from the carriageway edge along the centreline of the access and the extremities of the site frontage in relation to St Andrews Road to the rear of the footway shall be cleared of obstruction to visibility at and above a height of 0.6m above the nearside carriageway level and thereafter maintained free of obstruction at all times.

REASON: In the interests of amenity and road safety.

- 9 The proposed access shall incorporate splays on both its sides to the rear of the existing footway based on co-ordinates of 2.4m x 2.4m, which shall be kept free of obstruction above a height of 0.6m.

REASON: In the interests of highway safety.

- 10 The proposal shall be constructed in accordance with the drawing 502:1A (dated 14.09.07).

REASON: To ensure the access, access width into the site, turning area and car parking spaces are constructed as detailed.

- 11 The parking spaces indicated on the approved plans together with the means of access thereto shall be completed and made available for use before the dwellings are occupied and shall be maintained as such thereafter.

REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy T10.

- 12 Before the dwellings hereby permitted are first occupied, the turning space shown on the approved plan shall be surfaced (not loose stone or gravel) to the satisfaction of the Local Planning Authority and maintained as such thereafter. The turning space shall be kept clear of obstruction at all times.

REASON: In the interests of highway safety.

- 13 The access shall be properly consolidated and surfaced (not loose stone or gravel) for the first 5m beyond the back of the footway and shall be constructed in accordance with the submitted plan 502:01 (dated 14.09.07).

REASON: In the interests of highway safety.

- 14 Prior to the commencement of works on site a survey with regard to the possible presence of protected species shall be carried out and submitted to the Local Planning Authority. If any such species are likely to be affected by the development, proposals for measures to mitigate the effect of the development on them shall be submitted to, and approved in writing by, the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

REASON: In the interests of natural species which have statutory protection.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C7.

**Note(s) to Applicant:**

- 1 The applicant is advised to contact Wessex Water (01225 526000) with regard to arrangements for the connection to foul water and water supply infrastructure.
- 2 Notwithstanding the details indicated on the submitted plan, the applicant is advised that in the interests of neighbouring privacy and amenity, alternative boundary treatments to those existing may be required. New details will be required in terms of Condition 6.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to committee because the Melksham Town Council objects contrary to your Officer's recommendation.

This is an application for full planning permission for a residential development of three dwellings on land to the south of St Andrews Road, Melksham.

The proposal is for three modest two-bedroom bungalows on an approximately rectangular portion of land some 1090m<sup>2</sup> in extent. This land would be accessed via a panhandle driveway situated between no. 21 St Andrews Road and 12 The Crays. 2 parking spaces are proposed for each dwelling. The site is currently overgrown garden land. The application site is located on land to the rear of residential properties fronting onto St Andrews Road, The Crays and St Margarets Gardens in Melksham. These properties tend to have generous rear garden spaces, with dwellings being between 25 and 30m from the boundaries backing onto the site.

## CONSULTATION REPLIES:

### MELKSHAM TOWN COUNCIL

The Town Council Objects to the proposal "...on the following grounds:

- Overdevelopment of the site ;
- Loss of privacy;
- Lack of space for number of proposed dwellings;
- Highway issues.

### STATUTORY CONSULTEES

#### HIGHWAY AUTHORITY

No objection subject to conditions.

#### WESSEX WATER

No objections.

### PUBLICITY RESPONSES

Neighbours were notified of the proposal. Three letters of response were received. Objections are raised on the following grounds:

- the land still functions as garden land;
- nature conservation issues;
- noise disturbance;
- highway safety;
- the access point is not safe, resulting in a five way junction;
- disturbance from vehicles driving onto, and manoeuvring on, the site;
- loss of view onto natural space;
- loss of privacy;
- boundary should be a proper wall, topped with coping stone;
- inadequate drainage and sewerage systems;
- possible disturbance from street lighting;
- close proximity of buildings to boundary;
- loss of water pressure;

### PLANNING POLICY

Wiltshire and Swindon Structure Plan 2016  
DP7 - Housing in towns and main settlements

West Wiltshire District Plan - 1st Alteration 2004  
H1 - Further Housing Development within Towns  
C31a - Design  
C32 - Landscaping  
C38 - Nuisance  
T10 - Car parking

PPS 3 - Housing

### RELEVANT PLANNING HISTORY

None

### KEY PLANNING ISSUES

The issues to consider in this case relate to the principle of developing this site in terms of policy on new residential development, neighbouring amenity, and car parking and highway safety.



## PLANNING OFFICER COMMENTS

### Planning Policy

Planning policy H1 of the West Wiltshire District Plan 1st Alteration 2004 advises that proposals for new housing development within the built up area of Melksham will be permitted subject to specific criteria which include that siting, layout and design considerations are satisfactory and they are in keeping with the character of the surrounding area, and that the development can be adequately serviced and will not create highway problems.

The proposal to create three dwellings would result in a density of approximately 28 dwellings per hectare. Government guidance in the form of PPS 3 advises that local authorities should pursue development at a density at a national minimum average of 30 units per hectare, but that consideration must also be taken of surrounding development. In this case the proposal would be slightly below the recommended minimum density but site constraints are such that higher density development would have the potential to harm neighbouring amenity. The bungalows proposed are targeted at buyers (for example retirees) seeking modest single storey dwellings with limited garden space.

The application site does not at present form an important visual gap or open area that should be retained. The surrounding area is characterised largely by a mix of detached and semi-detached dwellings and bungalows in this locality would depart from this built form. The small amenity spaces would also vary from the surrounding norm. However, the new dwellings would not form part of the street scene with any of these dwellings, and the provision of this form of accommodation would meet with PPS3 aims of providing a mix of residential types.

The site is well vegetated and there is the possibility of the presence of protected species such as slow worms. If permission is granted a condition requiring an initial study before the commencement of development should be in place.

### Neighbouring amenity

The surrounding dwellings would be located a minimum of 30m from any of the proposed bungalows. The fairly generous neighbouring garden spaces would not be subject to unacceptable overbearing or overshadowing by the bungalows. Observations by objectors that there is the potential for loss of privacy due to the nature of existing boundaries are however noted. The application drawing has indicated that existing boundaries should be retained, but it is considered appropriate that proper screening should be provided to rear boundaries. An appropriate condition is therefore recommended.

The private driveway would be provided between properties owned by the applicants. There is the potential for a degree of disturbance by vehicles travelling between these dwellings, but the modest nature of the proposed bungalows (two bedrooms each) suggests that single vehicle households are likely. Parking and manoeuvring spaces are a minimum of 28m from the nearest neighbouring dwellings. No unacceptable level of vehicle noise would be anticipated under normal circumstances. External lighting, if any, to the driveway and manoeuvring areas should however be designed to avoid impact on neighbours.

### Highway Safety

The Highway Authority was consulted on the proposal and issues of highway safety and parking have been raised by neighbours to the site.

The Highway Authority is satisfied with the provision of two parking spaces per new dwelling. The authority was initially concerned that a fire tender would not, in the event that this was required, be able to enter and manoeuvre on the site. A revised plan to the satisfaction of the highway authority has been provided.

## CONCLUSION

The proposal provides for three modest dwellings on small sites. Although the development would be slightly lower than the recommended minimum density in PPS 3, the site constraints limit any potential for higher density. The dwellings would extend the mix of available dwelling types within this area and would make efficient use of land given the context. The application should be granted permission.



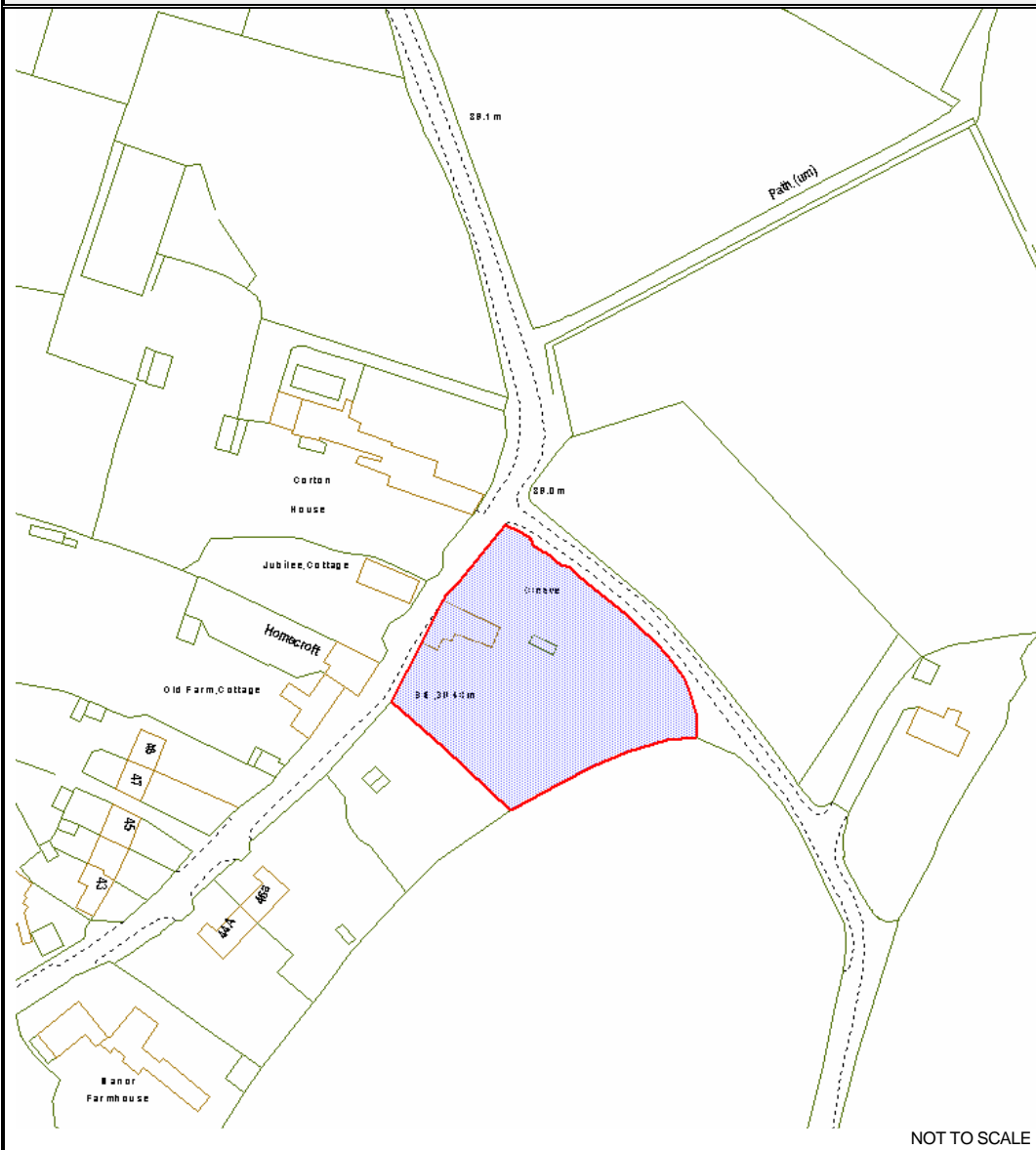
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 15

APPLICATION NO: 07/02857/FUL

LOCATION: Cleeve Cottage 51 Corton Wiltshire BA12 0SZ



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SLA: 100022961

**15 Application: 07/02857/FUL**

**Site Address: Cleeve Cottage 51 Corton Wiltshire BA12 0SZ**

Parish: Boyton Ward: Mid Wyllye Valley  
Grid Reference 393805 140622  
Application Type: Full Plan  
Development: Single storey extension for elderly relative  
Applicant Details: Mr R Grist  
Cleeve Cottage 51 Corton Wiltshire BA12 0SZ  
Agent Details: Mr C Hyde  
3 Potley Lane Corsham Wilts SN13 9RY  
Case Officer: Ms Kim Linden  
Date Received: 06.09.2007 Expiry Date: 01.11.2007

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 The proposed development would, by reason of the increase in the building footprint, orientation and additional mass and overall design, be out of proportion and scale with the host building. It would result in a substantial and incongruous extension that fails to respect the design of the host dwelling or enhance the property. The proposal is therefore contrary to Policy C31a (Design) of the West Wiltshire District Plan 1st Alteration June 2004 and the Supplementary Planning Guidance - House Alterations and Extensions July 2004.
- 2 The proposed extension is unsympathetic to the scale and form of the host dwelling and the alteration will result in the unbalancing of the symmetry of the existing building on the site. As such the proposal will harm the character of the Corton conservation area. The proposal is therefore considered to be contrary to Policy C17 (Conservation Areas) and Policy C19 (Alterations in Conservation Areas) of the West Wiltshire District Plan First Alteration 2004.
- 3 The proposed extension by reason of its size, design and roof form would result in an incongruous, unsympathetic and out of keeping development, which would be harmful as it would not preserve the setting of the host building within an Area of Outstanding Natural Beauty (AONB). The proposal is therefore contrary to Policy C2 - Areas of Outstanding Natural Beauty of the West Wiltshire District Plan First Alteration June 2004.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

Councillor Newbury has requested that this application be determined at Planning Committee in the interests of public debate and as this application is recommended for refusal.

Application is for a single storey extension for an elderly relative. The extension will be oriented east-west extending from the eastern side of the host dwelling. The roof ridge will run perpendicular to the roof ridge on the subject side of the host dwelling. The proposed extension will be large (5.8m x 6.4m) and will cover an area of 37.12 square metres. The proposed extension will be parallel to and setback behind the existing garage on the site.

The application is the second application for a similar development (ie extension so as to accommodate an elderly relative) as in application no. 07/02708/FUL but it is for an extension with a much larger footprint than that proposed in application no. 07/02708/FUL.

The host dwelling is a very large two storey dwelling. The subject building is known as Cleeve cottage. The site is located within Corton Conservation Area and is located within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

It should be noted that the plans submitted do not show the existing rear conservatory as approved in application no. 05/02315/FUL on 27 February 2002. The agent was verbally advised of this omission. The agent had stated that a revised plan would be submitted showing the rear conservatory, however, a revised plan has not been received.

#### CONSULTATION REPLIES:

#### STATUTORY CONSULTATIONS

Boynton Parish Council: The parish council provided the following initial comments in an email dated 18 September 2007:

"Amongst our Council, there is a definite feeling that the property, still called Cleeve Cottage, is anything but a cottage. The footprint was extended considerably under a previous planning application (if our records are correct, it was 01/02007), and serious consideration should be given to extending it yet again."

Formal final comment from parish council received on 21 September 2007 and the Council raised no objections.

#### PUBLICITY RESPONSES

A site notice was placed on site on 20 September 2007 and near neighbours were notified by letter. Three responses were received in support of the application. Neighbours stated in responses that the proposal is not visible, the size of the extension is appropriate for care of an elderly relative and that the extension will not harm the amenity of neighbouring properties.

#### RELEVANT PLANNING POLICY

West Wiltshire District Plan First Alteration 2004:

Policy C2 - Areas of Outstanding Natural Beauty  
Policy C17 - Conservation Areas  
Policy C19 - Alterations in a Conservation Area  
Policy C31a - Design  
Policy C38 - Nuisance

Supplementary Planning Guidance - Design Guidance House Alterations and Extensions July 2004.

Planning Policy Guidance Note 15 (PPG 15) - Planning and the Historic Environment.

Planning Policy Statement 7 (PPS 7) - Sustainable Development in Rural Areas.

#### RELEVANT PLANNING HISTORY

01/02007/FUL - Two storey extension to dwelling - PERMITTED 27.02.2002

02/01114/FUL - Garage - PERMITTED 10.10.2002

05/02315/FUL - Hardwood conservatory to rear elevation - PERMITTED 14.11.2005

07/02708/FUL - Single storey extension - PERMITTED 23 October 2007.

## BACKGROUND

The proposal as per this current application was lodged but not registered. Officers negotiated the withdrawal of this application as the design was inappropriate and contrary to council policy. The applicants and agent were advised that the preference was to incorporate the accommodation for the relative within the existing footprint of the large host dwelling. This would have not required planning permission. An alternative design was suggested which involved a reduced footprint of the extension and change in orientation of extension so that the roof ridge of the extension was oriented north-south along the side of the building and more in keeping with the design of the host dwelling.

The agent submitted a draft plan on 9 August 2007 for pre-application comment and was verbally advised by the case officer that the footprint should be reduced so as to address the relationship of the extension to side windows and to reduce the roof area so proposal matches the symmetry of design at rear of buildings.

Application no. 07/02708/FUL was submitted proposing a single storey side extension. The proposal did not fully address design concerns raised by officers before being registered, namely the relationship of the proposed extension to the side windows. As noted above, this application was granted permission on 23 October 2007.

This current application for a single storey extension for elderly relative was subsequently submitted and registered on 6 September 2007. This application contains the original proposal which was rejected by officers as unacceptable and resulting in the unbalancing of the host dwelling.

## KEY PLANNING ISSUES

Impact on the host dwelling  
Impact on the Corton Conservation Area  
Impact on the AONB  
Amenity impacts

## PLANNING OFFICER COMMENTS

### (i) DESIGN

The host dwelling is a very large two storey dwelling which has already had excessive extensions, including a large two storey wing on the eastern side of the dwelling. The original building on the site was a more modest L- shaped dwelling. It has become a very large U shaped building with a large detached garage. Despite it's large size, the existing building has a distinct symmetry and balance to its design which is in keeping with the character of the Corton Conservation Area and the AONB.

The proposed extension will measure 5.8m x 6.4m. The extension will total approximately 37.12 square metres in area. This represents a 47% increase in area on the extension as approved in application no. 07/02708/FUL which totals approximately 25.2 square metres in area. The proposal therefore occupies a much larger footprint than the extension approved in application no. 07/02708/FUL.

The proposal does not accord with guidance contained in Supplementary Planning Guidance: House Alterations and Extensions July 2004 (SPG) in relation to roof form. The SPG states that "The design, angle and style of the original roof should be reflected in the lower roofline of the extension." The proposed roof is a relatively low pitched gable end, giving the extension a squat appearance. The roof form and pitch does not match the gable end on the recently extended side of the host dwelling. In addition, the roof ridge runs perpendicular to the main roof ridge on the

side of the host dwelling from which it projects. The design of the roof of the host dwelling is therefore not reflected in the lower roofline of the extension. The proposed extension has no respect for the predominant north-south axis and orientation of the subject side of the existing building. It will result in an east-west oriented extension with a roof ridge and roof form juxtaposed to that of the existing host dwelling.

It should be noted that whilst the extension will not be visible from the highway and will predominantly be obscured from view from the highway by the existing garage on the site, the overall design of the extension will result in an unacceptable imbalance of the design of the host dwelling and unacceptable harm to the character of the host dwelling.

#### (ii) CORTON CONSERVATION AREA AND AREA OF OUTSTANDING NATURAL BEAUTY

West Wiltshire District Plan 1st Alteration Policy C17 - Conservation Areas requires the special character or appearance of conservation areas and their settings to be preserved and enhanced. WWDP Policy C19 - Alterations in Conservation Areas (B) states that proposals to alter an unlisted building in a conservation area will only be permitted where the design of the proposed alteration "is sympathetic to the scale, form and fenestration of the building, and the alteration retains features of the existing building which are important to the conservation area." The proposed extension, by virtue of its size, as demonstrated above, is not sympathetic to the scale and form of the existing dwelling on the site.

In addition, the cumulative impact of the proposal, in view of the large garage, which is located parallel to the proposed extension, plus the already approved and constructed two storey and one storey side and rear extensions (including the large rear conservatory), will result in the unbalancing of the symmetry of the dwelling. It is also noted that although the cottage has effectively lost its cottage character, given the number and size of previous approved extensions, it has resulted in a very definable and distinctive horseshoe or U shaped design. The proposal clearly breaks with this design of the host dwelling and fails to respect the symmetry of the host dwelling.

The proposal is therefore considered to be contrary to Policy C17 and Policy C19 of the WWDP.

While details of the doors are lacking, the fenestration is generally considered to be in keeping with the style of the existing dwelling.

WWDP Policy C2 - Areas of Outstanding Natural Beauty requires, inter alia, the consideration of the scale, design and siting of development when considering any development proposals. Although the proposal is well setback from the highway (approximately 6m) and located behind the existing garage on the site, by virtue of its unsympathetic scale, incongruous design and inappropriate siting (including orientation and roof ridge) in relation to the host dwelling, the proposed extension is considered to be contrary to Policy C2.

#### (iii) NEIGHBOUR AMENITY

There is not considered to be any impact on the amenity of neighbouring properties.

#### CONCLUSION

The application is recommended for refusal given the impact of the proposal on the host dwelling, and therefore, in turn, the impact on Corton Conservation Area and the Area of Outstanding Natural Beauty.





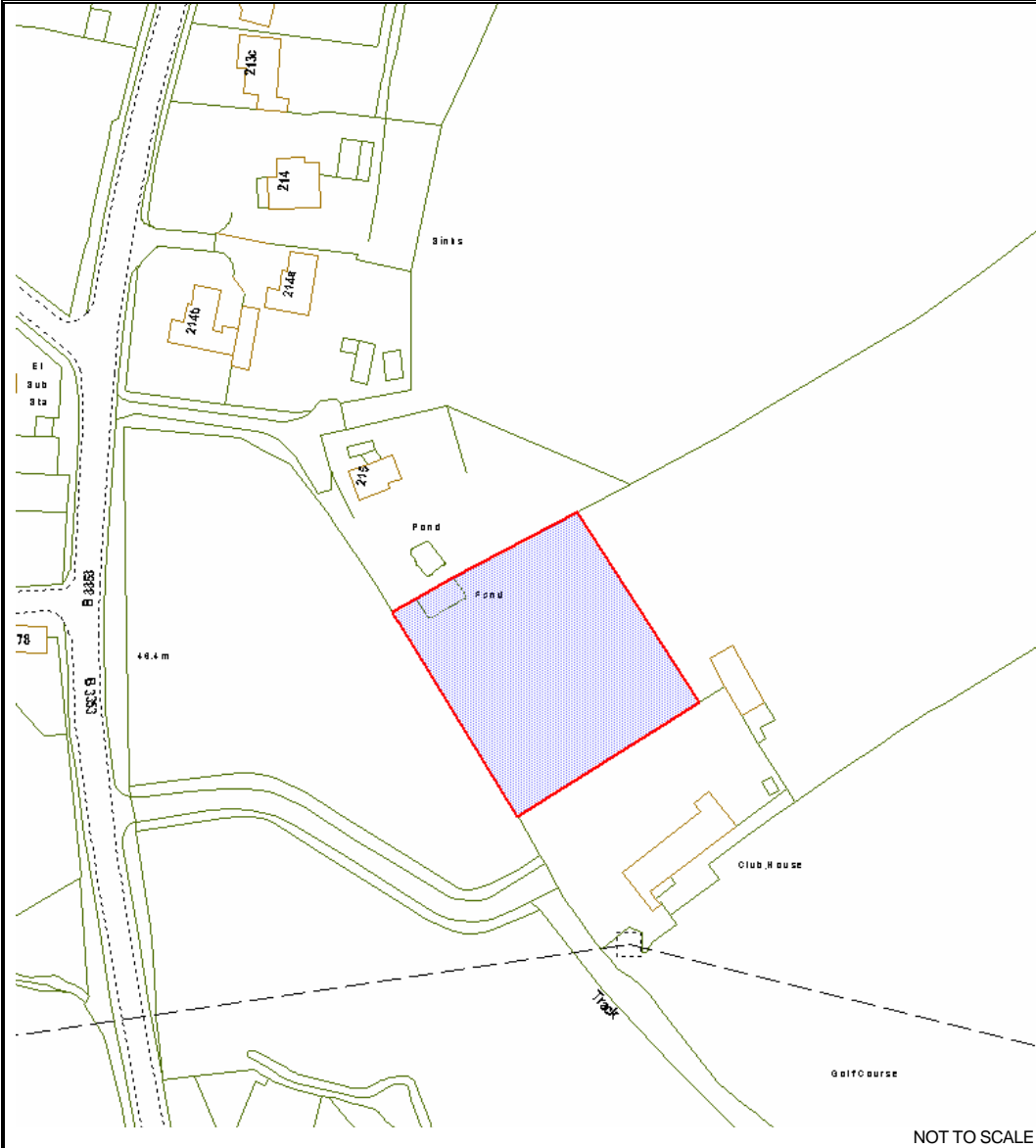
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 16

APPLICATION NO: 07/02909/FUL

LOCATION: Land North West Of Whitley Golf Course Corsham Road Whitley Wiltshire



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SLA: 100022961

**16 Application: 07/02909/FUL**

**Site Address: Land North West Of Whitley Golf Course Corsham Road  
Whitley Wiltshire**

Parish: Melksham Without Ward: Atworth Whitley And South  
Wraxall

Grid Reference 388874 165996

Application Type: Full Plan

Development: Proposed dwelling to provide accommodation for the golf course  
manager

Applicant Details: Mr R Nicholas  
Westlands Farm Westlands Lane Melksham Wiltshire SN12 7QG

Agent Details: Willis & Co  
30 The Causeway Chippenham Wiltshire SN15 3DB

Case Officer: Mr Matthew Perks

Date Received: 12.09.2007 Expiry Date: 07.11.2007

**RECOMMENDATION: Refusal**

**Reason(s):**

- 1 The proposed new dwelling by reason of its location outside the Whitley Village Policy Limit, would be contrary to Policy DP14 of the Wiltshire Structure Plan 2016, Policy H19 of the West Wiltshire District Plan 1st Alteration 2004 and would be contrary to the guidance contained within PPG3 and PPS7, in that the proposed dwelling would be outside the defined settlement limits and is not justified as an exception to those policies and guidance.
- 2 Notwithstanding Refusal Reason 1 above, and albeit that the dwelling is proposed as ancillary to the golf course, the development of a residential curtilage of 2300m<sup>2</sup> on a site of 3200m<sup>2</sup> in extent would represent an inefficient use of land contrary to the advice contained in government Planning Policy Statement 3 (Housing)."

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee at the request of Councillor Griffiths, because:- "(1) Policy R1 quite clearly states "the effective use of existing recreational areas and the creation of new amenities will be encouraged". This privately owned Golf Course is a very well used amenity, by Melksham residents and the wider community. Nb. Golf is the second most participated in sport/recreation activity, next to fishing and before football; and (2) that the farm diversification under policy E7 article 3.3.21 allows such building because the survival of this Golf Course facility depends on the essential provision of better security."

Councillor Chivers also requested that the application be referred to Committee, but only in the event that the application was recommended for permission. This is not the recommendation. Cllr Chivers is of the view that policy is clear on such applications and the proposal should be refused.

This is an application for full planning permission for the erection of a single dwelling to form part of the Whitley Golf Club.

Two applications for development of this site with a single dwelling have been refused in the recent past (06/02927/FUL and 07/01918/FUL). The reasons for refusal in both cases were:

"1. The proposed new dwelling by reason of its location outside the Whitley Village Policy Limit, would be contrary to Policy DP14 of the Wiltshire Structure Plan 2016, Policy H19 of the West Wiltshire District Plan 1st Alteration 2004 and would be contrary to the guidance contained within PPG3 and PPS7, in that the proposed dwelling would be outside the defined settlement limits and is not justified as an exception to those policies and guidance.

2. Notwithstanding Refusal Reason 1 above, the proposed development, as a result of its low density at approximately 3 dwellings per ha, would represent an inefficient use of land contrary to the advice contained in government Planning Policy Guidance Note 3 (Housing)."

There are certain minor changes to the current proposals from the most recently refused application. The dwelling would move  $\pm 10\text{m}$  towards the southern boundary of the proposed site, and would now be located approximately 30m from the golf club house, a proposed boundary hedge on the south of the site would be reduced in height to 1m "...to improve visibility" and the garden area would be reduced to  $\pm 2300\text{m}^2$ . The 3 bedroom dwelling would have the identical floor plan and elevations to the previously refused application.

The applicant is, as before, offering a portion of land on the golf course as public open space, but only in the event that permission is granted for the dwelling.

## CONSULTATION

### MELKSHAM WITHOUT PARISH COUNCIL

The Parish Council comments as follows:

"The Council has declared an interest in this application due to the community land (the subject of another planning application) being offered to the Parish Council. The revised plans meet all the concerns that we identified. The Council suggests that a security camera system be used to link the clubhouse to this dwelling".

## STATUTORY CONSULTATIONS

### HIGHWAY AUTHORITY

The highway authority recommends refusal on sustainability grounds.

### WESSEX WATER

No objection subject to an informative.

## INTERNAL WWDC CONSULTATIONS

### PLANNING POLICY

Planning Policy comments as follows:

"Key Issues:

The proposed site lies outside the village policy limits of Whitley in open countryside adjacent to the Whitley golf course. The proposal seeks to erect a dwelling in order to provide accommodation for the manager of the golf course.

All policy at national, regional and local level seeks to protect the open countryside from development. Policy H19 of the West Wiltshire Local Plan states that new dwellings in the countryside will not be permitted unless justified in connection with the essential needs of agriculture or forestry. This proposal does not fall in to that category.

It has been stated in the Design & Access Statement that the erection of this dwelling is essential for the security of the golf course in order to allow overnight accommodation for the golf club manager. Although surveillance is undoubtedly necessary this could take the form of a security guard rather than a resident. I have seen no evidence from the Police that states that it is imperative that someone resides at the golf club for security reasons.

#### Conclusions:

I maintain that the construction of a three bedroomed dwelling for the golf course manager in order to provide 24hr surveillance is an excessive measure. For residential development to take place in open countryside it must be evident that there is a vital need, I do not believe that the erection of this dwelling is the only way to deal with the security issues the golf course has.

If it was demonstrated that it is the only way to deal with the security issues at the golf club I do not believe it would be necessary to construct such a substantial dwelling completely separate from the club house.

Policy Recommendation:  
Unacceptable in policy terms"

#### HOUSING

No comments received.

#### PUBLICITY RESPONSES

Neighbours were notified of the proposal and a public notice was posted. 3 letters of objection were received. Objections raised are:

- the development would be outside of defined settlement limits and there is no justification for an exception;
- loss of trees and open space;
- the applicant has numerous unused buildings 3 minutes away in Westlands Lane that could be converted without harm to the countryside;
- proposal would set a dangerous precedent for further inappropriate development in the area;
- it will not be possible to tie the dwelling to the club; and
- it is essential to retain the rural buffer between Whitley and Shaw.

#### PLANNING POLICY

Wiltshire Structure Plan 2016

DP7 - Housing in Towns and Main Settlements  
DP14 - Control of development in the open countryside

West Wiltshire District Plan 1st Alteration, 2004

C1- Protection of the rural landscape and environment  
C38 - Effects of development on neighbouring properties  
H17 - Village Policy Limits  
H19 - Development in Open Countryside

PPS3 - Housing  
PPS 7 - Sustainable Development in Rural Areas

## RELEVANT PLANNING HISTORY

92/00657/FUL: Change of use of agricultural land to golf course with access and clubhouse:  
Permission : 03/11/1992  
06/02927/FUL: Single dwelling to form part of Whitley Golf Club : Refused : 11.12.2006  
07/01918/FUL: Single dwelling to form part of Whitley Golf Club : Refused : 26.07.2007

## KEY PLANNING ISSUES

The only issue in this case is whether or not the amendments to the plan have overcome the previous reasons for refusal.

## PLANNING OFFICER'S COMMENTS

The only changes to the plan are the reduction in garden area for the dwelling to 2300m<sup>2</sup>, the reduction in height of a hedge and the relocation of the proposed dwelling by 10m towards the south to a point that much closer to the golf clubhouse which would now be ±30m distant. The following extract from the previous report on this proposal remains applicable:-

"Policy H17 of the West Wiltshire District Plan, 1st Alteration 2004 identifies village policy limits for new infill housing development, controlling new dwellings in the open countryside. Policy H19 of the District Plan states that "(n)ew dwellings in the countryside and in settlements without Village Policy Limits will not be permitted unless justified in connection with the essential needs of agriculture or forestry." There is furthermore a presumption against new housing development not associated with agriculture or forestry within the open countryside in terms of Policy DP14 of the Wiltshire Structure Plan 2016. Government guidance in the form of PPS3 (housing) is also a consideration. PPS 3 guidelines stress that local authorities should pursue the efficient use of land. In addition paragraph 9(ii) of Planning Policy Statement 7 states that local planning authorities should strictly control new house building in the countryside, away from established settlements or from areas allocated for housing in development plans.

In this case the application site is located outside the Whitley Village Policy Limit area, some 120m distant from the village policy limit boundary and on the opposite side of the B3353 Corsham Road. In policy terms therefore the site is located in the countryside and would not accord with the District Plan. The case is presented that this proposal constitutes an instance where special justification exists, because of vandalism and trespassing, for a dwelling associated with a rural-based enterprise other than agriculture or forestry to be permitted." (END OF EXTRACT)

No evidence has been provided to justify the erection of a three-bedroom dwelling on the site, where alternatives for man-guarding or the provision of an overnight guarding facility within the club house would present a less intrusive solution that would not conflict with policy on housing outside of town or village limits, or with PPS7 recommendations.

Whilst acknowledging the issue of security to the golf club, this would not outweigh considerations in terms of District Plan policy and National guidance and is particularly not considered sufficient justification for the dwelling in terms of PPS 7 criteria. PPS 7 makes it clear that planning authorities should apply the same stringent levels of assessment to applications for new occupational dwellings as they apply to applications for agricultural and forestry workers' dwellings, and that security needs are not by themselves sufficient justification for dwellings in the countryside. PPS7 further advises that occupational dwellings in rural areas should be of a size commensurate with the established functional requirement. Dwellings that are unusually large in relation to the needs of the enterprise (in this case the golf course), or unusually expensive to construct in relation to the income it can sustain in the long-term, should not be permitted. The advice is that it is the requirements of the enterprise, rather than those of the owner or occupier, that are relevant in determining the size of dwelling that is appropriate to the enterprise. There would appear to be no need in terms of golf-course security specific considerations for a three bedroom dwelling on this site. Whilst recognising that it would be convenient for the club owner's son to be resident on the site, this personal circumstance cannot be considered as justification.

In view of the above it is considered that the first reason for refusal of the previous application has not been overcome. The relocation of the dwelling would have no bearing on any of the policy and national guidance issues raised.

Local Plan policy on Golf Course development requires that developments associated with golf courses must be treated as separate issues to the main use. In this case therefore the dwelling must be considered on its merits. Such development must not conflict with other Structure Plan or District Plan 1st Alteration policies.

Although the garden area on the site plan has been reduced to 2300m<sup>2</sup>, this would still produce a residential curtilage representing a density of under 4.5 dwellings per hectare. This remains well below the PPS guideline of aiming for a national minimum density of development of 30 units per hectare. It is therefore considered that the second reason for refusal has not been overcome. The proposal still represents the inefficient use of land for the creation of a separate residential curtilage.

## CONCLUSION

The revisions made in this case have not overcome the reasons for refusal on the similar application reference 07/01918/FUL. The application should be refused.

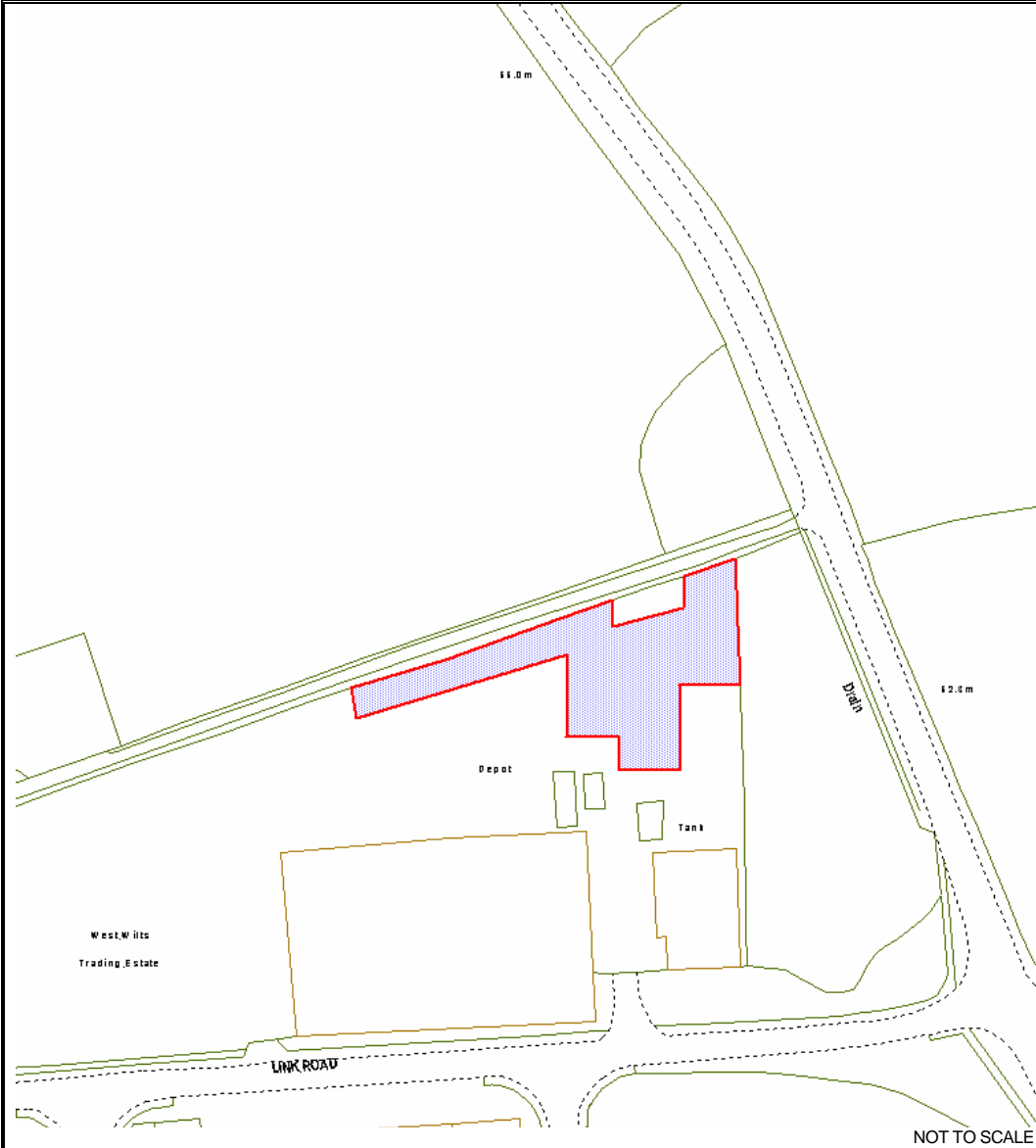
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 17

APPLICATION NO: 07/02785/FUL

LOCATION: Land North East Of 7 Link Road West Wilts Trading Estate Heywood Wiltshire



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SLA: 100022961



**17 Application: 07/02785/FUL**

**Site Address: Land North East Of 7 Link Road West Wilts Trading Estate  
Heywood Wiltshire**

Parish: Heywood Ward: Ethandune  
Grid Reference 386248 153290  
Application Type: Full Plan  
Development: Change of use from HGV parking to both HGV and bus parking and re-fuelling facility  
Applicant Details: Mrs J MacLennan  
First Group PLC Carmuir House 303 Stirling Road Larbert Falkirk  
Agent Details: J C Planning Consultants  
Ingot House Kelvin Close Birchwood Warrington Cheshire  
Case Officer: Mr James Taylor  
Date Received: 29.08.2007 Expiry Date: 24.10.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 Prior to the use hereby permitted first occurring all details for surface water disposal, storage of oils, fuels or chemicals and associated interceptors must be provided in accordance with the details on approved plans reference 35927/SK01A and 35927/SK01C.

REASON: In order to protect the natural environment.

POLICY: West Wiltshire District Plan 1st Alteration (2004) – Policy E2.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee because the Parish Council object to the proposals contrary to your officer's recommendation.

This is a full planning application for the change of use of land from HGV parking to both HGV and bus parking and re-fuelling facility. The application site is in the West Wiltshire Trading Estate on brownfield land which is used for the parking of industrial and commercial vehicles. To the north is a natural hedge and open countryside beyond; to the east is the main road to the trading estate.

### **CONSTRAINTS**

Allocated employment site.

### **POLICIES**

West Wiltshire District Plan 1st Alteration (2004) Policies E2

### **RELEVANT PLANNING HISTORY**

None

### **SITE VISIT / STATUTORY SITE NOTICES**

Conducted on 12/09/2007. No site notice required.

### **KEY ISSUES**

Highway Safety  
Ground water and surface water protection

### **CONSULTATIONS**

*Parish/Town Council* : OBJECTION: It was resolved to object to the proposed development unless by condition it secures the safe guarding of the area of landscaping adjacent to the eastern boundary of the application site. When the Parish Council considered a similar application in February 2002 (02/00017/FUL), it understood that the landscaped area was already fully safeguarded (see correspondence in 1976 under references W76/0179 and W76/0426, especially the Chief Planning Officer's letter dated 2nd August). Recent felling of most of the trees and vegetation has raised doubts about the position, which need to be addressed urgently.

*External* :  
HIGHWAY AUTHORITY: No objection.

*Internal* :  
LAND DRAINAGE: The applicant appears to have included all the requisite interceptors and spillage catchment precautions, I therefore have no further comments to make.

ENVIRONMENTAL HEALTH: No objections and no conditions or informatives recommended.

*Neighbours* : Adjoining landowners were sent notification of the proposals in the post and no comments have been received.

## **OFFICER APPRAISAL**

The planning merits must be considered of every application based on the relevant circumstances and this is an application for a change of use of land for the parking of HGV vehicles to HGV and buses including refuelling. Details of the surface water disposal, interceptors etc have been submitted and are to the satisfaction of the land drainage officer of the Council. Further the consultation with the environmental health section raised no concerns.

The existing access is good and poses no concerns; indeed the highway authority raises no objection and suggest no conditions. In short the proposal is in complete accordance with the relevant policies of the development plan and raises no planning concerns.

However the application must be determined by the planning committee because the parish council object on historic issues of landscaping. The history that the parish refer to has been studied, however, this is really a matter for enforcement and not relevant to this application. No historic conditions appear to be breached based on an initial review. In summary there is no justification for a landscaping condition in relation to this specific development and the points raised by the parish council are not relevant or material to this application.

The Enforcement Team is investigating whether there has been any breach of planning conditions regarding landscaping of the overall site.

## **RECOMMENDATION**

Permission subject to conditions.

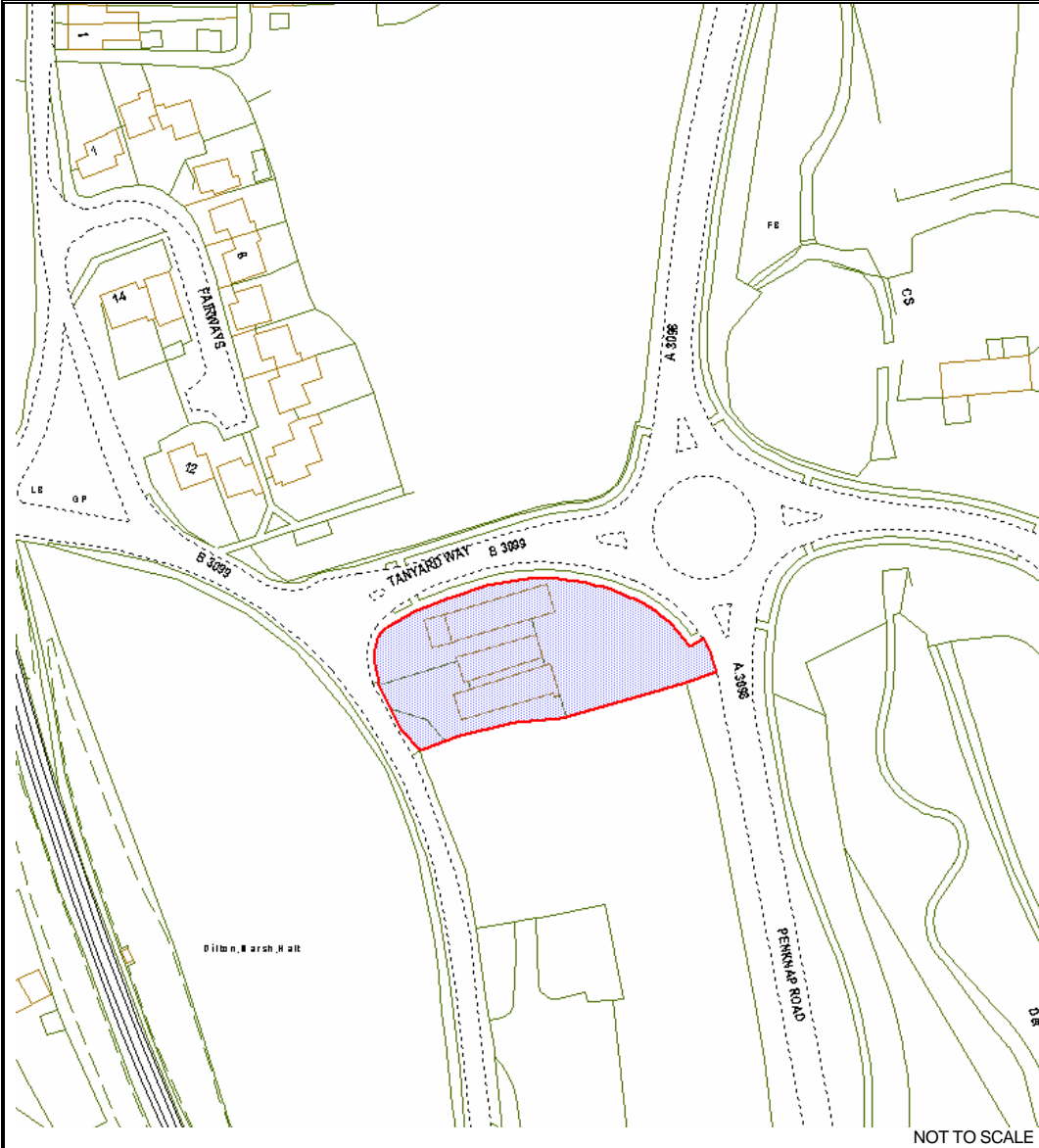
# PLANNING COMMITTEE

15 November 2007

ITEM NO: 18

APPLICATION NO: 07/02229/FUL

LOCATION: The Old Leather Works High Street Dilton Marsh  
Wiltshire BA13 3TB



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SLA: 100022961

**18 Application: 07/02229/FUL**

**Site Address: The Old Leather Works High Street Dilton Marsh Wiltshire  
BA13 3TB**

Parish: Dilton Marsh Ward: Dilton  
Grid Reference 385705 149975  
Application Type: Full Plan  
Development: Alterations to site and remaining building and use for commercial van hire and sales  
Applicant Details: TMH Commercials Ltd  
Fairwood Trading Estate Dilton Marsh Westbury Wiltshire BA11 3SW  
Agent Details: R K Architecture  
The Design Centre Crusader Park Warminster Wiltshire BA12 8BT  
Case Officer: Mr Mike Muston  
Date Received: 10.07.2007 Expiry Date: 04.09.2007

**REASON(S) FOR RECOMMENDATION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**RECOMMENDATION: Permission**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 Before the access hereby permitted is first brought into use, the driveway and parking area shall be properly consolidated and surfaced (not loose stone or gravel) and maintained as such thereafter.

REASON: In the interests of highway safety

- 3 The development hereby permitted shall not be commenced until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

- 4 Before the use hereby permitted commences, the access shown on the submitted plan 111/04 as "emergency gates only" shall be stopped up in accordance with details to be submitted to and agreed in writing by the local planning authority, so that it can only be used in an emergency and not on a regular basis.

REASON: In the interests of highway safety

- 5 The development hereby permitted shall not commence until a 2 metre paved footway has been completed, extending south of the existing footway fronting the site to the main access.

REASON: In the interests of highway safety

- 6 The development hereby permitted shall not commence until a scheme has been submitted to and agreed in writing, setting out how the contamination of the site has been dealt with. In the event of further measures to deal with this issue being identified, the development hereby permitted shall not commence until those identified measures have been fully implemented.

REASON: To minimise pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U4.

- 7 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 8 The development hereby permitted shall not commence until an oil/water separation system has been provided to prevent any spillage or leakage of lubricants or fuels being discharged to groundwater and surface water in the locality.

REASON: To minimise pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U4.

**Note(s) to Applicant:**

- 1 In order to comply with condition 5, the applicant should contact Wiltshire County Council as highway authority to enter into an agreement to facilitate the provision of the new footway.
- 2 You are advised that a public sewer crosses the site and diversion or protection works may need to be agreed with Wessex Water.

## **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This application is brought to Committee because the Parish Council objects to the proposals contrary to your officer's recommendation.

This application, which is partly retrospective as work has commenced, seeks authority for the retention of the central building on site and its use for the display and sale of small commercial vehicles. The submitted additional plans show parking for 20 vehicles on display, with 2 spaces for staff and 5 for visitors. A palisade fence is proposed around the site adjoining the road frontage, and chainlink fencing around the other site boundaries. The site will employ two staff and the applicants estimate that 10-12 vehicles will visit the site each day.

## STATUTORY CONSULTTEES

### DILTON MARSH PARISH COUNCIL

Objects to this development as the rural buffer between Dilton Marsh and Westbury is an important and valuable asset and the creation of a vehicle sales and hire business would be an alien feature and incongruous in a rural buffer. Also questions whether the right certificate has been signed as believe the applicant does not own the whole site. Also considers that access directly onto the highway from this site is dangerous - access should be onto the 'old' road and not Penknapp Road or Tanyard Way.

### HIGHWAY AUTHORITY

No objections subject to conditions. These include as condition 4 a requirement to stop up the "emergency gates" and use only one access.

### WESSEX WATER

Point out that a public sewer crosses the site and that diversion or protection works may need to be agreed.

### ENVIRONMENTAL HEALTH

Would prefer to see both accesses used, one for incoming and one for outgoing traffic. There should be separation between vehicles and pedestrians on site. A suitable reception area and rest room will need to be provided. Also recommend the imposition of conditions regarding oil/water separation and the use of both entrances.

### ENVIRONMENT AGENCY

No objections subject to the imposition of a condition dealing with the decontamination of the land.

(The applicants' agents have responded to this by pointing out that the external works have been carried out without disturbing or excavating the site and a tarmac surface has been laid over the site, effectively sealing it).

### PUBLICITY RESPONSES

The application was advertised by site notice and neighbour notifications have been carried out. Two letters have been received in response, objecting to the application on the following grounds:-

- Alters the appearance and reduces the amenity of this rural buffer
- Site was derelict until recently and mostly green
- Highway danger from already formed accesses
- Some trees may have been removed
- Could be suitable for business use accessed from the west or south-west but not for commercial use accessed from the north
- Amount of vehicular movements in this area would be dangerous
- Smell, fumes, noise and disturbance from the use of the site

## RELEVANT PLANNING POLICY

West Wiltshire District Plan 1st Alteration (2004)

C31a Design  
C38 Nuisance  
E6 Rural Employment  
U4 Groundwater Source Protection

## RELEVANT PLANNING HISTORY

93/01302/FUL - Use of buildings for manufacture & retail of fencing - Permission

96/01122/FUL - Use for 3 years as B8 open storage - Permission

01/00313/FUL - 2.4 metre high steel fence - Permission

## KEY PLANNING ISSUES

The main issues in this case are the effect on the character and appearance of the area and on highway safety.

## PLANNING OFFICER COMMENTS

Character and appearance

The site is outside any defined development boundary, between Westbury Leigh and Dilton Marsh.

However, the site has an extensive history of use for commercial purposes and has an established commercial use. This needs to be taken fully into account when considering the impact the proposal would have. Whilst the changes in the road layout over time around this site have made the site more prominent, they have not removed the part of the site now under consideration or extinguished the established use.

It is considered that, against this background, the proposed use, which brings a derelict site back in to use, is acceptable.

Highway safety

Following the submission of additional detailed plans, the proposal no longer involves the creation of an additional access onto the corner of the site adjacent to Tanyard Way (a condition is proposed ensuring this is only used in emergencies). As requested by both the Parish Council and the highway authority, access is now shown solely onto the 'old' road and not Penknapp Road or Tanyard Way.

The number of vehicle movements that the proposed use would generate is less than could be generated by a resumption of the established use, and the size of vehicles smaller.

It is considered that the proposals would have no adverse impact on highway safety.

## CONCLUSION

Given the history of the site, it is not considered that the proposal would harm the character or appearance of the area, or highway safety. It is therefore recommended that planning permission be granted.