

**Notes of the Informal Council (Planning) Meeting held via Teams on
Wednesday 29 June 2022**

Present Councillor H Belcher (in the Chair)
Councillors N Brakspear, J Brook, T Bush, T Ellis, N Farmer,
R Hopkinson, M Jackson, A Morris, J Robertson, T Smith and A White.

In Attendance Mrs K Gilby (Finance and Planning Officer)

1. Apologies

Apologies were received from Councillors S Abbott, A Brown, G Ward and R Williams.

2. Public Question Time and Petitions

There were none.

3. Declarations of Interest

There were none.

4. Applications

CORSHAM NESTON WARD

[PL/2022/03428](#)

21 Pitts Croft, Neston - Demolition of existing single garage and attached car port and replace with a double garage with a pitched roof instead of the existing flat roof.

Agreed: that no objection be raised. Concerns were raised over possible drainage implications. The Town Council noted the concern raised by the neighbour regarding the party wall.

[PL/2022/04475](#)

9 Locks Cross – Single-storey rear extension.

Agreed: that no objection be raised.

[PL/2022/04591](#)

4 Bakers Corner - Notification of proposed works to trees in a Conservation Area - T1: Badly positioned Hawthorn tree that we would like to fell. We aim to plant at least one additional tree on the higher ground near the Hazel, possibly Amelanchier. T2: Hazel tree in our garden that is growing out of a dry-stone wall and is growing into a larger Hornbeam tree. It also grows close to a large apple tree. To correct this, we would like to remove three branches, which would reduce the height by about 50%.

Agreed: that no objection be raised.

[PL/2022/04530](#)
[PL/2022/04712](#)

18 Wadswick Lane - Householder planning permission and Listed Building Consent - Addition of single-storey side extension together with internal renovation and alteration to main house.

Agreed: that no objection be raised subject to the approval of Wiltshire Council's Conservation Officer regarding the removal of the staircase.

CORSHAM LADBROOK WARD

[PL/2022/04143](#)

12 Southerwicks - Removal of conservatory. Construction of a single-storey side extension. Removal of part of the boundary wall and replacement with an extended boundary wall.

Agreed: that no objection be raised.

[PL/2022/04499](#)

Priory Cottage, 1 Bences Lane - Notification of proposed works to trees in a Conservation Area - T1 - Cherry tree. Remove low limb over garden/dry stone wall. Extended lateral limb is causing excessive shading and encroaching on client's magnolia.

Agreed: that no objection be raised.

[PL/2022/04477](#)

20 South Street – Single-storey extension replacing existing conservatory and outbuildings.

Agreed: that no objection be raised.

[PL/2022/04695](#)

Corsham Court - Notification of proposed works to trees in a Conservation Area - To complete works as per the Tree Survey Report for Corsham Court.

Agreed: that no objection be raised.

[PL/2022/04599](#)

74 Dickens Avenue - Replacement of part of existing rear extension and existing outbuilding.

Agreed: that no objection be raised.

5. Amended/Additional Plans

There were none for this meeting.

6. Decisions

(1) Approvals

CORSHAM GASTARD WARD

PL/2022/00966

Monks Farm House, Monks Lane - Extension to a hay/straw shed.

CORSHAM LADBROOK WARD

PL/2022/03201

28 The Tynings - Proposed garage conversion, two-storey side extension, single-storey rear extension, floor plan redesign and all associated works.

- PL/2022/02804 32 Ludmead Road - Proposed erection of a first-floor front and single-storey rear extensions with an internal garage conversion to form additional living accommodation.
- PL/2022/01620 Potley Farmhouse, Potley Lane - Change of use of existing annexe accommodation within garage outbuilding into self-contained one-bed flat.
- PL/2022/02901 36 Prospect - Conversion of existing garage and home gym into studio annex for family relative.

CORSHAM NESTON WARD

- PL/2021/07026 Land to the rear of 39 Westwells - Outline permission with some matters reserved for erection of dwelling (access only).
- PL/2022/03651 20 Moor Park - Lawful Development Certificate for a Proposed Use - Proposed single-storey rear extension.

CORSHAM PICKWICK WARD

- PL/2022/02699 4 Front Hill Close - Proposed rear extension.

(2) Refusals

There were none for this meeting.

(3) Withdrawn

CORSHAM LADBROOK WARD

- PL/2022/02244 2 Charles Street - New dwelling and parking spaces.

CORSHAM NESTON WARD

- 20/07916/MODPO Rangeford Villages, Wadswick Green - Modification of planning application 18/02008/VAR and 18/02749/VAR.

7. Notice of Appeal Against Enforcement Action

Our Refs:

ENF/2021/00417

TOWN AND COUNTRY PLANNING ACT 1990

APPELLANTS NAME: Redcliffe Homes Limited
 APPEAL SITE: Land west of Park Place, Bradford Road, Corsham

INSPECTORATE REFERENCE: APP/Y3940/C/22/3300265 & APP/Y3940/C/22/3300268
 APPEALS START DATE: **15 June 2022**

Appeals have been made to the Planning Inspectorate in respect of the above site.

COU Enforcement Notice

THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, the material change of use of the Land from agriculture to a mixed use of agriculture and waste deposit (Sui Generis)

The enforcement notice was issued for the following reasons:

It appears to the Council that the above breach of planning control has occurred within the last 10 years.

The unauthorised development is contrary to Policies WCS3 and WCS5 of the Wiltshire & Swindon Waste Core Strategy Development Plan Document (July 2009); Policies WDC1, WDC2, WDC10 and WDC13 of the Wiltshire and Swindon Waste Development Control Policies Development Plan Document (September 2009); and Sections 12, 14 and 15 of the National Planning Policy Framework (July 2021).

The Council do not consider that planning permission should be granted for the above breach of planning control, because planning conditions could not overcome all of the objections to the unauthorised development.

The enforcement notice requires the following steps to be taken:

Remove all deposited material from the Land and profile the Land so that its levels are that shown on Sheet 2 of 3 of the plan entitled "Topographical Survey" (Drawing No. 12731-500-001)

TIME FOR COMPLIANCE

Within four months from the date this Notice takes effect

The appellant has appealed against the notice on the following grounds:

- (a) That planning permission should be granted for what is alleged in the notice.
- (b) That the breach of control alleged in the enforcement notice has not occurred as a matter of fact.
- (c) That there has not been a breach of planning control.
- (f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.
- (g) The time given to comply with the notice is too short.

Op Dev Enforcement Notice

THE BREACH OF PLANNING CONTROL ALLEGED

Without planning permission, operational development comprising the profiling of the Land

The enforcement notice was issued for the following reasons:

It appears to the Council that the above breach of planning control has occurred within the last four years.

The unauthorised development is contrary to Policies CP51, CP52, CP57 and CP67 of the Wiltshire Core Strategy (2015) and Sections 12, 14 and 15 of the National Planning Policy Framework (July 2021).

The Council do not consider that planning permission should be granted for the above breach of planning control, because planning conditions could not overcome all of the objections to the unauthorised development.

The enforcement notice requires the following steps to be taken:

Profile the Land so that its levels are that shown on Sheet 2 of 3 of the plan entitled "Topographical Survey" (Drawing No. 12731-500-001) and remove all resulting excess material from the Land

TIME FOR COMPLIANCE

Within four months from the date this Notice takes effect

The appellant has appealed against the notice on the following grounds:

- (a) That planning permission should be granted for what is alleged in the notice.
- (f) The steps required to comply with the requirements of the notice are excessive, and lesser steps would overcome the objections.
- (g) The time given to comply with the notice is too short.

Both the above appeals would be decided on the basis of the written representations procedure.

Any additional comments should be sent to the Planning Inspectorate, Room 3B, Temple Quay House, 2 The Square, Bristol BS1 6PN, quoting the Inspectorate references, and should be received by the **27 July 2022**. Alternatively, representations could be emailed to **teame1@planninginspectorate.gov.uk**.

Agreed: to write to the Planning Inspectorate in support of the enforcement action and to ask for the appeals to be dismissed.

8. Planning Appeal Decisions

Appeal A: Reference: APP/Y3940/X/22/3292467 Site at The Stoneyard, Potley Lane, Corsham SN13 9RX

The appeal is made by Mr O Healy, Oscar Windebank Ltd (see "Procedural Matters" below), under Section 195 of the Town and Country Planning Act 1990 as amended against the refusal by Wiltshire Council to grant a certificate of lawfulness.

The application (Reference No. 21/02142/CLE) dated 1 March 2021 was refused on 25 January 2022. The application was made under Section 191 of the Town and Country Planning Act 1990 as amended.

The application sought a certificate of lawfulness for: "Use of land for storage (Class B8); use of existing building for light industrial use (Class E(g)(iii) and siting of 3no. portable storage shelters".

Summary of Decision: The appeal fails.

Appeal B: Reference: APP/Y3940/C/22/3296901 Site at The Stoneyard, Potley Lane, Corsham SN13 9RX

The appeal is made by Oscar Windebank Timber Limited under section 174 of the Town and Country Planning Act 1990 as amended against an enforcement notice issued by Wiltshire Council.

The council's reference is 21/00066/ENF. The notice is dated 23 March 2022.

The breach of planning control alleged in the notice is: "Without planning permission, operational development comprising the erection of three white coloured buildings shown in the approximate areas of land annotated with blue circles on the attached plan entitled Location Plan and shown in the attached document entitled Notice Photographs".

The requirements of the notice are: "Demolish in full the three buildings and remove all resulting materials from the land". The period for compliance is six months.

The appeal is proceeding on grounds (c) and (g) as set out in Section 174(2) of the Town and Country Planning Act 1990 as amended. Since the prescribed fees have not been paid within the specified period, the application for planning permission deemed to have been made under section 177(5) of the Act has lapsed.

Summary of Decision: The appeal fails.

Agreed: that the appeal decisions be noted.

The meeting commenced at 7.30pm and closed at 8.11pm. There was one member of the public present at the meeting.

Councillors' comments on planning applications are based on the information available to them at the time of the meeting.