



Cricklade Town Council

First Town on the Thames

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PLANNING CONSERVATION & TRANSPORT MEETING

Monday 21st November 2011

7.00 p.m. at Ockwells

Cllr G Chapman – Chairman

Councillors present:

Cllr B Beasley

Cllr D. Tetlow

Cllr M. Clarke

Cllr A. Dentith

Cllr J Harmer

Cllr Hema Jain-Bahr (non-voting)

6 members of the public.

At the start of the meeting the Chairman pointed out the notice regarding fire instructions on the entrance door.

Public Question Time

Mr C. Morley High Street reported that once again notices had been affixed to lamp posts by sticky tape which pulls the paint off. The Chairman undertook to raise the matter once again with the relevant area of Wiltshire Council.

Cllr Harmer raised two questions that he had been asked to clarify by a resident. When were the requested metro counts in Calcutt Street to be put in place by the police and whether the police had unofficially monitored the speed of traffic in the same area. The Assistant Town Clerk stated that the metro count was requested on 14th September 2011 and that the unofficial figures recorded at various times of the day in Calcutt Street. These revealed the slowest vehicle was 18mph (9.15am) and the fastest 39mph (9.15am). Readings at other times of the day revealed speeds between 19mph and 36mph.

MINUTES

11.098 Apologies for absence

Cllr L Forrester

11.099 Declarations of Interest on items on the agenda

None were appropriate

11.100 Minutes

The minutes of the meetings held on the 31st October 2011 were signed by the Chairman and adopted as a true record.

11.101 Planning applications received from Wiltshire Council.

a	11/03338/FUL	Mr A Styler, 79 High Street, Cricklade, SN6 6DD Detached Single Storey Garage to rear of property with access.
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Following discussion it was resolved to **SUPPORT** this application.

b	11/03342/LBC	Mr A Styler, 79 High Street, Cricklade, SN6 6DD Detached Single Storey Garage to rear of property with access
<p>The application was for a garage at the rear of this High Street property opening onto Abingdon Court Lane and is in the Cricklade Conservation Area. There were concerns relating to the need to demolish part of the dry stone wall to gain access to the new garage as the Conservation Area Statement recommends preserving such walls as features. The CAS also states that we should encourage retention/reinstatement of lime wash to limestone rubble walls, encourage the provision of new and the repair of existing walls. The clear intent therefore is to support applications in this area that repair or reinstate walls in original materials.</p> <p>The applicant had made the point that the proposed garage would replace the unsightly boundary with a building constructed of materials in keeping with the house and that this would be a significant improvement on what exists. It was considered that this was a high quality application overall which attempts to comply with a further statement in the CAS that visible extensions must be in natural materials to match existing character quality and detail. According to the Heritage Asset statement submitted the proposal will include repair of the wall adjacent to the garage using recycled original walling stone.</p> <p>When considered as a whole, the overall benefits would appear to significantly outweigh the loss of the section of wall to allow the garage access. Following discussion it was therefore resolved to SUPPORT this application.</p>		
c	11/03423/CLE	Mr & Mrs Pearce, Cowleaze Farm, Chelworth Road, Cricklade SN6 6HD Certificate of Lawfulness – For Use of Silage Clamp as Storage for Commercial and Private Vehicles and Machinery
<p>One letter of objection had been received. Both this and the following application were for a Certificate of Lawfulness. This application related to use of an area of hard standing for storage of commercial vehicles.</p> <p>3 statutory declarations had been made in support of the certificate, two of whom are by the husband and wife who are the lessors and one is a neighbour who is the lessee for the space. The claim is made that the space has been in use as a store for commercial vehicles by the lessee's company SL Premier Vehicles Ltd for 13 years i.e. since 1998. The only evidence provided in support of these claims was a poor quality aerial photograph dating from 1999.</p> <p>As many residents complain about the volume and nature of traffic travelling through the town and have asked how it can be possible for permission to have been granted for the activities at Chelworth that create much of this traffic. The answer in this case appears to be that the business was established without permission and specifically without any evaluation of the effect it would cause on the town in terms of the traffic it generates. The nature of this business appears to involve the frequent transport of a variety of vehicles through the town and so has an incremental negative contribution to both the size and volume of traffic. In Cricklade Town Council's recent Development Plan it states that we would continue to object to any further planning applications at Chelworth Industrial Estate that created significant road traffic movements through Cricklade or place additional stress on the existing infrastructure, and would oppose any further expansion of this employment area without further delineation of the boundaries.</p> <p>The three Statutory Declarations say that the Lessee's company SL Premier Vehicles Ltd has been leasing the site for 13 years. However records at Companies House show that the company SL Premier Vehicles Ltd was only incorporated in 2003, less than nine years ago. It was therefore not possible for these statements to be correct and therefore grounds for doubting the validity of the application.</p> <p>The only other evidence provided was a photograph. This is for a single point in time and does by itself not establish the proof of continuous use required to obtain a Certificate of Lawfulness. It also does not appear to provide conclusive proof of what exactly was occupying the land in question at the time. Specifically there is no evidence provided of an extant legal agreement between the parties that would support</p>		

the claim for continuous unlawful use over the period.

Following further discussion it was agreed that Cricklade Town Council would therefore **OBJECT** to this application on the grounds that it was development contrary to Cricklade Town Council's Development Plan, it was outside the area recognised for industrial use, that there was doubt about the validity of the Statutory Declarations made and the evidence provided as to continuous use for 10 years was insufficient to support the claims made.

d	11/03426/CLE	Mr & Mrs Pearce, Cowleaze Farm, Chelworth Road, Cricklade, SN6 6HD Certificate of Lawfulness – Construction of Ménage
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This application was supported by similar evidence to the preceding, namely the same poor quality photograph and 2 statutory declarations by the two occupants. The ménage was clearly visible on both the supplied photograph and more recent photographs taken more than four years ago. The impact on the town was also of a completely different nature. The keeping of horses in such a location was consistent with a rural location such as this. There was unlikely to be anything like the same traffic impact on the town and to the extent this area is visible it is not creating any visual intrusion. If the application had been made at the correct time it was likely that it would have been supported. Following further discussion it was agreed that Cricklade Town Council would therefore **SUPPORT** this application.

e	11/03459/FUL	Mr A Dickson, 16 High street, Cricklade, SN6 6AP Two Wrought Iron Handrails
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Following discussion it was resolved to **SUPPORT** this application.

f	11/03639/S73A	Mr K Hutchings, Bournlake Bungalow, Bournlake Farm, Cricklade, SN6 6QZ Variation of Condition 2 of 89/01273/OUT
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A decision on this application was deferred to the next meeting pending receipt of a further related application. The ATC was asked to ensure that Wiltshire Council were aware.

g	11/03637/FUL	Mr Spence, 6 Malmesbury Road, Leigh, SN6 6RH Demolition of Existing Dwelling and Erection of Replacement Dwelling
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During a suspension of standing orders the applicant and his neighbour spoke in support of the application. This application partially falls within the Cricklade Parish boundary but is effectively part of the Leigh settlement along the Malmesbury Road. Leigh Parish Council has been asked for their comments but these have not yet been received.

The application is for a totally new building on the site set further back from the road and with a higher finished floor level. The applicant claims that the existing building floods when excess surface water runs off the adjacent road and that damp proofing treatments have been ineffective. The new building would be considerably taller than the existing building owing to both a higher floor level and increased ceiling heights internally to meet current buildings standards. The overall floor area of the new building would be slightly smaller but opportunity has been taken for internal facilities to reflect expectations of modern living by for example increasing the number of bathrooms. The applicant notes that the set back location would improve road safety owing to space for turning in the front of the new dwelling and much improved vehicle access, and states that Highways were consulted prior to the application.

However by setting the building back from the road the existing building line is destroyed. This will also undoubtedly have an impact on the neighbours on each side.

We have advised Leigh Parish Council that in the absence of any justified objections from immediate neighbours we would **SUPPORT** this application.

h	11/03491/FUL	Ms T Owen Bines, C/O DPDS Consulting, Land Adjacent to Broadleaze Farm, Broadleaze, Cricklade, SN6 6HU Refurbishment & Change of Use of Land & Buildings from Light Industrial (HGV Repair) incidental Uses to Equestrian Centre and Associated Works, Including the Conversion of a Barn to Create 3 Bedroom Dwelling and the Refurbishment of Existing Stables
<p>One letter from the applicant's agent had been received. This application was a resubmission of a 2010 application to which Cricklade Town Council objected. It was for conversion of a barn to residential use in order to be on site to supervise a proposed equestrian business that it is stated will be based on breeding rather than providing livery or public stabling. Our previous objection was because this was residential development in the countryside and there was no business plan showing this was a viable business. There were not any benefits for the rural economy and it could not be considered farm diversification because the activity of HGV repair and servicing was already non-agricultural. This application was withdrawn, apparently to address Environment Agency concerns around flood risk as the EA considered that conversion to a more vulnerable use of the site i.e. that it will become residential, was grounds for a refusal. Members felt that the key issue was whether there had been any material change or addition to the application or whether there has been change to any planning policies. The applicant's agent highlighted the forthcoming proposed changes to national planning guidance and states this was a material consideration, but dismissed the Wiltshire Core Strategy as too early in its formation to be a material consideration. It was felt that as both have been subject to consultation and both await a response – it would seem both should be given equal weight and to consider this application solely in the context of current planning guidance and policy. The same North Wilts 2011 Plan remains as was in place a year ago and therefore the same planning policies should guide the Council. This is the position we have to take with respect to all applications.</p> <p>Whether this was an unsuitable residential development in the countryside, or a genuine attempt to begin a viable rural business using some now underutilised existing farm buildings needed to be decided. The arguments provided by the applicant are many and the decision appears finely balanced.</p> <p>There were concerns that a 24 hour/365 day residential oversight for a maximum 7 horse stable block was not entirely justified or that the regular necessity to cross the busy Purton Road to get between stables and the main exercise area was something required given that existing stables are provided on the same side of the road. Highways have apparently not considered this sufficiently important to justify objection by itself. Following further discussion and in the absence of any new information justifying the viability of the business case and in view of the undoubted issues at the site in terms of flood risk and road safety there does not seem a justifiable basis to change the Council's previous stance. It was resolved to OBJECT to this application however if permission was to be granted then we note the prior advice in 2010 to request an Open Space contribution for the Dance Common and reiterate that request.</p>		
I	11/03563/FUL	Mr F Boles, Karenza, Hayes Knoll, Purton Stoke, Wiltshire, SN5 4JJ Extension to Agricultural Building, Retention of Poly tunnel & Improvements to Existing Access.
<p>During a suspension of standing orders the applicant spoke in support of the application. This residential property is situated on the southern boundary of Cricklade parish on the west side of the C70 road to Crosslaines junction. However the building that is the subject of the application lies in Purton parish. The existing agricultural building to be extended was built 5 years ago. It is set well back from the road and is not particularly dominant or obtrusive. The proposed extension would appear in keeping with what is already there and the proposed use appears for genuine agricultural need.</p> <p>Whilst poly tunnels are not particularly aesthetically pleasing they are also in keeping</p>		

with an agricultural business and as noted by the applicant the location next to the existing building reduces the visual impact.
The Assistant Town Clerk was requested to advise Purton Parish Council that we **DO NOT OBJECT** to this application.

11.102 Planning Applications – to formally request call in of any appropriate applications.
There were no applications for call in.

11.103 Planning decisions received from Wiltshire Council.
The following decisions were noted:

11/02381/FUL Mr & Mrs Buttery, 2 The Priory , High Street, Cricklade, SN6 6DG, Two Storey Side Extension Cricklade Town Council Supported – Granted 26/10/2011
11/02383/LBC Mr & Mrs Buttery, 2 The Priory, High Street, Cricklade, SN6 6DG, Two Storey Side Extension Cricklade Town Council Supported – Granted 26/10/2011
11/02726/FUL Mrs A Longergan, 9 Waylands, Cricklade, SN6 6BT, Rear Extension and Garage Conversion Cricklade Town Council Supported – Granted 27/10/2011
11/02855/CAC Mrs A Thomas, 80 High Street, Cricklade, SN6 6DF Remove 2m Section of existing wall Cricklade Town Council Objected – Refusal 26/10/2011
11/03005/FUL Mr J Coole 19 Manor Orchard Cricklade Sn6 6EA Garage conversion and erection of garden wall Cricklade Town Council Supported – Granted 3/11/11
11/02037/S73A Mr Jones Calcutt Park Calcutt Cricklade SN6 6JR Removal of condition1 of 10/01204/FUL to make the use permanent for 14 residential gypsy pitches Cricklade Town Council Objected – Granted 4/11/11
11/02759/FUL Mr N Dye 1 The Priory Cricklade First floor roof extension Cricklade Town Council Supported – Refused 7/11/11

11.104 Correspondence

- a. E-mail from resident regarding yellow lines in Calcutt Street. Following discussion it was **RESOLVED** to refer the matter to Wiltshire Highways to include in the review of parking and safety in the area that was requested some months ago. Assistant Town Clerk to inform resident.
- b. E-mail regarding planning application 11/01869. Following discussion it was **RESOLVED** that we should refer the correspondence to the Planning Officer and advise the writer that Cricklade Town Council does not have the expertise to monitor the application in the way he suggests and that it is for Wiltshire Council to ensure that conditions relating to planning consents are adhered to.

11.105 Rural Housing needs survey – Members were reminded that an information meeting was to be held on 1/12/11 at 10.30 am for any members interested and for members of the Town Plan Steering Group.

11.106 11/02037/S73A Land Adjacent, Calcutt Farm – Cllr Chapman reported on the outcome of the Development Control meeting she had attended with Cllr Harmer when this application was discussed. She had received a verbal and an email apology from the Area Development Manager (North) regarding incorrect information that had been given by the Planning Officer at the meeting. Unmet conditions attached to the temporary planning permission had not been carried across to the proposal for permanent permission There was also concern that there had been some predetermination as the Chairman stated he had assisted the planning officer with the recommendation and

proposed the motion to approve. Following discussion it was **AGREED** that the following action would be taken -

A letter would be written to the Leader of the Council expressing our concerns about the process and the way in which Development Control meetings are organised. To the Head of Planning regarding the inadequate apology and that members of the committee should be informed that they were given incorrect information when making that decision. Additionally the Wiltshire Core Strategy team should be contacted to ensure that the number of traveller sites in the area was recognised and that the Neighbourhood Planning team also include this as an issue of concern.

11.107 Town Centre Car Park –

A written update on progress had been circulated prior to the meeting. Construction work on the car park commenced on 14th November 2011. Archeological survey work was undertaken on 15th November 2011 and 16th November however we had been verbally informed on 16/11/11 that nothing had been revealed. A full written report is to follow. The first payment on the contract of £85k including VAT has been paid to the contractor as previously agreed. Letters were issued to immediate neighbours along with personal contact where appropriate. No complaints have been received

A copy of lighting contract from SSE had been received on 15/11/11. The cost was higher than anticipated this was being checked with the Project Manager and Quantity Surveyor to ensure we are not paying twice for the same work. As SSE cannot supply and fit the lights until 19th December completion could be delayed. The problem is one of supply. Temporary lights on the columns would cost £51.45 per column. It was noted that the Car Park would still be useable from an earlier date albeit without any lighting as now. Members were asked to consider whether to convert these lamps to part night lighting which would be a cheaper option but would increase costs by between £15 and £20 per column for more sensitive photocells. These could then be programmed to go off at 12 midnight and back on at 5am. This would reduce long term running costs and prevent light pollution to neighbours. SSE had recommended that the three lights planned for the footway between the pavement and the Drs Surgery were left on all night with the remainder turned off. This would be an additional cost of around £100 for the 5 lights.

SSE has also suggested that a steel barrier or posts be placed around the column that is to be placed in the centre of the car park to protect from parking damage. This would be outside the tender contract; the additional costs being £808.

A copy of the Land Registry records relating to the right of way to 36 High Street had been obtained and compared to the lease held with The Club. No specific reference is made in the lease to the right of way although its existence has always been known (hence car park design). As the Land Registry map shows the right of way going through 3 parking spaces this needs to be checked and corrected if necessary via our solicitors.

The standard application to Wiltshire Council for permission to work on the highway has been made and fee of £60.00 paid. Signage costs had been excluded from the contract because we were expecting to incur costs for signage in the Town Hall Car Park. The transfer of this has been delayed so we need to consider purchasing 2 x disabled plates, 2 x Drs space and 1 x Club have been identified. They would need to be fixed by our own groundsmen. The actual road markings have been agreed with the contractor who recommended the word DISABLED/DOCTOR/RESERVED is painted on the tarmac immediately in front of the space. Painting on pavers is problematic and not long lasting. This with signs on posts was felt to be sufficient.

A press release was issued and coverage has appeared in the Swindon Advertiser and the Standard which included a representative from Tesco. (Photos are being taken of the project as it moves ahead for use as a pictorial history of the build). The Town and Assistant Town Clerks have been in regular contact with the Corporate Affairs Team at Tesco and will work together on an opening event.

Additionally further discussions had taken place between the civil engineer on site and the scheme designer regarding the way the drainage system would operate in practice now the excavation work had taken place. It was felt that a 'French drain' running from the site towards the school field would offer even greater protection against possible flooding. A further cost of £2,586.92 would be incurred as a result. The arrangements had

been checked by Wiltshire Council Drainage Engineer and he was satisfied that the changes were necessary and suitable.

Following discussion the following recommendations were **AGREED**

- That the additional lighting costs outlined above are approved to enable part time lighting to be achieved between the hours of midnight and 5am
- That the right of way issue be passed to our Solicitors for advise (the same issue may also be relevant to 37 High Street)
- That appropriate signage is purchased up to £500 with authority delegated to Chair and Assistant Town Clerk to arrange and report at next meeting.
- That PR continues to be dealt with jointly between the Town Council and Tesco and that authority is given to the Town and Assistant Town Clerks to arrange for an opening event in consultation with the Chair and Vice-Chair of the Council
- That the revised drainage proposals and costs should be accepted and implemented.

The Assistant Town Clerk reminded members that they had previously agreed (Minute no 11.019) that additional spends from ear marked reserves relating to the Car Park could be agreed under standing order 12.5 by the Chairman and Vice Chairman to cover additional costs that might arise during the construction phase. The Committee's next meeting was 12th December 2011 when a further report would be made on any costs incurred.

11.108 Neighbourhood Planning – Cllr Harmer reported on the first meeting of the Neighbouring Planning Group that he had attended on 31st October 2011. There were a number of options open to us and he felt a decision was required by Full Council on what Cricklade Town Council agreed was the right way forward. Following discussion this was **AGREED**. Once the way forward was agreed then it could return to this committee. He has been tasked with establishing a shopping list of what we would like to see included. It was felt that a plan covering the whole area was ambitious and may actually work against us. The area has no natural centre and is made up of 4 centres of population i.e. Wootton Bassett, Cricklade, Purton and Lyneham. At the next meeting members will need to decide what five key planning issues should be included.

11.109 Official Flood Working Group – North - Cllr Chapman updated members on the latest meeting of the group. Further work on Gas Lane and the school field should be undertaken shortly. Byre Close pumping station has not been adopted as water authorities are not compelled to do so until 2016 therefore enforcement of the outstanding condition should be notified to Development Control. The Assistant Town Clerk stated that we continued to get complaints from residents. Cllr Chapman said these should be referred to Taylor Wimpey.

11.110 Community Speed watch – Cllr Harmer reported on progress to date. Readings in Common Hill recorded an average of 25% of vehicles exceeding the speed limit. The equipment is held for 2 weeks during which time the volunteers need to be out 4 times each week. An article should appear in local press shortly. He emphasised that this was a community initiative rather than a Town Council one.

Meeting Closed at 08.55pm