



Devizes Town Council

www.devizes-tc.gov.uk

PLANNING COMMITTEE

You are summonsed to attend a meeting of the Planning Committee at the following, place and date:

Date: **2nd March 2021**

Time: 6.00pm.

Join Zoom Meeting

<https://us02web.zoom.us/j/82198374096?pwd=cU95dWJjM1lVUUtBNldHSHBDMhldz09>

Meeting ID: 821 9837 4096

Passcode: 759917

Please note, this meeting may be recorded therefore if you do not want to appear on the recording, do not enable your camera

Enquiries: Town Hall - Tel: 01380 723333

Chairman: The Mayor, Councillor Gay

Councillors: Bridewell	Burton	Carter
Corbett	P Evans	S Evans
Geddes	Giraud-Saunders	Godwin
Greenwood	Hopkins	Nash
Parsons	Pennington	Rose
Rowland	Stevens	Von Berg

AGENDA

1. MINUTES

To approve as a correct record and authorise the Chairman to sign the minutes of the meeting held on 16th February 2021 and which have been circulated alongside the agenda.

2. APOLOGIES FOR ABSENCE

3. DISCLOSURE(S) OF INTEREST

To receive any disclosure(s) of interest by a Councillor or an officer in matters to be considered at this meeting, in accordance with provisions of Sections 94 or 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

4. PUBLIC PARTICIPATION

At the Chairman's discretion, members of the public attending the meeting will be allowed to ask questions, make a statement or address the Council upon a matter of concern to that person which is relevant to the Council. A time limit of 5 minutes per person will be permitted, but this may be extended at the Chairman's discretion and a maximum period of 20 minutes has been allocated by the Council for this item of business.

5. REPORT FOR DECISION – PLANNING APPLICATIONS FOR CONSIDERATION

Details of Planning Applications for Consideration are attached ([doc 5/1](#)).

Members wishing to make enquiries about any of the applications listed or inspect plans before the meeting are advised to do so on line at Wiltshire Council.

6. REPORT FOR INFORMATION – WILTSHIRE COUNCIL'S NOTICE OF PLANS GRANTED OR REFUSED

Attached ([doc 6/1](#)) a list of plans granted, refused or withdrawn.

7. REPORT FOR INFORMATION – NOTIFICATION OF PLANNING APPEALS, THE BRICK STORE, DUNKIRK HILL

Notification has been received of appeals to the Planning Inspectorate in respect of the refusal of planning permission for 'Change of use from holiday let to dwelling (unrestricted residential use) at The Brick Store, Dunkirk Hill; and in respect of the Enforcement Notice issued for the alleged breach of planning control at the same site.

The planning application was considered by members on 17/03/2020, concluding:

"20/01225/FUL – No objection on planning grounds, although Members would not wish to see an increase in traffic movements, given that the access point on to busy Dunkirk Hill is a site of many traffic incidents."

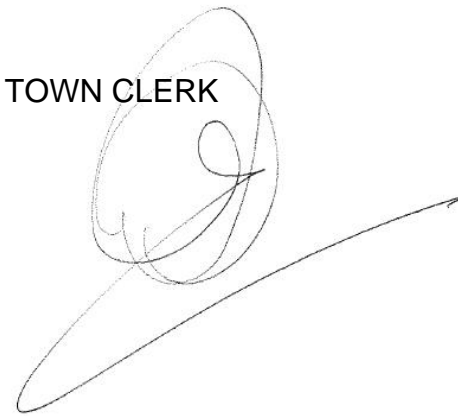
Copies of the documents received are attached ([doc 7/1-4](#)), with a link to the Wiltshire Council files [here](#).

8. QUESTION TIME

A short time is allowed at the discretion of the Chairman for councillors to ask questions on matters which are not on the current agenda but which are related to matters which have been previously discussed on an agenda relevant to the committee.

At least 24 hours' notice must be given to officers of the intended question. All other matters should be raised on an agenda and the request should be submitted through the Town Clerk

TOWN CLERK

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Devizes Town Council
PLANNING COMMITTEE

Committee Members :

DOC5/1

DOC5/1 . 21/00070/LBC Plot Ref :- Type :- LISTED
Applicant Name :- Mr Ian Hopkins Date Received :- 17/02/2021
Parish :- South Date Returned :-
Location :- 103 Southbroom Road Agent
Devizes
Proposals :- Replacement of first floor and ground floor rear windows
Observations :-

DOC5/1 . 21/00468/LBC Plot Ref :- Type :- LISTED
Applicant Name :- Mr & Mrs Jennifer Mellor Date Received :- 17/02/2021
Parish :- Roundway Date Returned :-
Location :- 4 Burnham Court Agent
Thomas Wyatt Road
Devizes
Proposals :- Change of access to kitchen from hall to dining area
Observations :-

DOC5/1 . 21/00678/FUL Plot Ref :- Type :- FULL
Applicant Name :- Michelle & Stuart Field Date Received :- 10/02/2021
Parish :- North Date Returned :-
Location :- 20A The Brittox Agent
Devizes
Proposals :- Change of use of ground floor from retail (Class E) to cafe (Class E) and bar (sui generis)
Observations :-

DOC5/1 . 21/01078/FUL Plot Ref :- Type :- FULL
Applicant Name :- Ms Gabriela Drage Date Received :- 22/02/2021
Parish :- East Date Returned :-
Location :- 2 Phillip Close Agent
Devizes
Proposals :- Extending the back garden to the exterior boundary with a brick wall
Observations :-

Link to plan 21/00070/LBC [here](#)

Link to plan 21/00468/LBC [here](#)

Link to plan 21/00678/FUL [here](#)

Link to plan 21/01078/FUL [here](#)

PLANNING COMMITTEE
2nd March 2021

DOC5/1 . **21/01665/TPO** Plot Ref :- Type :- TPO
Applicant Name :- Mr A White Date Received :- 17/02/2021
Parish :- South Date Returned :-
Location :- Homewood House Agent
Old Park
Devizes
Proposals :- Trees 2 & 10 - Sycamore remove sprouting branches below 15
feet. Trees 7 & 8 Cypress Leylandii trim & reduce back over drive
& road Tree 5 Beech Tree - Tidy up jagged edge left by branch
breaking off Tree 18 Beech Cut back low branch to sound wood
Observations :-

Link to plan 21/01665/TPO [here](#)

[Click here](#) to return to main agenda

PLANNING APPLICATIONS WHICH WILTSHIRE COUNCIL HAVE EITHER
GRANTED OR REFUSED PLANNING PERMISSION

Reference	Details	Applicant	Devizes Town Council Response	Granted or Refused
20/03562/FUL	Proposed external lighting to car park and building – at Sports Field, Green Lane	Mr S Fisher	No comment, 18/05/2020	Granted, 09/02/2021
20/10499/FUL	Increase pitch of rear roof section only by 10degrees with barn hip ends to form loft conversion with roof lights to front and rear – at Rydal, 13 Walden Lodge Close	Mr Steve and Mrs Alison Brooks	No objection, 05/01/2021	Granted, 11/02/2021
20/11264/FUL	Construction of new 2-storey extension to rear of property and single storey extension to side. Other works inc storm porch to front and render to existing rear elevation. External landscape alterations inc replacement of existing roof tiles (resubmission of 20/06725/FUL) – at 7 Lawrence Close	Mr & Mrs Gee	No objection, 02/02/2021	Granted, 16/02/2021

PLANNING COMMITTEE
2nd March 2021

19 February 2021

Development Services
Wiltshire Council
Tel: 0300 456 0114
www.wiltshire.gov.uk
PlanningAppeals@wiltshire.gov.uk

Our Ref: 20/01225/FUL

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

APPELLANTS NAME: Mr & Mrs B Sandell
APPEAL SITE: The Brick Store, Dunkirk Hill, Devizes, SN10 2BD
PROPOSED DEVELOPMENT: Change of use from holiday let to dwelling (unrestricted residential use)
INSPECTORATE REFERENCE: APP/Y3940/W/20/3260904
APPEAL START DATE: 19 February 2021

I am writing to let you know that an appeal has been made to the Planning Inspectorate in respect of the above site.

The appeal is against a refusal in respect of the above site, and is to be decided on the basis of the written representations procedure.

The Planning Inspectorate have introduced an online appeals service which you can use to comment on this appeal. You can find the service through the Appeals area of the Planning Portal – see <https://acp.planninginspectorate.gov.uk>. Alternatively, you can send your comments to teame2@planninginspectorate.gov.uk Comments should be received by **2nd April 2021**.

The Inspectorate may publish details of your comments, on the internet (on the appeals area of the planning portal). Your comments may include your name, address, email address or phone number, please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Any representations received after the deadline will not normally be seen by the Inspector and will be returned.

Any comments you may have already made following the original application will also be forwarded to the Inspectorate (unless they are expressly confidential) but you may withdraw, modify or amplify them now if you wish. All comments received will be copied to the appellant and will be taken into account by the Inspector in deciding the appeal.

If you wish to receive a copy of the appeal Decision Letter, you should write to the Planning Inspectorate specifically requesting one.

The Planning Inspectorate will not acknowledge your letter unless you specifically ask them to do so. They will, however, ensure that your letter is passed on to the Inspector dealing with the appeal.

Finally, you can get a copy of one of the Planning Inspectorate's "Guide to taking part in planning appeals" booklets free of charge from GOV.UK at <https://www.gov.uk/government/collections/taking-part-in-a-planning-listed-building-or-enforcement-appeal>.

When made, the decision will be published online at <https://acp.planninginspectorate.gov.uk>.

Yours faithfully,

Mike Wilmott
Head of Development Management

Doc7/1

19 February 2021

Development Services
Wiltshire Council

Tel: 0300 456 0114

PlanningAppeals@wiltshire.gov.uk

Our Ref: **19/00396/ENF**

Dear Sir/Madam,

TOWN AND COUNTRY PLANNING ACT 1990

APPELLANTS NAME: **Mr and Mrs Ben Sandell**
APPEAL SITE: **The Brick Store, Dunkirk Hill, Devizes SN10 2BD**
INSPECTORATE REFERENCE: **APP/Y3940/C/20/3261091 & 3261363**
APPEAL START DATE: **19th February 2021**

I am writing to let you know that an appeal has been made to the Planning Inspectorate in respect of the above site.

THE BREACH OF PLANNING CONTROL ALLEGED

The following condition (3) has not been complied with;

(3) - Notwithstanding Class C3 of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification), the accommodation hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent, unrestricted accommodation or as a primary place of residence. An up to date register of names and main home addresses of all occupiers shall be maintained and shall be made available at all reasonable times to the Local Planning Authority.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation

The enforcement notice was issued for the following reasons:

It appears to the Council that the condition referred to above is not being complied with because the building is being occupied as permanent residential accommodation in breach

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2nd March 2021

of the said condition. It appears to the council that the breach of planning control has occurred within the last 10 years. The breach of planning control is contrary to the following policies;

- a) The development, due to its position of the site within the 'open countryside' on the periphery of the town of Devizes, would conflict with the settlement strategy of the Wiltshire Core Strategy and the residential policies of the Devizes Area Neighbourhood Plan. The change of use of the building to create an unrestricted open market dwelling would not comply with the exception policies of the local development plan because the application does not present clear evidence to demonstrate that employment, tourism, cultural and community uses are not practical propositions. Furthermore, there are no special circumstances to justify the unrestricted residential use of the building in this location.
- b) The development is therefore deemed to be unsuitable and would conflict with the Council's planned approach to sustainable development. There are no exceptional circumstances or material planning considerations that justify the approval of the development.
- c) In light of the above, the development is considered to conflict with Core Policies 1 'Settlement Strategy', 2 'Delivery Strategy' and 12 'Spatial Strategy'. 'Devizes Community Area' of the adopted Wiltshire Core Strategy, Policy 'H1 Strategic Intent Settlement Framework Boundary' of the made Devizes Area Neighbourhood Plan, and with Central Government policy contained within the National Planning Policy Framework; in particular, Chapters 2 'Achieving Sustainable Development', 4 'Decision- making' and 5 ' Delivering a Sufficient Supply of Homes.
- d) The Council does not consider that planning permission should be given, because planning conditions could not overcome the objections to this development.
- e) The development constitutes intentional unauthorised development.

The enforcement notice requires the following steps to be taken:

Cease occupying the holiday accommodation as permanent residential accommodation.

Ensure that the accommodation is occupied in accordance with the condition referred to above.

The compliance period of time stated on the notice is: 9 months.

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.

The appeal is against an Enforcement Notice in respect of the above site, and is to be decided on the basis of the written representations procedure.

PLANNING COMMITTEE
2nd March 2021

If you wish you are now able to make written comments on the proposal, quoting the Inspectorate reference, and should be received by the **2nd April 2021** Comments can be emailed to teame2@planninginspectorate.gov.uk

Any representations received after the deadline will not normally be seen by the Inspector and will be returned.

All comments received will be copied to the appellant and will be taken into account by the Inspector in deciding the appeal. All comments will be available to public inspection should any such request be made.

If you wish to receive a copy of the appeal Decision Letter, you should write to the Planning Inspectorate specifically requesting one.

The Planning Inspectorate will not acknowledge your letter unless you specifically ask them to do so. They will, however, ensure that your letter is passed on to the Inspector dealing with the appeal.

The Planning Inspectorate has introduced an online appeals service which you can use to comment on this appeal. You can find the service through the Appeals area of the Planning Portal – see www.planningportal.gov.uk/pcs. The Inspectorate may publish details of your comments, on the internet (on the appeals area of the planning portal). Your comments may include your name, address, email address or phone number, please ensure that you only provide information, including personal information belonging to you that you are happy will be made available to others in this way. If you supply information belonging to a third party please ensure you have their permission to do so. More detailed information about data protection and privacy matters is available on the Planning Portal.

Finally, you may wish to note that The Planning Inspectorate has produced a guide to taking part in planning appeals. If you would like to receive a copy of this, please contact me on the telephone number set out at the head of this letter, further information can also be obtained from their web site at www.planning-inspectorate.gov.uk

Yours faithfully,

Mike Wilmott
Head of Development Management