

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 9 MAY 2012 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE, BA14 0RD.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman),
Cllr Mark Griffiths, Cllr John Knight, Cllr Christopher Newbury, Cllr Stephen Petty,
Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Francis Morland and Cllr Graham Payne

35 Apologies for Absence

There were no apologies for absence.

36 Minutes of the Previous Meeting

The minutes of the meeting held on 28 March 2012 were presented.

Resolved:

**To approve as a correct record and sign the minutes of the meeting held
on 28 March 2012.**

37 Chairman's Announcements

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency
and welcomed everyone to the meeting.

The Chairman also informed everyone that he had agreed for a photographer
from the Wiltshire Times to be present throughout the meeting and that people
were welcome to indicate whether or not they wished to be photographed.

38 Declarations of Interest

W/11/02689/FUL - Former Bowyers Site, Stallard Street, Trowbridge, Wiltshire - Demolition and alteration of existing buildings and structures for a comprehensive redevelopment of the site

Councillor Peter Fuller declared a personal interest as a member of Trowbridge Town Council and its Development Control Committee but gave his assurance that he would consider the application with an open mind.

Councillor John Knight declared a personal interest as a member of Trowbridge Town Council and its Development Control Committee but gave his assurance that he would consider the application with an open mind. Councillor Knight added that he had not taken part in the meeting of the Development Control Committee where this application had been discussed and therefore had not endorsed the comments of the Town Council included in the agenda.

39 Public Participation and Councillors' Questions

No questions had been received from councillors or members of the public.

The Chairman explained the rules of public participation and the procedure to be followed at the meeting.

40 Planning Applications

The late list referred to in these minutes is attached for information.

The Committee considered the following applications:

40.a W/11/02689/FUL - Former Bowyers Site, Stallard Street, Trowbridge, Wiltshire - Demolition and alteration of existing buildings and structures for a comprehensive redevelopment of the site

Public Participation:

- Mr David Feather spoke in objection to the application.
- Mr Ross Bowen, RPS planning consultant, spoke in objection to the application.
- Mr Mike Baxter spoke in support of the application.
- Mr Crispin Lilly, Vice-president for Business Affairs for Cineworld, spoke in support of the application.
- Mr Angus Horner, Managing Director for Prorsus, spoke in support of the application.

Councillor John Knight, Unitary Councillor for Trowbridge Central, spoke in support of the application.

Councillor Graham Payne, Unitary Councillor for Trowbridge Drynham, spoke in support of the application.

The Area Development Manager introduced the report which recommended refusal for the application and in doing so highlighted the planning policies to be taken into account and the main issues with the proposed development which included highways considerations.

The Chairman then drew the committee's attention to the late list.

The Chairman invited Alistair Cunningham, Service Director - Economy & Enterprise, to comment on the proposed development from a regeneration and policy perspective. From a policy and regeneration perspective the proposed development was considered as potentially detrimental to the regeneration of Trowbridge town centre.

In responding to technical questions asked the Area Development Manager confirmed that each application before the committee had to be considered on its own merit and the sequential test should be applied to this application.

The Senior Planning Solicitor explained to members of the committee that this application would be vulnerable to Judicial Review by an aggrieved party if the following were not provided and considered by the committee before the application was considered for and approved:

- possible reasons for approval;
- a full set of suggested conditions; and
- appropriate heads of term for any legal agreements.

During the ensuing lengthy debate it was agreed that a redevelopment of the site was desirable, however it was also recognised that a development of this type and scale would have to be subject to numerous conditions and various legal agreements, the drafting of which could not be practically achieved at the meeting, should it be considered for approval. Members of the committee were particularly keen to see issues such as highways and access concerns addressed either in the conditions or as part of a Section 106 Agreement.

Recognising the importance of the proposed development for the immediate neighbourhood as well as the town of Trowbridge, some members of the committee were minded to approve the application however they could not be satisfied that they had sufficient information available to them at that time.

It was therefore

Resolved:

To defer the application until the 20 June 2012 meeting when the conditions and heads of terms for any legal agreement, that would be required to secure the completion of the development and to secure improvements to highway access to the railway station, could be presented to the committee for consideration before the committee took a decision on the application.

40.b W/11/03225/FUL - Holt Joinery, The Midlands, Holt, Wiltshire, BA14 6RG - Demolition of existing building and erection of new dwelling

Public Participation

- Mr Peter Hulbert spoke in objection to the application
- Mr Dean Jefferies spoke in objection to the application
- Mr Simon Chambers, agent, spoke in support of the application
- Mr Steve Siddall, Holt Parish Council, spoke in objection to the application

The Area Development Manager introduced the report which recommended approval for the application.

During the ensuing debate members of the committee could not alleviate their concerns regarding the proximity of the site to the adjacent vehicle repair workshop and the impact the proposed dwelling would have, especially due to its size compared to the size of the plot it was proposed to be built on and its impact on the conservation area and the setting of the nearby listed building.

It was therefore

Resolved:

That planning permission be REFUSED

For the following reasons:

1) The proposed development would result in the introduction of a residential use adjacent to an active vehicle repair workshop served from the access that runs alongside the proposed new dwelling. The close juxtaposition of this residential use with the active vehicle repair workshop would be likely to have an adverse impact on the operation of the vehicle repair workshop, as there could be pressure on the business to change its working practices (such as operating with the access doors open to demonstrate to customers that the business is open) in order to protect the amenity of the occupiers of the proposed new dwelling. This would conflict with policy E5 (ii) of the West Wiltshire District Plan 1st alteration and with Government guidance in the National Planning Policy Framework (NPPF) paragraph 123.

2) The proposed development, by reason of its bulk and design, with a tall dwelling standing in isolation and occupying almost the full width of the plot, and with open parking to the frontage, would have an adverse impact on the appearance of this part of the conservation area and would be intrusive on the setting of the nearby listed building. This would conflict with policy C18 (a) and (b) of the West Wiltshire District Plan 1st Alteration

**40.c W/11/03226/CAC - Holt Joinery, The Midlands, Holt, Wiltshire, BA14
6RG - Demolition of existing building**

There was no Public Participation.

The Area Development Manager introduced the report which recommended that conservation area consent be granted.

Following a debate it was

Resolved:

That conservation area consent be GRANTED

For the following reason(s):

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

- 1 The works for which conservation area consent is hereby granted shall be begun within three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No demolition shall be undertaken on site until such time as a detailed schedule of the demolition works has first been submitted to and approved in writing by the Local planning Authority; such details to include:

- (a) timing of demolition works;
- (b) the parking of vehicles of site operatives and visitors;
- (c) loading and unloading of plant and materials;
- (d) wheel washing facilities;
- (e) measures to control the emission of dust and dirt during demolition;

and such works shall be implemented fully in accordance with such approved details unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of visual amenity and the character and appearance of the Conservation Area.

POLICY: PPS5 - Planning for the Historic Environment and West Wiltshire District Plan 1st Alteration 2004 - Policies C17 and C22.

- 3 The building shall not be demolished before a contract for the carrying out of the works of redevelopment of the site has been entered into, and

planning permission has been granted for the redevelopment for which the contract provides.

REASON: To ensure that the character and appearance of the conservation area is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C17 & C18

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

LOCATION PLAN received on 08.12.2011

SITE LAYOUT PLAN – Drawing No. LPC/2975/2A received on 27.01.2012

GROUND, FIRST AND SECOND FLOOR PLANS & SECTION – Drawing No. LPC/2975/3B received 23.02.2012

ELEVATIONS – Drawing No. LPC/2975/4A received on 27.01.2012

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

41 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 6.00 - 8.50 pm)

The Officer who has produced these minutes is Marie Gondlach (Democratic Services Officer), of Democratic Services, direct line 01225 713597, e-mail marie.gondlach@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115