

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 20 NOVEMBER 2019 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Jonathon Seed (Vice-Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Edward Kirk, Cllr Stewart Palmen, Cllr Pip Ridout and Cllr Gordon King (Substitute)

Also Present:

Cllr Horace Prickett, Cllr Andrew Bryant and Cllr Suzanne Wickham

65 Apologies

Apologies for absence were received from Cllr Sarah Gibson, who was substituted by Cllr Gordon King and Cllr Darren Henry.

66 Minutes of the Previous Meeting

The minutes of the meeting held on 23 October 2019 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 23 October 2019.

67 Declarations of Interest

There were no declarations of interest made at the meeting.

68 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.

69 Public Participation

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

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

70 **Planning Appeals and Updates**

An update on planning appeals and decisions was received during the period 11 October to 8 November 2019.

Mr F Morland, a resident of Chapmanslade, during the public participation, referred to the documented enforcement appeal set out within item 6 of the agenda and informed the committee of another lodged appeal at Semington which is pending consideration and follows on from two recent dismissed appeals. Mr Morland also referenced to the dismissed enforcement appeal pursuant to the unauthorised use of a building at Fairfield Farm, Southwick which followed on from a refused certificate of lawfulness application and that as part of the appeal, the Council had applied for a costs award which was allowed by the appointed planning inspector. On a separate point, Mr Morland voiced his ongoing difficulties with obtaining access to enforcement notice documentation through the Council's public access portal. In response, the Development Management Area Team Leader acknowledged Mr Morland's request and advised that he would raise this issue with the Head of Service.

The Development Management Area Team Leader also informed the committee of a correction to the referenced Fairfield appeal set out within item 6; and, provided a brief outline of the case.

Resolved:

To note the contents of the update.

71 **Planning Applications**

The Committee considered the following applications:

71a 19-02724-FUL - 212 The Common, Holt, BA14 6QN

Public Participation

Mr Peter Auburn, a local resident, spoke in objection to the application.

Ms Elsa Joyce, a local resident, spoke in objection to the application.

Mr Simon Norris, the applicant, spoke in support of the application.

The Committee received a presentation from the Development Management Area Team Leader which set out the main issues in respect of the application. He drew attention to the decision of the Committee at its last meeting to defer consideration of the application to this meeting pending the holding of a Member site visit, which had been held earlier that afternoon.

The purpose of the report was to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider the recommendation that the application be approved, subject to conditions.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as detailed above.

Members then heard the views of Cllr Trevor Carbin, as local Member, who objected to the proposal as he considered that it conflicted with Core Policy 57, paragraph (vii) which stated that “having regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants, and ensuring that appropriate levels of amenity are achievable within the development itself, including the consideration of privacy, overshadowing, vibration, and pollution (e.g. light intrusion, noise, smoke, fumes, effluent, waste or litter)”. He thereupon proposed that permission be refused for this reason but the proposal was not seconded and thereupon fell.

During discussion, Members expressed general support for the proposal but did consider that an additional planning condition should be included to remove permitted development rights for any additional windows, doors or other form of openings other than those shown on the approved plans, being inserted in the side elevations of the extension.

Thereupon on the proposal of Cllr Jonathon Seed, which was seconded by Cllr Andrew Davis,

Resolved:

To grant planning permission, subject to the following conditions:-

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site beyond slab level until the exact details and samples of the materials to be used for the external walls 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

3. The slate to be used in the development hereby permitted shall match the existing building in terms of their material, colour, texture, profile and pattern of laying.

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

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the side elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

5. Before the development hereby permitted is first occupied the windows in the North East elevation and South West Elevation serving the bathroom and en-suite shall be glazed with obscure glazing only and to an obscurity level of no less than level 3; and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

6. The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans annotated as Existing, Proposed Extension received by the Local Planning Authority on 3rd September 2019.

REASON: For the avoidance of doubt and in the interests of proper planning.

71b 19/07073/FUL - Land south of Stourton Farm, Westbury Road, Steeple Ashton, Trowbridge BA14 6DE

Public Participation

Mr Roy Clarke, a local resident, spoke in objection to the application.

Mr Simon Croft, the agent, spoke in support of the application.

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. The purpose of the report was to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider the recommendation that the application be approved, subject to conditions.

Members then had the opportunity to ask technical questions after which they heard statements from members of the public as detailed above.

Members then heard the views of Cllr Horace Prickett, as local Member, who stated that he supported the views of West Ashton Parish Council especially regarding the scale of the proposed development, for which planning permission was being applied for retrospectively and appeared to be larger than what was approved in 2015.

During discussion, the sensitivities of the neighbours were appreciated but it was noted that the application was in line with agricultural legislation.

Thereupon on the proposal of Cllr Jonathon Seed, which was seconded by Cllr Stewart Palmen,

Resolved:

To grant planning permission, subject to the following conditions:-

1. The development hereby permitted shall be carried out in accordance with the following approved plans:

Location/block plan scale 1:2500/1:500 Dwg no. 2379/1 A

Proposed plans and elevations scale 1:100 Dwg no. 2379/2

REASON: For the avoidance of doubt and in the interests of proper planning.

2. The development hereby approved shall only be used for the purposes of agriculture and the storage of agricultural equipment and material and for no other purpose.

REASON: In the interests of the appearance of the site and the amenities of the area.

3. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside the building hereby approved.

REASON: In the interests of the appearance of the site and the amenities of the area.

4. No external lighting shall be installed on the building hereby approved or within its curtilage until full details showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication "Guidance Notes for the Reduction of Obtrusive Light GN01:2011 have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be

maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site

71c 19/06545/FUL - 23 and 23A Wiltshire Drive, Trowbridge, BA14 0RR

The Committee received a presentation from the Case Officer which set out the main issues in respect of the application. The purpose of the report was to assess the merits of the proposal against the policies of the Development Plan and other material considerations and to consider the recommendation that the application be approved, subject to conditions.

Members then had the opportunity to ask technical questions after which they heard the views of Cllr Andrew Bryant, the local Member. He supported the views of Trowbridge Town Council who objected to the proposal on the grounds that it would result in significant adverse impact on the amenity of residents' neighbouring properties. Furthermore, the Town Council did not consider that sufficient parking facilities had been provided.

During discussion, Members expressed concern that some unauthorised parking had been taking place on open spaces in front of some properties and requested that the Council's Enforcement Team be asked to investigate.

Thereupon on the proposal of Cllr Jonathon Seed, which was seconded by Cllr Stewart Palmen,

Resolved:

To grant planning permission, subject to the following conditions:-

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

Revised Site Location Plan, Revised Existing Elevation Plan and Revised Proposed Elevation Plan – all received on 9 October 2019

REASON: For the avoidance of doubt and in the interests of proper planning.

3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the north eastern side elevation above ground floor ceiling level of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

INFORMATIVE TO APPLICANT:

The applicant is advised to take careful note of the fact that this planning permission does not extend to approving the unauthorised driveway and parking provision that has been created off the adopted C' class public highway at the front of the property. By way of an additional note to this informative, the committee with the full support of the local ward member, instructed planning officers to refer the unauthorised works to the planning enforcement team.

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.30 pm)

The Officer who has produced these minutes is Jessica Croman of Democratic Services, direct line 01225 718262, e-mail jessica.croman@wiltshire.gov.uk

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