

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 8 DECEMBER 2010 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr Mark Griffiths, Cllr Malcolm Hewson, Cllr John Knight, Cllr Francis Morland (Substitute), Cllr Christopher Newbury, Cllr Graham Payne, Cllr Stephen Petty, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Stephen Oldrieve and Cllr Julie Swabey

194. **Apologies for Absence**

Apologies for absence were received from Councillor Ernie Clark (substituted by Councillor Francis Morland).

195. **Minutes of the Previous Meeting**

The minutes of the meeting held on 27 October 2012 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 27 October 2010.

196. **Declarations of Interest**

W/10/03031/FUL – Councillors Peter Fuller and John Knight declared a personal interest as members of Trowbridge Town Council, although the application had not been considered by Trowbridge Town Council it had been discussed. They both gave their assurance that they would consider the application on its own merit and with an open mind.

W/10/03031/FUL – Councillor Steve Oldrieve, Unitary Member for Trowbridge Paxcroft, declared a personal interest as a member of the Friends of the Hilperton Gap.

W10/03311/FUL – Councillor Francis Morland declared a personal interest as a member of Dilton Marsh Parish Council, although he had not been present at the meeting where the application was considered by the Parish Council he had commented on the application. He gave his assurance that he would consider the application on its own merit and with an open mind.

W10/03311/FUL – Councillor Jonathon Seed declared a personal interest as the Chairman of the northern half of the County's Operational Flood Working Group as he addressed the issue of flooding. He gave his assurance that he would consider the application on its own merit and with an open mind.

197. **Chairman's Announcements**

The Chairman announced that Application W/10/02695/FUL (Retrospective application for the siting of a catering trailer – Riverside MOT Centre Bradford Road Melksham Wiltshire SN12 8LQ) had been withdrawn by the applicant. Members of the Committee expressed concerns over the length of time elapsed until the committee could consider the application and the fettering of the committee's discretion by Wiltshire Council's scheme of delegation.

The local members requested reassurance that a new application would be submitted rapidly. It was therefore agreed that the Officers would write to the applicant stating that an application would need to be submitted before the end of January 2011 to avoid formal action being taken to remove the unauthorised trailer.

Councillors also received confirmation that the newly submitted application would follow the same process as any application and it would be possible to call it in if felt needed.

198. **Public Participation**

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

199. **Planning Applications**

The Committee considered the following applications:

199.a W/10/02695/FUL - Retrospective application for siting of a catering trailer - Riverside MOT Centre Bradford Road Melksham Wiltshire SN12 8LQ

This item was withdrawn – see Minutes 197.

199.b W/10/03031/FUL - Application to renew planning permission W/05/00744/FUL to allow time to submit reserved matters pursuant to reference 98/01149/OUT - Land West Of Biss Farm West Ashton Road West Ashton Wiltshire

Public Participation:

1. Mr Ken McCall spoke in objection to the application
2. Mr John Ralph spoke in objection to the application
3. Mr David Hutchison, agent for the applicant, spoke in support of the application
4. Mr Richard Covington, West Ahston Parish Council, spoke in objection to the application

Councillor Steve Oldrieve, Unitary Member for Trowbridge Paxcroft (adjoining Division) expressed his concerns with regards to the application.

Officers introduced the report which sought approval for an extension of time for a previously approved outline development, and drew the Committee's attention to the late list which contained additional comments as well as an amendment to the Planning Officer's comments included in the agenda.

The Highway Officer answered questions from the Committee, including clarification of the conditions agreed in 2005, the sufficiency of the conditions proposed in the agenda, and details of the proposed improvements to highways and crossroads.

During the ensuing debate members of the Committee expressed their concern over the conditions in place with regards to the proposed major road improvements and their sufficiency.

It was therefore

Resolved:

To defer the application to allow officers, in relation to the conditions on highway improvements (including West Ashton Road, A350, Yarnbrook) to request policy responses from the Spatial Planning Team and in respect of highway improvements from specialist highways officers.

199.c W/10/03311/FUL - New dwelling - Land Rear Of 11 And 15 St Marys Lane Dilton Marsh Wiltshire

Public Participation:

1. Mrs Paula Carr spoke in objection to the application
2. Mrs Sheila Kimmins spoke in objection to the application

3. Mr Lindsay Young (applicant) spoke in support of the application

Councillor Julie Swabey, Unitary Member for Ethandune, expressed her concerns with regards to the application.

Officers introduced the report which sought approval, reminded members of the Committee that drainage was not a planning issue and drew their attention to the late list.

A debate ensued during which issues such as the use of porous surfaces, flooding, scale of the development and retention of vegetation and trees were discussed.

Members of the Committee expressed their concern regarding the deadline date for comment given to Dilton Marsh Parish Council with regards to the application and the revised drawings.

Resolved:

That planning permission be GRANTED on or after 15 December 2010 in the event of the Area Development Control Manager being satisfied that no new material objections have been raised by Dilton Marsh Parish Council.

For the following reason(s):

The proposed development would not materially affect the amenities of the neighbours or result in any detrimental impact on the street scene and any planning objections have been overcome by conditions.

Subject to the following condition(s):

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 until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include

- * indications of all existing trees and hedgerows on the land;
- * details of any to be retained, together with measures for their protection in the course of development;
- * all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- * finished levels and contours;
- * hard surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

5. Notwithstanding the details required by condition 3, the existing hedge along the frontage of the site shall be retained except where necessary to create the vehicular access into the site and maintained in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development

West Wiltshire District Plan 1st Alteration 2004 – POLICY: C32

6. No development shall commence on site until details of any screen walls and/or fences have been submitted to and approved in writing by the Local Planning Authority. The screen walls and/or fences shall be erected in accordance with the approved details prior to the occupation of the dwelling hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C32 and C38

7. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: U2

8. The development hereby permitted shall not be occupied until the access, parking area and footway have been implemented in a consolidated porous surface (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The areas shall be maintained as such thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 above ground floor level in the rear and side elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C38

10. No development shall commence on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the

Local Planning Authority. The dwelling shall not be occupied until the approved details have been fully implemented in accordance with the approved details.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage

11. No development shall commence on site until the following details, based on a 1 in 100 year flood flow design standard, have been submitted to and approved in writing by the Local Planning Authority.

- (a) A scheme for the alleviation of flooding
- (b) A detailed programme of proposed drainage works
- (c) The method of accommodating the watercourses near the site

The development shall not be occupied until the works have been completed in accordance with the approved details and programme.

REASON: In the interests of flood prevention.

Informative(s):

1. The developer is advised to contact Wessex Water with regard to the connection to Wessex infrastructure for the disposal of foul flows, surface water flows and water supply, and to ascertain whether there may be any uncharted sewers or water mains within or near to the site

2. In connection with Condition 10, the applicant is advised that the granting of this permission does not confer any rights to a connection to any existing private drainage system within or in the vicinity of the site.

3. The applicant is advised that it is an offence under the Wildlife and Countryside Act 1981 to disturb protected species including Great Crested Newts and nesting birds. In the event of discovering protected species or nesting birds, works should cease immediately and advice sought from a suitably qualified ecologist or Natural England.

199.d W/10/03172/FUL - Demolition of existing rear extension and replacement with two storey extension, general repair and maintenance works to interior and exterior of existing listed building - 12 High Street Steeple Ashton Wiltshire BA14 6EL

Public Participation:

1. Mr Borchet (agent for the applicant) spoke in support of the application

Officers introduced the report which sought approval, and explained the implication of the building being Grade II listed.

During the ensuing debate the Committee sought clarification over the proposal.

Resolved

That planning permission 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.

Subject to the following condition(s):

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 until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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 west and south east elevations of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C38

199.e W/10/03173/LBC - Demolition of rear extension and two storey rear extension - 12 High Street Steeple Ashton Wiltshire BA14 6EL

Resolved

That listed building 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

Subject to the following condition(s):

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of 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 development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICIES: C31a and C28

3. No works shall commence on site until details of all new external window joinery have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C28
Planning Policy Statement 5: Planning for the Historic Environment

4. The roof lights hereby approved shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C28

Planning Policy Statement 5: Planning for the Historic Environment

5. No works shall commence on site until details of all new or replacement rainwater goods (which shall be of metal construction and finished in black) and their means of fixing to the building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C28
Planning Policy Statement 5: Planning for the Historic Environment

200. **Planning Appeals Update Report**

The Planning Appeals Update Report for October 2010 was received.

Resolved:

To note the Planning Appeals Update Report for October 2010.

201. **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 6.00 - 8.20 pm)

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

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