

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 12 JANUARY 2011 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Ernie Clark, Cllr Andrew Davis (Substitute), Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr John Knight, Cllr Christopher Newbury, Cllr Graham Payne, Cllr Stephen Petty, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

1. Apologies for Absence

Apologies for absence were received from Councillor Mark Griffiths (substituted by Councillor Andrew Davis).

2. Minutes of the Previous Meeting

The minutes of the meeting held on 8 December 2010 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 8 December 2010.

3. Declarations of Interest

W/10/03236/REM – Councillor Ernie Clark declared a personal interest as he had chaired the meeting of Hilperton Parish Council meeting when this application had been discussed, however Councillor Clark neither took part in the debate nor voted on the matter. Although pre-disposed against the application in its current form Councillor Clark gave his assurance that he would consider it with an open mind.

4. Chairman's Announcements

The Chairman announced that the following officers had or would be leaving their employ at the Council, Dave Hubbard, Ian Ward and Rosie MacGregor. He thanked them for all their hard work over the years and the Committee joined him in wishing them all the best for the future.

The Chairman explained that Mike Wilmott would be taking over from Dave Hubbard as Area Development Manager. The Chairman informed members of the Committee that Councillors should receive a briefing on the management restructure of the Development Service.

5. **Public Participation**

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

6. **Planning Applications**

The Committee considered the following applications:

6.a W/10/03236/REM - Land Rear Of The Grange Ashton Road Hilperton Wiltshire

Public Participation:

1. Mr Nick Chisnall spoke in objection to the application
2. Ms Jo Angell spoke in objection to the application
3. Mr Andy Jennings spoke in objection to the application
4. Mr Stephen Wood, on behalf of the developers, spoke in support of the application
5. Mr Kendrick Jackson, Hilperton Parish Council, spoke in objection to the application

Officers introduced the report which sought approval of reserved matters, and drew the Committee's attention to the late list which contained clarifications of the Planning Officer's comments included in the agenda.

During the ensuing debate members of the Committee expressed concerns over the scale and density of the development, the preservation of the Hilperton conservation area's appearance, and the design of the development.

During the course of the debate Councillor Ernie Clark moved refusal of the reserved matters with reasons as detailed at the meeting which included additional traffic, scale and design of the development, and not preserving or enhancing the conservation area's appearance. On being put to the vote the motion was lost.

Councillor Ernie Clark asked for his vote in support of the refusal to be recorded.

Members of the Committee considered the issue of adequate drainage for the site and added a condition to the motion as detailed below.

Resolved:

That reserved matters be APPROVED

For the following reasons:

The details submitted to satisfy the reserved matters of planning permission reference 05/00554/OUT are satisfactory and the development would result in no harm to any material planning interests.

Subject to the following conditions:

- 1 No development shall commence on site until details of the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture, including the timetable for provision of such works, have been submitted to and approved by the Local Planning Authority. The development shall not be first occupied until the estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture have all been constructed and laid out in accordance with the approved details, unless an alternative timetable is agreed in the approved details.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 2 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

- 3 No part of the development hereby approved shall be first occupied until parking areas shown on the approved plans have been consolidated, surfaced and laid out in accordance with the approved details. These area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 4 Any garage doors installed at any time in the garage(s) hereby permitted shall be fitted so that its leading edge does not project forward of the leading wall of that garage.

REASON: In the interests of highway safety and convenience.

- 5 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety.

- 6 No dwelling hereby approved shall be occupied until all hardstanding areas within each residential curtilage have been made of porous materials, or provision has been made to direct run off water from the hard surface to an approved permeable or porous area or surface, and that the completed works are in accordance with details to be submitted and approved by the Council. The drainage scheme shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.

REASON To ensure that the development can be adequately drained.

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

Informatives:

- 1 The developer is advised to contact Wessex Water regarding connection to their systems and the potential implications of the Flood and Water Management Act 2010 on their proposals. Wessex Water can be contacted on 01225 526000.
- 2 The developer is advised that the approval of these reserved matters does not absolve them of other statutory requirements under the Wildlife and Countryside Act 1981 in connection with protected species which may be present on the site.

6.b W/10/03399/FUL - Land West Of 28 Fairwood Road Dilton Marsh Wiltshire

Public Participation:

1. Ms Charlotte Watkins, agent for the applicant, spoke in support of the application

Councillor Julie Swabey, Unitary Councillor for Ethandune, had called-in the application but was unable to attend the meeting. Her support for the application was detailed in her letter as included in the late list.

Officers introduced the report which sought refusal and drew the Committee's attention to the late list which contained additional information received and further representations from the Agent.

During the ensuing debate the Committee considered the offered justification for functional and financial need, existing accommodation on the site and business ties for the temporary accommodation.

Resolved:

That Planning permission be GRANTED

For the following reasons:

There is adequate justification to grant a temporary three year permission linked to the fishing lake business.

Subject to the following conditions:

- 1 The use and mobile home hereby permitted shall be for manager's accommodation only, associated with the operation of Cuckoo's Rest Fishing Lakes, and shall not be used for any other purpose.

REASON: In the interests of highway safety, to protect the living conditions of nearby residents and preserve the rural amenity.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C1 and H19.

- 2 The mobile home hereby permitted shall be removed from the site, the use discontinued and the land restored to its former condition on or before 01.02.2014 in accordance with a scheme of work submitted to and approved in writing by the Local planning Authority.

REASON: In the interests of the rural amenity, to secure the restoration of the land upon removal and the extinguishment of a use for which permission can be justified only on the basis of a special temporary need.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C1, H19 and guidance contained within PPS7 – Sustainable Development in Rural Areas.

7. **Planning Appeals Update Report**

The Planning Appeals Update Report for November 2010 was received, as well as an update on the Appeal by Marston's PLC against a refusal to modify a planning obligation on land at Hackett Place, Hilperton (W/09/01022/FUL).

Councillor Clark pointed out that no Parish Councillors had attended the inquiry, contrary to the third paragraph of the report on page 39.

Councillors expressed unease as costs had still been incurred after Wiltshire Council had informed the Planning Inspectorate and the appellants that the council would not defend the appeal at the forthcoming public inquiry. Although members of the Committee accepted that these might have been lesser costs than could have been incurred they still felt that there were some flaws in the mechanism and that Wiltshire Council may want to look into tightening the procedures to ensure that costs are stopped as soon as the Planning Inspectorate and the appellants have been informed of the decision not to defend the appeal.

The Committee was offered reassurance that the intention was to maintain the appeals update report in its existing format despite the imminent departure of the officer currently responsible for the update report.

Resolved:

To note the Planning Appeals Update Report for November 2010.

8. **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 6.00 - 8.00 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

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