

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 23 MARCH 2011 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr Malcolm Hewson, Cllr John Knight, Cllr Christopher Newbury, Cllr Stephen Petty, Cllr Fleur de Rhe-Philippe (Substitute), Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Trevor Carbin and Cllr Francis Morland

25 **Apologies for Absence**

Apologies for absence were received from Councillor Mark Griffiths (substituted by Councillor Fleur de Rhé-Philippe) and Councillor Graham Payne.

26 **Minutes of the Previous Meeting**

The minutes of the meeting held on 2 March 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 2 March 2011.

27 **Declarations of Interest**

W/10/03506/REM - Reserved matters application for design, external appearance and landscape of 38 dwellings, garages and associated works pursuant to outline planning permission 04/00095/OUT - Land At Blue Hills Devizes Road Hilperton Wiltshire.

Councillor Ernie Clark declared a personal interest as he had chaired the meeting of Hilperton Parish Council when this application had been discussed. Councillor Ernie Clark gave his assurance that he would consider the application with an open mind.

28 **Chairman's Announcements**

There were no Chairman's Announcements.

29 **Public Participation**

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

30 **Planning Applications**

The Committee considered the following applications:

30.a W/10/03506/REM - Reserved matters application for design, external appearance and landscape of 38 dwellings, garages and associated works pursuant to outline planning permission 04/00095/OUT - Land At Blue Hills Devizes Road Hilperton Wiltshire

Public Participation:

- Ms Kate Churchill spoke in objection to the application
- Mr Bailey spoke in objection to the application
- Mr George McDonic spoke in objection to the application

Officers introduced the report which sought approval for reserved matters and in doing so highlighted the fact that the main issues to be considered by the Committee were design, external appearance and landscaping. Permission had been granted on 10 July 2009 to the extant outline planning application 04/00095/OUT which approved the scheme in principal and also the details of access and siting.

During the ensuing debate it was explained that a different legislation protected the badgers present on the site as they were not a European Protected Species. The Committee was reassured that condition 16 in the outline application would not be discharged by this application. The Committee was also reassured that the non material amendments to the outline planning application permission had been subjected to were, indeed, minor alterations to the siting and layout of the scheme.

Members of the Committee recognised the mitigation efforts made by the developer but felt that some of the issues and concerns raised by members of the public could possibly be addressed with some additional conditions and informative with regards to the use of obscure glass for overlooking windows, the future usage of garages and access to the site by builders and developers.

It was therefore

Resolved

That the reserved matters application be approved

For the following reason:

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

Subject to the following conditions:

1 Before the development hereby permitted is first occupied the first floor window in the west elevation of plot 1, shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.
West Wiltshire District Plan 1st Alteration 2004 - POLICY: C38

2 The development shall be carried out as specified in the approved Arboricultural constraints plan reference ABBEY17434-01 and shall be supervised by an arboricultural consultant.

REASON: To prevent trees on site from being damaged during construction works.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policies C32 and H8B

3 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.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policies C32 and H8B

4 This approval relates to the following plans and documents:

Drawing : 1378-100 received on 05.11.2010
Drawing : 1378-115 A received on 05.11.2010
Drawing : 1378-101 G received on 23.03.2011
Drawing : 1378-102 received on 23.11.2010
Drawing : 1378-111 received on 05.11.2010
Drawing : 1378-112 received on 05.11.2010
Drawing : 1378-113 received on 05.11.2010
Drawing : 1372-114 A received on 17.11.2010
Drawing : 1378-109 received on 05.11.2010
Drawing : 1378-110 received on 05.11.2010
Drawing : 1378-105 received on 05.11.2010
Drawing : 1378-106 received on 05.11.2010
Drawing : 1378-107 received on 05.11.2010
Drawing : 1378-108 received on 05.11.2010
Drawing : 1378-117 received on 05.11.2010
Drawing : 1378-118 received on 05.11.2010
Drawing : 1378-119 received on 09.02.2011
Drawing : 3016/SK02 C received on 25.03.2011
Drawing : ABBEY17434-01 received on 05.11.2010
Drawing : ABBEY17434-10 sheet 1 of 2D received on 25.03.2011
Drawing : ABBEY17434-10 sheet 2 of 2D received on 25.03.2011

TREE REPORT dated 03.09.2010

LANDSCAPE SPECIFICATION dated October 2010

DESIGN AND ACCESS STATEMENT dated October 2010

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 garages hereby permitted shall not be converted to habitable accommodation.

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

6. Before the dwellings on plots 3-6 inclusive are first occupied, the rear facing second floor rooflights shall be glazed with obscure glass and shall be maintained as such thereafter.

REASON: To protect the amenity of nearby properties.

Informatives:

1 Your attention is also drawn to the conditions imposed on the outline planning permission reference 04/00095/OUT and dated 10 July 2009.

2 This approval shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the 9 July 2009.

3 The applicant should note that there may be badger setts in the vicinity of the site, and as a consequence compliance with certain requirements and provisions of the Badgers Act 1991 may be necessary. If this is the case the applicant is advised to contact Natural England who are responsible for issuing licences relating to development on the site of badger setts.

4 The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. Furthermore it is an offence to kill or injure reptiles. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. For further advice, please contact the district ecologist at Wiltshire Council.

5 The developer is advised that the Environment Agency would expect the surface water drainage system of the site to incorporate elements of sustainable drainage where possible. These techniques include soakaways, infiltration trenches, permeable pavements, grassed swales, attenuation ponds and rainwater harvesting. The variety of sustainable drainage techniques available means that virtually any development should be able to include a scheme based around these principles. More information can be found in the CIRIA SUDS Manual (C697) or at <http://www.environment-agency.gov.uk/business/sectors/36998.aspx>

6 To avoid undue disturbance to local residents in Norris Road, Hanewell Rise and Stourton Park, the developer is requested to consider the use of the existing access from Devizes Road as the main access for construction vehicles and associated traffic movements.

Councillor Ernie Clark asked for his abstention vote to be recorded.

31 Planning Appeals Update Report

The Planning Appeals Update Report for February 2011 was received.

Resolved:

To note the Planning Appeals Update Report for February 2011.

32 Urgent Items

There were no Urgent Items.

(Duration of meeting: 6.00 - 7.00 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

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