

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 4 MAY 2011 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr Mark Griffiths, Cllr John Knight, Cllr Christopher Newbury, Cllr Graham Payne, Cllr Stephen Petty, Cllr Pip Ridout (Substitute) and Cllr Jonathon Seed

Also Present:

Cllr Trevor Carbin, Cllr Linda Conley, Cllr David Jenkins, Cllr Francis Morland, Cllr Helen Osborn and Cllr Jeff Osborn

40 **Apologies for Absence**

Apologies for absence were received from Councillor Roy While (substituted by Councillor Pip Ridout).

Councillor Julie Swabey, although not a member of the Committee, asked for her apologies to be recorded as she had called in an application on the agenda for this meeting but was unable to attend the meeting, due to circumstances outside her control.

41 **Minutes of the Previous Meeting**

The minutes of the meeting held on 13 April 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 13 April 2011.

42 **Declarations of Interest**

W/11/00286/FUL - Demolition of existing triple garage and erection of three bedroom house and formation of two in-curtilage parking spaces - Land Adjoining 43 Crawley Crescent Trowbridge Wiltshire.

Councillors Peter Fuller and John Knight declared a personal interest as

members of Trowbridge Town Council Development Committee. Councillors Peter Fuller and John Knight gave their assurance that they would consider the application with an open mind.

Councillor Graham Payne had been unable to attend the site visit for this application and therefore declared that he would neither speak nor vote on this item.

W/11/00590/FUL - Erection of single storey extension to south east elevation and two storey extension to east elevation - 18B Horse Road Hilperton Wiltshire BA14 7PE

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

43 **Chairman's Announcements**

There were no Chairman's Announcements.

44 **Public Participation**

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

45 **Planning Applications**

The Committee considered the following applications:

45.a W/11/00286/FUL - Demolition of existing triple garage and erection of three bedroom house and formation of two in-curtilage parking spaces - Land Adjoining 43 Crawley Crescent Trowbridge Wiltshire

Public Participation:

- Mr Matthew Whiting spoke in objection to the application
- Mr Stuart Young spoke in objection to the application
- Mr Chris Sumner spoke in objection to the application
- Mr Richard Cosker, agent, spoke in support of the application

Councillor Helen Osborn, Unitary Member for Trowbridge Lambrok, spoke in objection to the application and urged the committee to take into account the impact on the character and appearance of the area, the loss of amenity to residents at 22 and 24 Bridge Avenue and the negative impact on the adjoining alleyway from the tall blank wall.

Councillor Jeff Osborn, Unitary Member for Trowbridge Grove, spoke in objection to the application reinforcing the objections from Councillor Helen Osborn and asking the committee to consider issues including the changes in PPS3, density, local concern over the development and the changes to the local environment.

Officers introduced the report which sought approval and in doing so drew the committee's attention to the late list. Members of the committee commented on the usefulness of the site visit with regards to this application.

During the ensuing debate members of the committee could not be satisfied that the application would not constitute over development and have a detrimental effect on the character of the area and the street scene.

It was therefore

Resolved:

That planning permission be REFUSED

For the following reasons:

The proposal, by reason of its length, size, mass, form, siting and orientation would be an overdevelopment of the site that would be detrimental to the character of the area and the street scene contrary to policy C31a of the West Wiltshire District Plan. It would also have an adverse impact on the amenity, of neighbouring properties, contrary to policy C38 of the West Wiltshire District Plan.

PPS3 as revised in June 2010 removes these types of development from the classification as brown-field and therefore this is a material change since the original and now lapsed planning permission was approved.

45.b W/10/03406/FUL - Proposed erection of 117 dwelling houses, public open space and associated landscaping, highways and drainable infrastructure - Land At Hawkeridge Road And Slag Lane Westbury Wiltshire

Public Participation:

- Mr Bruce Evans spoke in objection to the application
- Mr Glenn Godwin, agent, spoke in support of the application

Councillor David Jenkins, Unitary Member for Westbury North, expressed his concerns over the application.

Councillor Francis Morland, Unitary Member for Southwick, also expressed his concerns.

Officers introduced the report which sought approval and in doing so drew the committee's attention to the late list.

During the ensuing debate members of the committee could not be satisfied that sufficient material considerations had been provided in order to depart from the Development Plan.

Resolved:

That planning permission be REFUSED

For the following reasons:

1. The site is not allocated for residential development in the Western Wiltshire District Plan and lies outside of the town policy limits defined for Westbury in the Plan. As such, residential development on this site would conflict with policy H1 of the Western Wiltshire District Plan that states that further housing development outside of the urban area, as defined by town policy limits, will not be permitted.

2. The residential development proposed on sites A & B as defined in the application would conflict with policy C41 of the Western Wiltshire District Plan that specifies that these sites should be redeveloped for light industrial and community facilities.

3. No material considerations of sufficient weight have been advanced to justify approving this application that conflicts with the adopted policies of the Development plan cited in reasons 1 and 2 above.

45.c W/11/00490/FUL - Construction of earth shelter dwelling - Land At Turleigh Farm Green Lane Turleigh Wiltshire

Public Participation:

- Dr Richard Hoffman spoke in objection to the application
- Mr Roger Berthoud spoke in objection to the application
- Mr Alvin Howard, architect, spoke in support of the application
- Mr Graham Jenkins, applicant, spoke in support of the application
- Mr Vincent Guowell spoke in support of the application

Councillor Linda Conley, Unitary Member for Winsley and Westwood, welcomed the opportunity for this unusual application to be considered at a public meeting.

Officers introduced the report which sought refusal and in doing so drew the committee's attention to the late list. During the ensuing debate members of the committee generally expressed support for the project and its sustainable aims but felt that this was outweighed by the adversarial impact on the open country

side as the site was located in the Green Belt, in an Area of Outstanding Natural Beauty and in a Conservation Area

Resolved:

That planning permission be REFUSED

For the following reasons:

1. The proposal by reason of its location in the green belt would be harmful by reason of inappropriateness and its intrusion into the openness of the green belt, contrary to Planning Policy Guidance 2: Green Belts.
2. The proposal by reason of its location in open countryside and without adequate justification is fundamentally unsustainable, contrary to Policy H19 of the West Wiltshire District Plan 1st Alteration (2004).
3. The proposal by reason of the change of use of a substantial area of land and the establishment of a dwelling in a visually prominent site with associated access and domestic paraphernalia would have an adverse impact on the appearance of the landscape of this part of the Area of Outstanding Natural Beauty and would conflict with policies C1 and C2 of the West Wiltshire District Plan 1st Alteration (2004).
4. The proposal by reason of its visual intrusion into the open and spacious rural character of the conservation area, and the change of use of a substantial area of land for the establishment of a dwelling with associated access, landscaping and domestic paraphernalia in a prominent position, would fail to preserve or enhance the open and spacious character and appearance of the conservation area contrary to policies C17 and C18 of the West Wiltshire District Plan 1st Alteration (2004).
5. The proposal by reason of the lack of evident investigation into the use of non-mains drainage and the inadequate information to ensure that groundwater sources are protected from the proposed means of foul water disposal, would be contrary to DETR Circular 03/99: Planning Requirement in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development, Annexe A, paragraphs 3, 4 and 6, and Policy U4 of the West Wiltshire District Plan 1st Alteration (2004).
6. The proposal by reason of the inadequate information submitted in order to assess the potential impact on protected species is contrary to Planning Policy Statement 9: Biodiversity and Geological Conservation and its accompanying ODPM Circular 06/2005 Biodiversity and Geological Conservation – Statutory Obligations and their impact within the planning system, paragraph 99.

45.d W/11/00167/FUL - Change of use to equestrian with agricultural / equestrian barn/stables - Land Adjacent East Side Of Hawkeridge Road Heywood Wiltshire

Public Participation:

- Mr Murray Jack spoke in objection to the application
- Mr Alan Watts expressed his objection to the application
- Mr Guy Dobbins, applicant, spoke in support of the application
- Mr Frank Brine spoke in support of the application

Officers introduced the report which sought approval. During the ensuing debate members of the committee, taking into consideration suggestions made by objectors, asked if different siting had been considered; it was explained that different options had been looked at but flooding issues and the fact that there were no objections from Environmental Health had led to the current siting being proposed.

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. The materials to be utilised within this development shall accord with the schedule of the materials as described within the submitted plan, number 10112-1 received by the Council on 21 January 2011.

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

POLICY: West Wiltshire District Plan – 1st Alteration 2004 – Policy C31A.

3. The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no

time be used for any commercial purposes, including the keeping of horses at livery or as a riding school.

REASON: In the interests of amenity and road safety.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C38 and E10.

4. No development shall commence on site until details for the storage of manure and soiled bedding (including the location of such storage) and its disposal from the site (including frequency) have been submitted to and approved in writing by the local planning authority. Before the development is first brought into use, the works for such storage and disposal shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition and there shall be no burning of manure or stable waste on the site.

REASON: In order to safeguard the amenities of the area.

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

5. Contaminated water shall not be discharged into any stream, watercourse or underground strata, whether direct or via soakaways.

REASON: In order to minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 – Policy U4.

6. The development hereby permitted shall not be commenced until details of surface water drainage works have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out strictly in accordance with these details.

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

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

7. Before development commences, the field gate serving the access directly off the B3097 shall be set back by a distance of 10 metres and the surface of the access between the gate and the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) and shall incorporate surface water drainage works, details of which shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of works.

REASON: In the interests of highway safety.

8. The development hereby permitted shall not be brought into use until visibility splays have been provided on both sides of the access off the B3097, sight lines of 2.4 metres by 160 metres shall be provided. The splays shall be kept free of obstruction above a height of 0.6 metres at all times.

REASON: In the interests of highway safety.

9. 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;
- a full detailed planting schedule that includes all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed building, roads, and other works and details of ground preparation within all planting areas;
- means of enclosure;
- proposed and existing functional services above and below ground (eg. drainage, power, communications, cables, pipelines, etc indicating lines lines, manholes, supports etc;
- 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

10. 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 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

11. The development hereby permitted shall be strictly carried out in accordance with the approved Flood Risk Assessment received by the Council on the 21 January 2011.

REASON: To reduce the risk of flooding.

12. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.
West Wiltshire District Plan 1st Alteration 2004 - POLICY: C35 and C38

Informative(s):

1. The Public Rights of Way Officer was consulted, who raised the following points:

The northern end of the path currently comes out on the B3907 next to a field gate, the access provision is currently a stile which the officer would like to see upgraded to a pedestrian gate or kissing gate. This route should be kept free of new structures, with no new fences being built across the line of the path, this could be achieved by having the right of way permanently fenced off. The officer further commented that the southern end of the site has a stile where the footpath splits in two, at which point a pedestrian gate or kissing gate would be ideally located, as there was clear evidence that this path is used daily.

It is suggested that the applicant contacts the rights of way officer Paul Millard on 07788445292 to discuss these requirements.

45.e W/11/00590/FUL - Erection of single storey extension to south east elevation and two storey extension to east elevation - 18B Horse Road Hilperton Wiltshire BA14 7PE

Public Participation:

- Miss Lisa Hayward, applicant, spoke in support of the application.

Officers introduced the report which sought approval. Members of the committee were satisfied that the issues which had led to the application being called in had been subsequently addressed.

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. 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.

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. This permission relates to the following plans and documents:

Site location and Block Plan – Received – 17.02.2011

Existing Plan and elevation – Received – 17.02.2011

Proposed floor plan – Received – 17.02.2011

Proposed front elevation – Received 01.04.2011

Proposed rear elevation – Received 01.04.2011

Proposed side elevation - Received 01.04.2011

Proposed side elevation - Received 01.04.2011

REASON: In order to define the terms of this permission.

46 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

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