

## WESTERN AREA PLANNING COMMITTEE

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 2 JULY 2014 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Dennis Drewett, Cllr John Knight (Vice-Chair), Cllr Christopher Newbury (Chairman), Cllr Horace Prickett, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While and Cllr Jerry Wickham (Substitute)

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#### 74 **Welcome & Introductions**

The chairman welcomed all those present at the meeting.

#### 75 **Apologies for Absence**

Apologies for absence were received from Cllr Andrew Davis and Cllr Magnus Macdonald. Cllr Davis was substituted by Cllr Jerry Wickham.

#### 76 **Minutes of the Previous Meeting**

The minutes of the meeting held on 11 June 2014 were presented.

An amendment was put forward to on item 66 of the draft Minutes to read:

“During the course of debate there was a discussion of the position of Selwood Housing and Councillor Magnus Macdonald declared that he was a member of the Selwood board **and therefore had a Disclosable Pecuniary Interest**. However Selwood Housing made a late submission in writing to clarify that it was a prospective partner, not the applicant, and that there was no formal agreement in place, after which Councillor Magnus Macdonald stated that he would vote on the application”.

The amendment was voted on and lost. Cllr Ernie Clark requested his vote for the amendment be recorded.

A motion was put forward to approve the Minutes, and it was;

**Resolved:**

**To approve the Minutes of the meeting held on 11 June 2014 as a correct record and sign.**

**77 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.

**78 Declarations of Interest**

Cllr John Knight declared a non pecuniary interest on item 7D – application 14-03465/FUL, 93 Victoria Road, Trowbridge, as he was a member of Trowbridge Town Council and had been involved in previous discussions.

Cllr Clark declared a non pecuniary interest on item 7A – application 13/02820/FUL, 202A Devizes Road, Hilperton, as he was a member of Hilperton Parish Council but had not been involved in prior discussions.

**79 Public Participation and Councillors' Questions**

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

The Chairman explained the rules of public participation and the procedure to be followed at the meeting.

**80 Planning Applications**

The Committee considered the following applications:

**81 13/02820/FUL - 202A Devizes Road, Hilperton**

Public Participation

There was no public participation.

The Planning Officer outlined the report which recommended the application for approval. The site description and an overview of the proposed development to change the materials to the driveway from gravel to brick paviors were also given. It was noted that the application had previously been deferred by the committee due to drainage issues. These issues had now been addressed with both the Council's own Drainage Engineer and Wessex Water confirming that the installation was acceptable. Members were also advised that separate

building warrant approval had also been granted by NHBC (the National House Building Council).

The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

Members were invited to ask technical questions about the site.  
There were no members of the public present to speak on the application.

The debate focused on the previous drainage issues and that they had now been addressed. A motion was put forward to move the officers recommendation and it was;

### **Resolved**

**That Planning Permission be approved subject to the following conditions:**

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

**LOCATION AND BLOCK PLAN REV 1 – received 12.09.2013**

**SOAKAWAY POSITION DRAWING REV 1 - received 17.12.2013**

**APPROVED (W/10/01920/FUL) LANDSCAPE PLAN REV 1 - received 12.09.2013**

**PROPOSED REVISED LANDSCAPE PLAN REV 1 – received 12.09.2013**

**DRAINAGE PLAN REV 3 – received 16.06.2014**

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

**82 14/03109/VAR - Land South Of Former Garage Site Frome Road Bradford On Avon**

Public Participation

Claire Durbin (Agent) spoke in support of the application.

Cllr Gwen Allison, on behalf of Bradford on Avon Town Council, spoke in objection to the application.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given.

The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

Members were invited to ask technical questions about the site.

Members of the public were invited to speak on the application as listed above.

The debate focused on the marketing report and members were concerned about whether the development as approved had been marketed. A motion was put forward to defer the application until the applicants provided more information on the steps taken to market the development. The motion was defeated and a new motion to move the officer's recommendation was put forward. At the end of the debate it was;

### **Resolved**

**That Planning Permission be approved 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: 978/4/000, 978/4/002.A, 978/4/003.A, 978/4/004B received on 18 March 2014 978/4/001.B, 978/4/007, 978/4/800 received on 25 April 2014.**

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

- 3. Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, there shall be no extensions or external alterations, including alterations to the doors and windows, and no further buildings erected on the site, or any development normally permitted under Schedule 2, Part 1, Classes A-E (inclusive) of the Order shall be carried out without the express planning permission of the Local Planning Authority.**

**REASON: The implementation of permitted development rights on this site would be unacceptable, to ensure that the design of the buildings are not compromised by subsequent unsympathetic alterations.**

- 4. No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.**

**REASON: In the interests of highway safety. Page 44**

- 5. 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.**

- 6. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved details.**

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

**PLANNING INFORMATIVE TO APPLICANT:**

**The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.**

**83 14/02362/FUL - The garage site and vacant land off Tynings Way, Westwood**

Public Participation

Julie Adcock spoke in objection to the application.

Judith Shore spoke in objection to the application.

Christine Chaloner-Sandell spoke in objection to the application.

Paul Walsh spoke in support of the application.

Dr Allen Parker, on behalf of Westwood Parish Council, spoke in objection to the application.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given noting that a Rights of Way path crossed over the site.

The Planning Officer outlined the relevant planning policy. 19 letters of objection had been received which were outlined in the report. Attention was drawn to the relevant planning considerations.

Members were invited to ask technical questions about the site, these focused on where the conservation boundary was located, overlooking on existing properties and the current recreational use of the site.

Members of the public were invited to speak on the application as listed above.

The debate focused on the availability of amenity spaces within the area, the need to protect open spaces and overlooking on the proposed development and the neighbouring properties. A motion was put forward to refuse planning permission and at the end of the debate it was;

## **Resolved**

**That Planning Permission be Refused for the following reasons:**

- 1. The loss of a valued amenity space would significantly affect the character of the area and would be contrary to policy LP2 of the Leisure and Recreation DPD, in that the site has historical and current use for recreational purposes, and no alternative provision has been put forward.**
- 2. The proposal would cause a loss of privacy to, and overshadowing of, existing properties, in contravention of Policy C38 of West Wilts District Plan First Alteration.**
- 3. The design of the buildings is out of character with the existing built form of neighbouring properties, in contravention of policies C31a and H17 of West Wilts District Plan First Alteration.**

84 **14/03465/FUL - 93 Victoria Road, Trowbridge**

Public Participation

Madeline Archer spoke in objection to the application.

Cllr Roger Andrews, on behalf of Trowbridge Town Council, spoke in objection to the application.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given noting that the site was outside of the conservation area.

The Planning Officer outlined the relevant planning policy. 6 letters of objection had been received which were outlined in the report. Attention was drawn to the relevant planning considerations.

Members were invited to ask technical questions about the site.

Members of the public were invited to speak on the application as listed above.

The debate focused on how much the extension would overbear the neighbouring property and at the end of the debate it was;

**Resolved**

**To defer the application for a site visit on 23 July at 1:45pm.**

85 **Planning Appeals Update Report**

The committee took a five minute recess.

Public Participation

Francis Morland spoke on the appeals update.

The Planning Appeals Update Report for 2013 was received. The Committee highlighted that the report was incomplete and included a mixture of 2013 and 2014 applications.

The Area Team Leader apologised and noted that there had been a change in the reporting system and with the Committees permission officers would go back to a previously used reporting system which would included more detail.

The Committee also discussed a costs award decision and noted that the inspector had commented that refusal reasons need to be adequately substantiated and that on occasions a site visit is important for an understanding of the site. At the end of the debate it was;

**Resolved:**

**To note the Planning Appeals Update Report for 2013, to encourage the officers to use a more detailed reporting system for future appeals updates and to request a fully detailed report bringing the committee up to date on appeal decisions issued, including the decision on the Bowyers site at Trowbridge.**

**86 Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 5.10 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](mailto:jessica.croman@wiltshire.gov.uk)

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