

AGENDA

Meeting: Western Area Planning Committee
Place: Council Chamber, Wiltshire Council Offices, Bradley Road,
Trowbridge
Date: Wednesday 2 June 2010
Time: **6.00 pm**

Please direct any enquiries on this Agenda to Marie Gondlach, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713597 or email marie.gondlach@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Ernie Clark
Cllr Rod Eaton
Cllr Peter Fuller
Cllr Mark Griffiths
Cllr Malcolm Hewson
Cllr John Knight

Cllr Christopher Newbury
Cllr Graham Payne
Cllr Stephen Petty
Cllr Jonathon Seed
Cllr Roy While

Substitutes:

Cllr Rosemary Brown
Cllr Trevor Carbin
Cllr Andrew Davis
Cllr Russell Hawker
Cllr Tom James MBE

Cllr Francis Morland
Cllr Jeff Osborn
Cllr Fleur de Rhe-Philippe
Cllr Pip Ridout

AGENDA

Part I

Items to be considered when the meeting is open to the public

1. **Apologies for Absence**

2. **Minutes of the Previous Meeting** *(Pages 1 - 10)*

To approve the minutes of the last meeting held on 12th May 2010 (copy attached.)

3. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

4. **Chairman's Announcements**

5. **Public Participation**

Members of the public who wish to speak either in favour or against an application on this agenda are asked to register in person no later than 5.50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

6. **Planning Applications** *(Pages 11 - 12)*

To consider and determine planning applications in the attached schedule.

6. **W/10/00527/REM - Application for reserved matters relating to 25 dwellings, garages, roads and associated engineering works - Land Off Hackett Place Hilperton Wiltshire** *(Pages 13 - 20)*

7. **Planning Appeals Update Report** (Pages 21 - 24)

To receive details of appeal decisions and appeals pending (see attached schedule.)

8. **Urgent Items**

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None.

This page is intentionally left blank

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 12 MAY 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Trevor Carbin (Reserve), Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman),
Cllr Mark Griffiths, Cllr Malcolm Hewson, Cllr Christopher Newbury, Cllr Graham Payne,
Cllr Stephen Petty, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Francis Morland and Cllr Julie Swabey

121 Declarations of Interest

W/09/00941/FUL – Councillor Graham Payne declared that the applicant was known to him as he had frequently attended meetings of the former West Wiltshire District Council. However this was not a prejudicial interest and he would participate in the debate and vote.

122 Apologies for Absence

Apologies for absence were received from Councillor John Knight (substituted by Councillor Trevor Carbin).

123 Minutes of the Previous Meeting

The minutes of the meeting held on 21 April 2010 were confirmed as a correct record and signed by the Chairman.

124 Chairman's Announcements

The Chairman welcomed Kevin Breslin, the Legal Officer for this meeting of the planning committee.

The Chairman also took the opportunity, as this meeting was the last one before elections of Chairmen and Vice-Chairmen at Wiltshire Council meeting on 18th

May 2010, to thank committee members and officers for their involvement with the Western Area Planning Committee.

125 **Public Participation**

The Chairman explained the rules of Public Participation.

126 **Planning Applications**

The Committee considered the following applications:

**126.1 Mobile home, day room and retention of existing pair of sheds -
Land at Capps Lane Bratton Wiltshire**

The Officer introduced the report and pointed out that the plans had been revised as requested, the encroachment of the site into the countryside had been reduced and hedgerows had been added to screen the site.

Public Participation:

1. Mr Wenn spoke in objection to the application

Councillor Christopher Newbury arrived at this point.

2. Mrs Smith-Bendall spoke in support of the application

Councillor Julie Swabey, Unitary Member for Ethandune, raised concerns about the application.

Councillor Francis Morland, Unitary Member for Southwick (neighbouring Ward) raised concerns about the application.

The Committee discussed various issues including the lack of clarity of Governmental Guidance and Regulations with regards to Gypsies and Travelers' planning applications.

The Committee then sought clarification from the Planning Officers on the conditions included in the report and discussed some further conditions to be included.

Resolved

That planning permission be GRANTED

For the following reasons:

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

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 site shall not be permanently occupied by persons other than gypsies and travellers as defined in paragraph 15 of ODPM Circular 01/2006, or any other subsequent legislation or guidance which defines persons' gypsy or traveller status.

REASON: Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary to keep the site available to meet that need.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: CF12

- 3 The occupation of the site hereby permitted shall be carried on only by Mr F Hughes, the applicant, and his resident dependants.

REASON: Planning permission has only been granted on the basis of the personal circumstances and status of the applicant.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: CF12

- 4 No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, of which no more than 1 shall be a permanently stationed mobile home, shall be on the site at any time.

REASON: In the interests of the visual amenity of the area.

West Wiltshire District Plan 1st Alteration (2004) POLICY CF12.

- 5 The development hereby permitted shall not be occupied or first brought into use until the area between the nearside carriageway edge and a line drawn 2.0 metres parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

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

- 6 The development hereby permitted shall not be occupied until the first five metres of the access, measured from the edge of the carriageway, has

been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

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

- 7 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

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

- 8 No development shall commence, and no caravans brought onto site, or the site occupied for residential purposes, until details have been submitted to and approved in writing by the Local Planning Authority and implemented for the following:

- i) the materials to be used in the construction of the external surfaces of the day room, hardstandings, access drives, parking and amenity areas;
- ii) the landscaping of the site (a scheme showing the species, plant sizes, numbers and densities) including details of any supplementary planting to reinforce the existing hedgerows;
- iii) any new boundary treatment, fencing or gates
- iv) refuse storage facilities
- v) electricity generation
- vi) lighting
- vii) details of septic tank

REASON: In the interests of amenity of the area and neighbours.

West Wiltshire District Plan 1st Alteration (2004) POLICY CF12.

- 9 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 site. 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.

REASON: To ensure a satisfactory landscaped setting for the development.

West Wiltshire District Plan 1st Alteration 2004 – POLICY CF12.

- 10 There shall be no burning of waste on the site.

REASON: In the interests of amenity and environmental protection.

West Wiltshire District Plan 1st Alteration (2004) POLICY CF12.

- 11 The use of the site shall be limited to residential and the keeping of horses and horse trading and for no other purposes including any other commercial use.

REASON: In the interests of amenity of the area and neighbours.

West Wiltshire District Plan 1st Alteration (2004) POLICY C38.

- 12 The dayroom hereby approved shall at no time be used for overnight accommodation.

REASON: To secure appropriate development in this rural location.

West Wiltshire District Plan 1st Alteration (2004) POLICY H19.

127 **Agricultural workers dwelling and revised access - Land East Of Clivey Barn Farm Clivey Dilton Marsh Wiltshire**

The Chairman informed the Committee that a letter had been received from the applicant requesting, for personal reasons, a further deferral of approximately one month to enable him to attend the meeting when this application is considered.

Resolved:

1. To agree to defer, on the applicant's request, the application until the 23rd June 2010 meeting.

2. That the following additional information be obtained:

- (a) details of the relevant experience of the second consultant;**
- (b) clarification of the financial situation.**

128 **Outdoor exercise equipment and bin (revised proposals) - Playing Field Church Lane North Bradley Wiltshire**

Members of the Committee were informed of additional comments received as detailed in the Minutes' Annex.

The officer introduced the report and pointed out that this was a revised application and that the proposed number of pieces of equipment had been reduced from four to three.

Public Participation:

1. Mr Brown spoke in objection to the application.
2. Mrs Bergerine spoke in objection to the application.
3. Dr Bond, Chairman of the Recreation Field Committee and applicant, spoke in support of the application.
4. Mrs Bond spoke in support of the application.

Councillor Francis Morland, Unitary Member for Southwick, spoke in support of the application.

Members of the Committee sought clarification over the involvement of the Area Board; it was explained that the Area Board Manager had not been involved with the issue beyond forwarding the Peace Memorial Trust's submission to Development Control.

The Committee discussed the issues of noise, anti social behaviour and health benefits to the community.

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 litter bin shall be installed and made ready for use prior to the installation of the exercise equipment and shall be retained as such in perpetuity thereafter.

REASON: To ensure that provision is made to avoid nuisance from litter

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

129 **Urgent Items**

There were no urgent items.

130 **Exclusion of the press and public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the press and the public from the meeting for the business specified in Item 9 because it was likely that if members of the press and the public were present there would be disclosure to them of exempt information as defined in paragraph 5 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighed the public interest in disclosing the information to the press and the public.

131 **Mowlems, Wynsome Street, Southwick, Wiltshire, BA14 9RA Planning Reference W/09/01750/FUL Residential development of 54 new build dwellings and conversion of existing building to 2 dwellings**

Councillor Mark Griffiths left at that point.

Resolved:

To note the report and endorse the officer's decision made following consultation with the Chairman of the Western Area Planning Committee.

Minutes Annex - Observations and recommendations made since preparation of the agenda

(Duration of meeting: 6.00 - 7.40 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

PLANNING COMMITTEE

12th May 2010

Observations and recommendations made since preparation of agenda

Item	Comments
Planning Applications	
02	<p>Land East of Clivey Barn Farm, Clivey, Dilton Marsh – W/09/00941/FUL</p> <p>Additional comments received:</p> <p>A letter has been received from the applicant requesting, for personal reasons, a further deferral of approximately one month to enable him to attend the meeting when this is considered.</p> <p>Planning Officer Comments:</p> <p>The decision on whether to defer this application to a future meeting rests with the elected members.</p>
03	<p>Playing Field, Church Lane, North Bradley – W/10/00836/FUL</p> <p>Additional comments received:</p> <p>An additional letter of objection has been received from a neighbour on behalf of local residents who had previously objected to the proposals. The letter questions the need for the exercise equipment, why an alternative site could not be found, and the failure of the Trust to understand residents concerns.</p> <p>An additional letter has been received from the Peace Memorial Trust to justify the proposals. Enclosed with this were a further four letters of support from interested persons, who had already written in support, together with a copy of a newspaper article about the proposals. The Peace Memorial Trust also raised these matters with the Area Board who forwarded the submission to Development Control.</p>

This page is intentionally left blank

WESTERN AREA PLANNING COMMITTEE

2 June 2010

Planning Applications for Determination

Item No.	Application No.	Location	Parish	Page No.
06(1)	W/10/00527/REM	Application for reserved matters relating to 25 dwellings, garages, roads and associated engineering works - Land Off Hackett Place Hilperton Wiltshire	Hilperton	3 - 10

This page is intentionally left blank

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	02.06.2010		
Application Number	W/10/00527/REM		
Site Address	Land Off Hackett Place Hilperton Wiltshire		
Proposal	Application for reserved matters relating to 25 dwellings, garages, roads and associated engineering works		
Applicant	Taylor Wimpey (Bristol)		
Town/Parish Council	Hilperton		
Electoral Division	Hilperton	Unitary Member:	Ernie Clark
Grid Ref	387395 158448		
Type of application	Reserved Matters		
Case Officer	Mr James Taylor	01225 770344 Ext 169 james.taylor@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Ernie Clarke has requested that this item be determined by Committee due to:

- * Design/general appearance
- * Environmental
- * Highway impact
- * Car parking

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted.

2. Main Issues

As the principle of the development has been established under outline permission obtained via a successful planning appeal the main issues to consider are only the reserved matters, namely:

- * Layout
- * Scale
- * Appearance
- * Access
- * Landscaping

3. Site Description

The site which has an area of approximately 0.49 hectares is located on the north-western side of Hackett Place facing an area of public open space between the local centre and the Primary School.

The site was originally identified as part of the Local Centre land in 1988 in the outline planning permission for Paxcroft Mead. However, following subsequent revisions and variations to the Section

106 Agreement it was excluded from the local centre land. Indeed extant outline planning permission now exists for the land to be developed for purely residential purposes.

The site forms a relatively flat area of grassland, sloping gently from the rear down to the front of the site. It is fenced off on its site frontage and flanks from the road with a timber post and rail fence. There is a copse of trees to the rear of the site which is outside of the application area separating it from one of the main distributor roads through the Paxcroft Mead development. There is an Area of Public Open Space immediately in front of the site on the opposite side of the road.

4. Relevant Planning History

01/01971/OUT - Residential development and associated roads – Refused on 29.03.2007 (Appeal allowed on 09.01.2008)

5. Proposal

This is a reserved matters application for a residential development of 25 dwellings and associated works.

The scheme includes a mix of 2 storey and 2.5 storey dwellings with off-street parking and garaging facilities. There are 19x three-bedroom dwellings, 5x two-bedroom houses and 1x two-bedroom flat over garages being proposed. Each property would benefit from allocated parking/garaging and the proposal includes visitor parking to a total of 51 spaces.

All the properties except for the flat benefit from their own private enclosed amenity space. Properties face onto Hackett Place or into the interior of the application site. The proposal details hard and soft landscaping including the planting of new trees.

In support of the application the following documents were received:-
Design and Access Statement dated February 2010
Protected Species Report by EDP dated 4 January 2010
Drainage Strategy

6. Planning Policy

Wiltshire Structure Plan 2016
DP3 Development Strategy
DP7 Housing in Towns and Main Settlements

West Wiltshire District Plan - 1st Alteration 2004
H1 Further Housing Development within towns
H24 New Housing Design
C31a Design
C38 Nuisance
T10 Car parking

Supplementary Planning Guidance - Residential Design Guide

PPS1: Delivering Sustainable Development
PPS3: Housing
PPS9: Biodiversity and Geological Conservation
PPG13: Transport

DCLG Circular 01/2006: Guidance to Changes to the Development Control System
DoE Circular 11/95: The use of conditions in planning permission: Introduction

7. Consultations

Hilperton Parish Council

Objection. It is strongly felt that the design and development of the proposal has not addressed the impact of traffic to and from The Mead primary school, and the proposed road system is therefore inadequate. It is the Parish Council's view that the road should be widened to accommodate the development, as additional residents' parking is likely to inhibit the free passage of emergency vehicles. It is also felt that there has not been adequate consideration given to the provision of parking within the proposed development and that there should be a greater bias towards two-bedroom properties, as larger houses will generate more vehicles.

Highways Officer

No objection following slight revision to scheme and use of appropriate conditions.

Chief Education Officer

No comments received.

Environment Agency

No comment.

Wessex Water

No objection.

Housing Services

No objection. Affordable housing policy cannot be applied.

District Ecologist

No objection subject to conditions.

Wiltshire and Swindon Biological Records Centre

Badger Sett within 150m

8. Publicity

The application was advertised by 2 site notices and neighbour notification.

Expiry date: 31 March 2010

Summary of points raised:

* No comments received.

9. Planning Considerations

9.1 Planning history

The outline permission was granted on appeal following a Public Inquiry. The outline application was initially refused by the Planning Committee and it should be noted that costs were awarded against the Council by the Planning Inspectorate.

9.2 Layout

The application site is a separate parcel of land within the existing Paxcroft Mead residential extension of Trowbridge. In terms of the built form it is quite separate to the existing residential development in the area being sited on a paddock between the existing Mead Primary School and the local centre. Although in this context the site may be largely considered in isolation from the other local residential development the scheme would be sympathetic to the wider context.

The layout of the site itself has been largely informed by making the most efficient use of the available land, the shape of the site, the adjoining land uses and the need to retain an easement over the frontage of the site. In this context there has been little flexibility available on how to lay the site out.

The proposal has been set out so that 12 of the properties are set out in a linear arrangement across the frontage of the site facing south onto the recreation space providing a sense of connection to the main road between the local centre and the Mead Primary School. Further this layout allows for observation over the recreation space improving the sense of security for users of the space.

In order to make efficient use of land a single entrance route into the rear of the site has been provided and the remaining 13 dwellings face into this area in a cul-de-sac type arrangement.

Reasonable distances between properties have been maintained in order to avoid any overlooking and potential amenity impacts. Further the proposals have been arranged so that each property, save the flat has the benefit of reasonable private amenity space which does not suffer from overshadowing or overlooking.

The layout proposed allows for reasonable connectivity within the site and for access and egress to the wider public realm.

9.3 Scale

The scale of the built form proposed is commensurate with the established built form within the wider Paxcroft Mead development. There are a mix of 2-storey and 2.5 storey buildings being proposed and this is typical of the wider residential area. All the 2.5 storey dwellings have been sited to the front of the site which is on a slightly lower level than at the rear of the site. Therefore the impact of this slightly greater height would be negligible. Indeed this provides for a greater level of variety and interest within the linear frontage design.

With the exception of plots 4, 5, 11, and 12 all the properties have a standard design with well proportioned width and depth of properties so that the appearance and design of the buildings is acceptable. Plots 4, 5, 11 and 12 also have a well proportioned design and pose no concerns, however in order to address the constraints of the site and add interest to corners within the development they have been designed with an irregular footprint. This is not objectionable, indeed it enhances the street scene by adding variety and interest.

9.4 Appearance

As alluded to above the appearance of the development is considered to be of a good quality design in keeping with the existing built form of the area. Plot 10 has been a point of negotiation with your officers obtaining enhancements to this terminal south elevation. This has added interest and avoided the creation of a prominent blank gable in the street scene. Further the 2.5 storey development at plots 1, 2, 19, 20 and 22-25 has been modified slightly during the application process so that the dormer windows on the frontage are of better proportion. This has improved the overall design of the scheme and in particular this prominent frontage which would be clearly visible from public vantage points on the recreation ground.

The materials being proposed are in keeping and sympathetic to the built form of the general area.

In summary the appearance of the proposals has been subject to some negotiation and even during the application some minor alterations have been presented to ensure the scheme is acceptable.

9.5 Access

During the application it has been necessary for small alterations to be made to the scheme to ensure that the proposals are to the satisfaction of the Council's highway officers. The final plans have been reviewed by your highways officer and no objection is raised subject to the use of appropriate conditions.

In order to facilitate access and egress for vehicles and pedestrians to the site a new adoptable highway area has been proposed off of Hackett Place. This is to the satisfaction of the highways officers. There are 20 dwellings and visitors that would make use of this adoptable access.

In addition the proposal includes parking accessed directly from the unclassified highway known as Hackett Place. The benefit of having off-street parking for up to only 5 dwellings and visitors at this point is that it makes the most efficient use of land. The frontage of the site is subject to a sewer

easement and to have some of this space utilised for parking allows for the best use of land. Whilst it is not necessarily ideal to have this access arrangement it would not lead to any highway safety hazard to reasonable road users. It is acknowledged that this is a principle route to the Mead Primary School and a car park however it is subject to speed restrictions and has a narrow width in the interest of discouraging dangerous levels of speed.

The scheme has a total off-street parking allocation of 51 spaces for the 25 dwellings being proposed. This is a nominal over provision compared to the maximum standards of 2 spaces per dwelling, although it does include 3 visitor spaces. This level of parking provision, given the mix of housing types and the location of the development is considered perfectly acceptable. It would not be reasonable to insist that 1 space is taken away to comply with the maximum standards. The site layout has also allowed for reasonable turning areas to manoeuvre vehicles within the site in a safe and convenient manner.

The site is considered to be a sustainable location with easy access by foot to local facilities and access via bicycle routes to the wider facilities of Trowbridge town centre. The layout of the site allows for reasonable storage space for bicycles as the occupiers may desire. Hackett Place benefits from a designated cycle lane which links up to other designated cycle routes.

In summary the proposal has access arrangements which are to the satisfaction of the Council's highway officers. Hackett Place is subject to speed restrictions and a narrow width to encourage reasonable driving speeds; further it benefits from separate pedestrian and cycling routes. The proposal has an allocation of 51 spaces including garaging for 25 dwellings, this is slightly above the maximum standards, but given the number of 3 bedroom dwellings this is acceptable.

9.6 Landscaping

The actual application site has no soft landscaping save for the grass of the paddock. This proposal would not affect the wider landscaping so the backdrop of mature and dense trees/scrub to the north would be unaffected. Within the application site there is a very nominal public realm which would be subject to some limited soft landscaping. This is sufficient to soften the proposed built form and would include some strategically positioned trees and grass verges. Generally though the soft landscaping would be privately owned and this will evolve with the occupation of the dwellings.

Hard landscaping within the site has been specified with a range of ground surfaces to differentiate between the adoptable highway and the private parking and turning areas. The area to the front of the site adjoining Hackett Place would remain open plan, retaining a sense of spaciousness and allowing for visibility from car parking spaces and the junction. Within the site private gardens will be demarked by 1.8 metre high boundary treatments; where prominent these will be with walls. At less prominent points this will be close-boarded fencing on the boundaries of the site, which would be good for security and between the proposed dwellings simple post and wire fences. Again this may evolve with the occupation of the dwellings in accordance with reasonable permitted development rights.

9.7 Other matters

The application has been subject to consultation with a number of parties including the Council's ecologist. They have raised no objection to the proposals which included a revised ecological report. No harm to protected species would occur.

The matters of section 106 contributions are not relevant to the consideration of this case as it is reserved matters only.

The objection of the Parish Council has been noted. However, its suggestions and concerns appear to be in contrast to the planning policy/guidance on such matters. They point to an increase in the amount of parking or bias towards smaller properties when the scheme already has the maximum parking levels. Admittedly the mix of housing proposed is biased towards 3-bedroom dwellings but this is not in itself objectionable, in part it is reasonable to allow the market to dictate what should be provided, and the developer will obviously have assessed such commercial matters. The Parish Council indicates that they would desire a wider access road, however that would be likely to encourage increased speeds which would not be encouraged in a residential area. The road is wide enough to cope with traffic movements and emergency vehicles.

9.8 Conditions

Following the outline application and the submission of details in connection with the reserved matters further details and points of clarity have come to light in connection to highway matters and ecology. Given that this is an application for approval of reserved matters, which is not a planning permission as such, and the requested conditions relate to design matters which are reserved matters, it is not considered appropriate to include them as conditions at this stage, with the exception of one relating to highways. Some finer points can form the basis of informatives. This approach is consistent with guidance in Circular 11/95. Further an informative to remind the developer that the conditions connected to the outline planning permission remain relevant and need to be addressed would also be prudent.

9.9 Conclusion

This is an application for the reserved matters only and the principle of residential development has been established in outline form.

All the details of the scheme are acceptable and sympathetic to the wider context of the area. The layout, appearance and scale of the proposals are typical of this area and would provide for natural surveillance over the recreational area to the south and the street scene of Hackett Place. The proposals strike a good balance between fronting Hackett Place and also the land to the rear of the site, and make an efficient use of the land.

The access and landscaping of the site are considered to be reasonable and would not result in any harm to any highway safety interests and would provide for reasonable pedestrian and cycle movements whilst softened the form environment.

On the basis of the above considerations this application may be recommended for approval.

Recommendation: Approval

For the following reason(s):

The details submitted to satisfy the reserved matters of planning permission reference 01/01971/OUT are satisfactory and the development would result in no harm to any material planning interests.

Subject to the following condition(s):

- 1 The development hereby permitted shall not be occupied until the first five metres of each individual property driveway, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The driveways shall be maintained as such thereafter.

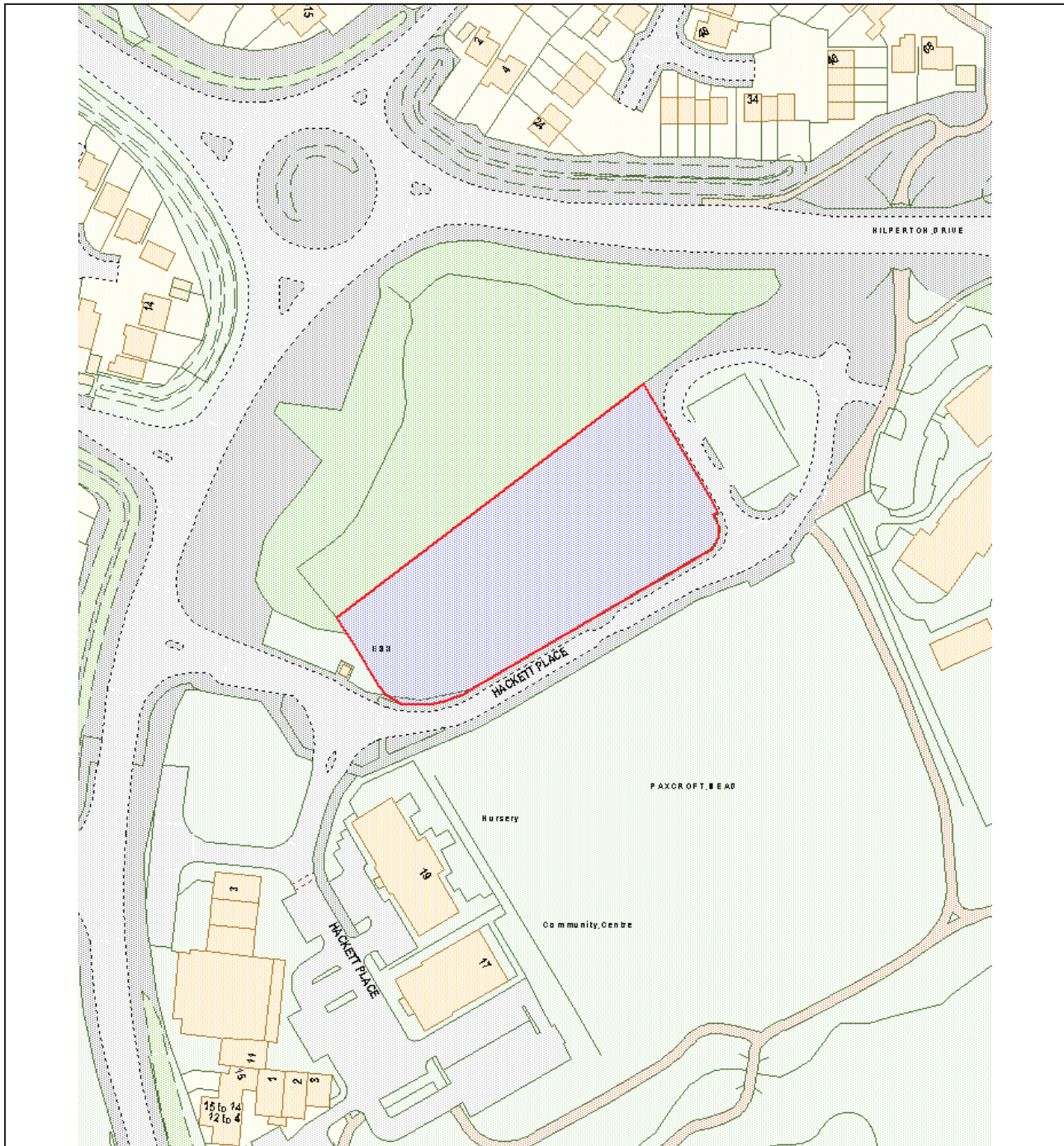
REASONS: In the interests of highway safety.

West Wiltshire District Plan 1st alteration (2004) POLICY H1.

Informative(s):

- 1 The developer is reminded that it is their responsibility to ensure compliance with all conditions connected with the planning approvals/permissions in connection with the development. This includes the conditions attached to the outline planning permission reference 01/01971/OUT as detailed in the Planning Inspector's decision dated 9 January 2008.
- 2 You are advised that no works should commence on site until the precautionary measures listed in sections 4.6 – 4.9 of EDP's Protected Species Report dated January 2010 have been undertaken and that no trees or scrub should be removed outside the bird nesting season 1st March – 31st August inclusive.

Appendices:	
Background Documents Used in the Preparation of this Report:	



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Tel: 01225 770344 Fax: 01225 770314 Development Control West Wiltshire Council Bradley Road Trowbridge Wiltshire BA14 0RD www.wiltshire.gov.uk

MSA: 100022961

RELEVANT APPLICATION PLANS

Drawing : 0377/101 received on 23.02.2010
Drawing : 0377/100 received on 23.02.2010
Drawing : 0272/01 C received on 12.05.2010
Drawing : 0377/107 received on 12.05.2010
Drawing : 0377/108 received on 12.05.2010
Drawing : 0377/103 received on 15.04.2010
Drawing : HB33/PL1 received on 15.04.2010
Drawing : HB33/PL3 received on 15.04.2010
Drawing : HB33/PL2 received on 15.04.2010
Drawing : HA33/PL1 received on 23.02.2010
Drawing : HA33/PL2 received on 23.02.2010
Drawing : HA33/PL3 plot 9 received on 23.02.2010
Drawing : HA33/PL3 plot 15-16 received on 23.02.2010
Drawing : TK31/PL1 received on 15.04.2010
Drawing : TK31/PL2 received on 15.04.2010
Drawing : HA22/PL1 received on 23.02.2010
Drawing : HA22/PL2 received on 23.02.2010
Drawing : HA22/PL3 received on 23.02.2010
Drawing : HA33/PL1 plot 10 received on 23.02.2010
Drawing : HA33/PL4 received on 23.02.2010
Drawing : TK21/PL1 received on 15.04.2010
Drawing : TK21/PL2 received on 15.04.2010
Drawing : 300-GD-03 received on 23.02.2010
Drawing : 300-GD-06 received on 23.02.2010
Drawing : HPL-106-3 received on 23.02.2010
Drawing : 0377/106 received on 23.02.2010

**Wiltshire Council – Area West
Planning Committee**

PLANNING APPEALS UPDATE REPORT

April 2010

New appeals received

Ref. no.	Site	Town/ Parish	Description	Del or Com	Officer recom	Appeal type
W/09/03551/FUL	38 The Marsh Longbridge Deverill	Longbridge Deverill	Proposed two storey extension and garage	DEL	REF	WR (Householder)
W/09/03287/OUT	Land Adjoining 14 Woodrow Road Melksham	Melksham	Demolition of existing double garage and erection of two bedroom dwelling plus associated parking	COM	PER	WR
W/09/00690/FUL	Sainsbury Store Bath Road Melksham	Melksham	Erection of a single storey 1,937sq m gross extension to the east and western elevations of the store; car park improvements and an extension to the south west of the existing car park resulting in an additional 91 car parking spaces; relocation of the petrol filling station from the river avon to the south eastern area of the site; revised service yard arrangements; provision of an online service facility; construction of a new pedestrian link with town centre; and landscape and ecological improvements to enhance the nature and amenity value of the site and the surrounding land to the south west	COM	PER	INQ
W/09/02709/FUL	148A Boreham Field Warminster	Warminster	Two storey development to provide ground floor hot food take-away and first floor one bedroom flat	DEL	REF	WR

Appeal Decisions Received

Ref. No.	Site	Town/ Parish	Description	Del or com	Officer recom	Appeal type	Appeal Decisn
W/09/01177/FUL	Paxcroft Primary School Ashton Street Trowbridge	Trowbridge	Outdoor shelter on edge of school field	DEL	REF	WR	DISMISSED
W/09/03551/FUL	38 The Marsh Longbridge Deverill	Longbridge Deverill	Proposed two storey extension and garage	DEL	REF	WR (HAS)	DISMISSED

* additional notes on decision below

- I = Inquiry H = Hearing
- Del = Delegated decision

WR = Written Representations
Com = Committee decision

(HAS) = Householder Appeal

❖ **Points of interest arising from decisions**

W/09/01177/FUL - Paxcroft Primary School Ashton Street Trowbridge

The Inspector took the view that the shelter could be used on a serial basis for different classes during the day; as a focal point for play time and lunch time gatherings of children; and during periods of extra curricular sport and other activities. In view of its location in close proximity to residential neighbours, it was, in his opinion, likely to be unacceptably detrimental to the living conditions of the occupiers of those properties.

W/09/03551/FUL - 38 The Marsh Longbridge Deverill

The Inspector assessed the main issues to be the impact of the proposals on the character and appearance of the cottage and the impact on the surrounding Area of Outstanding Natural Beauty as well as the susceptibility of the site to flooding. He concluded that the size, height and design of the extension would not harmonise with the existing building and would manifest itself as a dominant and incongruous addition that would harm the streetscene and would not be compatible with the need to conserve the natural beauty of the landscape. Additional screening, which could be removed at any time, would not justify the development of poor design. Furthermore, even if it were to have been acceptable in these respects, there was insufficient evidence that the site would not be liable to flooding as a result of the development.

Note

If Members of the Council wish to read any of the Planning Inspectors decision letters, please contact the Planning Office for a copy.

W/09/01022/FUL – Land adjacent to Hackett Place, Hilperton

Please also note that officers will report on the Hackett Place public house appeal decision and financial implications, as requested by Cllr Clark, to Committee following receipt of the appellant's cost claim against the Council.

Forthcoming hearing or Inquiries

Ref. no.	Site	Town/ Parish	Description	Appeal type	Venue	Date
W/09/01142/FUL	Kingsdown Farm Lords Hill Longbridge Deverill	Sutton Veny	Erect 2 livestock buildings, straw storage building, dung store, hardened tracks and passageways and re-profiling of land adjacent to facilitate new buildings	INQ	CC	26.05.2010 27.05.2010 28.05.2010
W/09/01750/FUL	Mowlems Wynsome Street Southwick	Southwick	Residential development for 54 new build dwellings and conversion of existing building to 2 dwellings	INQ	CC	08.06.10 09.06.10
W/09/00150/FUL	Land North Of Junction With Dakota Close And Hornchurch Road Bowerhill	Bowerhill	Proposed erection of 27 residential dwellings and their associated roads, sewers and parking	HRG	CC	06.07.10