

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 7 SEPTEMBER 2011 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman),
Cllr Mark Griffiths, Cllr John Knight, Cllr Christopher Newbury, Cllr Stephen Petty,
Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Malcolm Hewson and Cllr Francis Morland

78 Apologies for Absence

There were no apologies for absence.

79 Minutes of the Previous Meeting

The minutes of the meeting held on 17 August 2011 were presented.

Resolved:

**To approve as a correct record and sign the minutes of the meeting held
on 17 August 2011.**

80 Declarations of Interest

W/10/03031/FUL - Application to renew planning permission W/05/00744/FUL
to allow time to submit reserved matters pursuant to reference 98/01149/OUT,
Land West Of Biss Farm West Ashton Road West Ashton Wiltshire.

W/11/01697/FUL - Application to renew planning permission 05/00744/FUL to
allow time to submit Reserved Matters pursuant to reference 98/01149/OUT,
Land West Of Biss Farm West Ashton Road West Ashton Wiltshire.

Councillors Peter Fuller and John Knight declared a personal interest as
members of the Trowbridge Town Council which had discussed the application

in the past. They gave their assurance that they would consider the applications with an open mind.

81 **Chairman's Announcements**

The Chairman informed the committee of the passing of Mr Frank Brine, who had often attended meetings of this committee or its predecessor, the West Wiltshire District Council planning committee.

82 **Public Participation**

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

83 **Planning Applications**

The Committee considered the following applications:

83.a W/10/03031/FUL - Application to renew planning permission W/05/00744/FUL to allow time to submit reserved matters pursuant to reference 98/01149/OUT

Public Participation:

- Dr Kevin Eames spoke in objection to the application.
- Mr Nigel Williams spoke in objection to the application.
- Mr David Hutchinson, agent, spoke in support of the application.
- Mr Peter Westlake, West Ashton Parish Council, spoke in objection to the application.

Councillor Francis Morland, Unitary Councillor for Southwick, expressed his concerns about the application.

Officers introduced the report which sought approval.

The Head of Service : Sustainable Transport, Department of Neighbourhood & Planning attended the meeting to provide further information and answer any questions members of the committee may have with regards to the Transport Assessment. Following questions he confirmed that the proposed scheme would be broadly proportional to the impact of the proposed development, and that there would be no radical re-working of the existing junction but improvements to achieve as much capacity from the junction as possible.

During the ensuing debate members of the committee could not be satisfied that the proposed highways improvements would be sufficient when taking into

consideration all changes in circumstances since the original planning permission was given.

It was therefore

Resolved:

That the renewal of planning permission be REFUSED

For the following reason:

There have been material changes in circumstances since the original planning permission was given, including the lack of the highway network as originally proposed.

Councillor Peter Fuller asked for his vote against the motion to be recorded.

83.b W/11/01697/FUL - Application to renew planning permission 05/00744/FUL to allow time to submit Reserved Matters pursuant to reference 98/01149/OUT

Public Speaking:

- The objectors did not wish to add anything to what they had said with regards to the previous application on this agenda (W/10/03031/FUL).
- Mr David Hutchinson, agent, invited the committee to think about deferring consideration of this application following the committee's decision on application W/10/03031/FUL.
- Mr Peter Westlake, West Ashton Parish Council, asked for due consideration to be given to any conditions with regards to this application.

Resolved:

To defer the application at the request of the applicant's agent.

83.c W/11/01563/FUL - Proposed industrial building to cover over existing open yard storage area

Public Participation:

- Dr Leo Haylen spoke in objection to the application.
- Mr Paul Gibson spoke in objection to the application.
- Mr Michael Newberry spoke in objection to the application.
- Mr Rob Peck spoke in support of the application.
- Mr John Barberio spoke in support of the application.
- Mr Harry Grist, agent, spoke in support of the application.

Officers introduced the report which sought approval.

During the ensuing debate members of the committee expressed their understanding of the reasons given by both the objectors and supporters. However members of the committee felt that rural enterprises should be supported when compliant with planning regulations and that the proposed conditions, with an additional informative, should alleviate the objections raised.

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. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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. The buildings shown as being demolished shall be removed prior to the construction of the proposed development.

REASON: To ensure that the volume of development on this part of the site is consistent with the proposal in the interests of visual and residential amenity.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - C31a & C38.

4. The proposed development hereby approved shall be used solely for the storage of goods in connection with the primary activity on this site and shall not be used for any manufacturing, industrial or production purposes.

REASON: In the interests of residential amenity

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

5. There shall be no external storage of materials or equipment within the rear yard in the northeast corner of the site.

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

6. The proposed development shall be carried out in complete accordance with the Construction Method Statement Rev A dated 04 August 2011.

REASON: In the interests of the protection of protected species and their habitats.
Planning Policy Statement 9; Biodiversity and Geological Conservation

7. The proposed development shall be carried out strictly in accordance with the Arboricultural Assessment and Method Statement with Addendum (NdeB/7010/A/2 dated March 2001; addendum August 2011) and under the supervision of an arboricultural consultant.

REASON: To prevent trees on, and adjacent to, the site being damaged during construction.
POLICY: West Wiltshire District Plan 1st Alteration 2004 – C32

8. No development shall commence on site until details of any external lighting and mitigation measures to minimise light pollution from the proposed building have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be put in place before the building is first brought into use and shall be maintained in accordance with the approved details.

REASON: To minimise light pollution and in the interests of the amenities of the area.
West Wiltshire District Plan 1st Alteration 2004 - POLICY: C35 and C38

9. Construction work in connection with the development hereby permitted shall only take place between the hours of 0730 and 1800 on Mondays to Fridays and between 0800 and 1300 on Saturdays and at no time at all on Sundays and Bank or Public Holidays.

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

10. The proposed development shall only be carried out in complete accordance with the following plans and documents:
09034-1 rev A received on 25.07.11
09034-2 rev B received on 25.07.11
Construction Method Statement rev A received on 04.08.11
Arboricultural Assessment & Method Statement with Addendum received on 15.08.11

REASON: To ensure that the development is carried out in accordance with the plans that have been approved by the local planning authority.

Informative(s):

1. The applicant is advised that Flood Defence Consent will be required from the Environment Agency for any works or structures within 8m of the top of the bank of the River Wylfe and Mill Stream. The applicant is therefore advised to consult the Agency (Daniel Griffin 01258 483351) with regard to this matter.

2. The applicant is advised that consideration should be given to the incorporation of flood proofing measures in the design and construction of the building, including barriers on ground floor doors, windows, and access points and locating electrical services and plugs above possible flood levels. Additional guidance can be found in the EA's publication 'Damage Limitation' (0845 988 1188 or www.environment-agency.gov.uk) and the DCLG publication 'Improving the flood performance of new buildings'.

3. The applicant is advised that in the event of any disturbance to the Mill Stream, he should contact the Council's Archaeologist prior to the continuance of any work

4. The applicant is advised to consider introducing additional landscaping to improve the appearance of the boundary wall and the area between the existing houses and the new building; and to consider installing sound insulation into the building to reduce any potential for noise pollution.

83.d W/11/01826/REG3 - Planning permission for the retention of a single temporary unit with toilets (previous permission 04/00746)

Public Participation:

- Mr Peter Hulvert spoke in objection to the application.
- Mr John Green spoke in objection to the application.

Officers introduced the report which sought approval.

Although members of the committee had some sympathy for the objectors, the objections raised by the public speakers could not be addressed by the Planning Committee or planning conditions. However members of the committee felt that the issues of off-site parking and access should be taken into account when the revised Green Travel Plan was produced, they also felt that three months was too short a timescale to produce the Green Travel Plan and amended condition 2 to reflect this.

Resolved:

That planning permission be GRANTED

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. The temporary mobile building hereby permitted shall be removed and the land restored to its former condition on or before 7 September 2016, in accordance with a scheme of work to be submitted to and approved by the Local Planning Authority.

REASON: Planning permission has been granted on a temporary basis to allow the Local Planning Authority to review the functional need for the mobile classroom at the end of the expiration of the period referred to.

POLICY: West Wiltshire District Plan - 1st Alteration Policy CF1.

2. That within 6 months of this temporary permission renewal being granted, the school shall submit a revised Green Travel Plan which should address the off-site parking and access complaints, including along The Gravel, and the associated impact on the residential amenity of residents of the Gravel, and obtain the written approval of the Local Planning authority, following consultation with the parish council, local residents and the highways authority. The Travel Plan shall include details of the implementation of any requisite access and parking improvements and monitoring. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the Plan arising from the necessary ongoing monitoring.

REASON: In the interests of road safety, reducing neighbouring conflicts as well as encouraging parents to adopt alternative non-car based school journeys.

POLICY: West Wiltshire District Plan 1st Alteration policy CF1, C38 and T10.

3. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

LOCATION PLAN received on 13.06.2011

LOCATION, PLAN AND ELEVATIONS drawing no. 1237/57 Rev O received on 13.06.2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

83.e W/11/01224/FUL - Erection of single storey rear extension and installation of additional window in main property

Public Participation:

- Mr Ian Bolden spoke in objection to the application.
- Mr Martin Newman, applicant, spoke in support of the application.
- Mr Nicholas Magniac, agent, spoke in support of the application.

Councillor Malcolm Hewson, Unitary Councillor for Bradford-on-Avon South, welcomed the opportunity for the application to be considered in a meeting open to the public, where both objectors and supporters would be able to express their views.

Officers introduced the report which sought approval. During the ensuing debate members of the committee could not be satisfied that the proposed extension impinged on the neighbours' privacy any more than the existing patio, however the committee felt that not allowing the glazed window to be opened would be helpful and amended condition 3 accordingly.

Resolved:

That planning permission be GRANTED.

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. 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. No development shall commence on site until details of the obscure glazing to be used in the window in the north-east elevation of the extension, as annotated on the amended plans, has been submitted to and approved in writing by the local planning authority. The obscure glazing shall be installed as approved and the window shall be permanently fixed shut prior to the first occupation of the extension and shall thereafter be maintained as such.

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

4. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Site Plan received on 04.04.2011

N/11 Rev B received on 04.04.2011

N/12 Rev B received on 04.04.2011

N/13 Rev C received on 04.04.2011

N/14 received on 04.04.2011

N/15 Rev B received on 04.04.2011

N/16 received on 04.04.2011

N/17 received on 04.04.2011

N/18 received on 04.04.2011

N/19 received on 04.04.2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

84 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 6.00 - 9.10 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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