

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 27 OCTOBER 2005**

Held in: **THE COUNCIL CHAMBER, COUNCIL OFFICES,
BRADLEY ROAD, TROWBRIDGE**

Present:

Councillors: Newbury (Chairman), Burnan OBE, Carbin, Clark, J Clegg, M Clegg, Cunliffe-Jones, Fortescue, James, Knight, Manasseh, March, Oakman, Osborn, Repton, Rosier and Viles

Also in attendance: Conley (part), Mudge and Swabey (part)

Officers: Principal Planning Officers (CC, PW), Senior Planning Officer (JE) and Member Support Officer (MS)

389. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE

There were no apologies for absence received or changes to the membership of the Committee.

390. OPEN FORUM

For open forum presentations in respect of planning applications please refer to minute number 395.

391. MINUTES

The minutes of the meetings held on 22 September and 6 October were approved as a correct record and signed by the Chairman.

392 DECLARATIONS OF INTEREST

The following interests were declared:

Application/Item	Councillor/Officer	Reason
04/02051/FUL - Church Farm, 37 Church Lane, Wingfield, Wiltshire, BA14 9LW	Burnan OBE March	Lobbied Lobbied
04/02050/LBC - Church Farm,	Burnan OBE	Lobbied

37 Church Lane, Wingfield, Wiltshire, BA14 9LW	March	Lobbied
05/01685/FUL - Church Farm, 37 Church Lane, Wingfield, Wiltshire, BA14 9LW	March	Lobbied
05/01688/LBC - Church Farm, 37 Church Lane, Wingfield, Wiltshire, BA14 9LW	March	Lobbied
05/01841/FUL - Tesco Stores Ltd, County Way, Trowbridge, Wiltshire, BA14 7AQ	Burnan OBE James Knight	Member of Trowbridge Town Council Planning Committee Chaired Trowbridge Town Council Development Committee when application discussed. Had also visited the store and discussed application with staff. Lobbied
05/01015/OUT - 114 Station Road, Westbury, Wiltshire, BA13 4HW	J Clegg M Clegg	Personal Interest – Knew the Company Director (Applicant) - would remain in the Council Chamber. As above
05/01960/FUL - 12 Maristow Street, Westbury, Wiltshire, BA13 3DN	J Clegg	Member of Westbury Town Council Planning Committee
05/01175/OUT - 27 Forest Road, Melksham, Wiltshire, SN12 7AA	Burnan OBE Knight Oakman	Lobbied Lobbied Lobbied and Vice Chairman of Melksham Town Council Planning Committee
05/01807/FUL - Land East Of 6 Lower Marsh Road, Warminster, Wiltshire	March	Lobbied
05/01961/FUL - Land Adjacent Merlin Way And Lancaster Road, Bowerhill, Wiltshire	Burnan OBE March Oakman	Lobbied Lobbied Lobbied and Vice Chairman of Melksham Town Council Planning Committee

393. QUESTIONS

No questions were received.

394. ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman made no announcements

395. PLANNING APPLICATIONS

Open Forum speakers:

Application	Speaker(s)
04/02051/FUL - Church Farm, 37 Church Lane, Wingfield, Wiltshire, BA14 9LW	Mr Brent Hodges (open forum presentation also covered applications 04/02050/LBC, 05/01685/FUL and 05/01688/LBC)
05/01841/FUL - Tesco Stores Ltd, County Way, Trowbridge, Wiltshire, BA14 7AQ	Mr John Elliott Mr Bruce Whitfield Miss Marie Nagy
05/01015/OUT - 114 Station Road, Westbury, Wiltshire, BA13 4HW	Mr Francis Morland Mr John Clark Mr Alan Pearce
05/00677/FUL - Land West Of Commerce Close, West Wilts Trading Estate, Westbury, Wiltshire	Mr Francis Morland
05/01789/FUL – Great Elms, Elms Cross, Bradford On Avon, Wiltshire, BA15 2AD	Mr Alan Roland-Price
04/02458/FUL - Fairfield Cottages, 39 High Street, Dilton Marsh, Wiltshire, BA13 4DL	Mr Francis Morland Mr Steven Braithwaite Ms Janet Kenward
05/00282/FUL - Land South East Of Hillview Farm, Bradford Road, Winsley, Wiltshire	Miss Betty Parr
05/01175/OUT - 27 Forest Road, Melksham, Wiltshire, SN12 7AA	Mr Arthur Webb
05/01807/FUL - Land East Of 6 Lower Marsh Road, Warminster, Wiltshire	Mr Robert Chapman Ms Charlotte Cox Mr Graham Holloway Mr Peter Grist
05/01588/FUL - 2 Hawkeridge Mill, Mill Lane, Heywood, Wiltshire, BA13 4LD	Mr Francis Morland
05/01912/FUL - The Gables, 46 Westbury Road, Edington, Wiltshire, BA13 4PG	Mr Brain Wyatt Mr Clive Woods

05/01961/FUL - Land Adjacent Merlin Way And Lancaster Road, Bowerhill, Wiltshire	Mrs Lorraine Williams
--	-----------------------

Decisions made against officers' recommendation

05/01841/FUL - Tesco Stores Ltd, County Way, Trowbridge

This application was recommended for permission by officers, however the Committee resolved to refuse planning permission for the following reasons: -

1. The proposed increase in the area available for the sale of comparison goods would have a detrimental impact on the vitality and viability of Trowbridge town centre contrary to Policy SP3 of the West Wiltshire District Plan First Alteration.
2. The proposal would result in an increase in demand for parking at a car park that is close to capacity that would result in queuing of vehicles at the existing junctions to the detriment of highway safety.

05/00282/FUL - Land South East of Hillview Farm, Bradford Road, Winsley

Officers recommended that this application be granted permission, however the Committee resolved to refuse planning permission for the following reasons: -

1. Policy E10 of the West Wiltshire District Plan First Alteration states that equestrian facilities and changes of use will be required to minimise their effect on the highways infrastructure. The number of vehicle movements generated by the site would be detrimental to highway safety by virtue of the use of the western access and its proximity to a roundabout and the conflict with right turning traffic. The proposal is therefore considered contrary to this policy.

05/01912/FUL - The Gables, 46 Westbury Road, Edington

Officers recommended that this application be refused, however the Committee resolved to grant permission subject to the following conditions: -

1. The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted 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: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C31A & E2.

3. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

5. Prior to the commencement of the development hereby permitted, sectional drawings of the driveway and the extensions shall be submitted to and approved by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

REASON: In order to protect the visual appearance of the area.

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

05/01961/FUL – Land Adjacent Merlin Way and Lancaster Road, Bowerhill

Officers recommended that this application be granted permission, however the Committee resolved to refuse planning permission for the following reasons: -

1. The proposed take away cabin would by reason of its location and siting, encourage the parking of vehicles on the highway at the junction of Merlin Way and Lancaster Road to the detriment of highway safety and other highway users.

Applications Deferred

05/01968/FUL – 1 Prospect Fields, Atworth

At the meeting the Committee agreed with the Officers recommendation, to permit the application, subject to an additional condition. However since the meeting it has been decided to defer the application and bring it back to the next meeting of the Planning Committee to further discuss the conditions.

05/01175/OUT - 27 Forest Road, Melksham

Officers recommended that this application be granted permission, however the Committee resolved to defer the application to allow for further negotiations on the height and siting of the proposed dwelling.

05/01807/FUL - Land East of 6 Lower Marsh Road, Warminster

Officers recommended that this application be granted permission; however the Committee resolved to defer the application to allow for further negotiations to achieve a more modest scheme.

Change to Recommendation

05/00677/FUL - Land West Of Commerce Close, West Wilts Trading Estate, Westbury

The Committee agreed with the Officers recommendation, subject to the following amendment: -

Planning permission be granted at a future date in the event of the Development Control Manager being satisfied as to the prior agreement of a Legal Agreement **for the sum of £15,000** for a highway contribution for the junction improvements of the Link Road with Hawkeridge Road.

Additional/Change/s to Condition/s

05/01015/OUT – 114 Station Road, Westbury

The Committee agreed a change to recommendation 1, as circulated in the 'late list'

1. Approval of the details of siting, design and external appearance of buildings and landscaping of the site (“the reserved matters”) shall be obtained from the Local Planning Authority in writing. ~~Details of the employment part of the site to be submitted prior to the commencement of employment development and details of the residential part of the site to be submitted prior to the commencement of residential development.~~

The Committee resolved to refer the above application to the First Secretary of State as a Departure from the Development Plan, with three additional conditions: -

20. The dwellings hereby approved shall not exceed two and a half storeys.

REASON: In the interests of amenity and privacy.

21. The number of dwellings to be constructed on the site shall not exceed 90.

REASON: In the interests of amenity and privacy.

22. Prior the commencement of any development on site, details of the proposed play area shall be submitted to and approved by the Local Planning Authority. The proposed play area shall be located in a position which shall not be adjacent to railway line. The play area shall be equipped and ready for use prior to the occupation of 50% of the dwellings on the site.

REASON: In the interests of amenity of the users of the play area.

05/01960/FUL – 12 Maristow Street, Westbury

The Committee agreed with the Officers recommendation, to permit the application, subject to an amendment of condition one: -

1. The development hereby permitted shall ~~be begun~~ begin before the expiration of ~~five~~ three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 **as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.**

Informative

05/01960/FUL – 12 Maristow Street, Westbury

The applicant is reminded that any future change to the shop front would require permission

RESOLVED:

- (a) **That the list of delegated decisions made since the last meeting be received and noted.**
- (b) **To make decisions on planning and related applications as set out in the appendix to these minutes.**
- (c) **The following agenda items be deferred for consideration at the next meeting of the Planning Committee: -**
 - **Planning application**
05/01847/FUL – 5 Melrose Close, Warminster
 - **Main agenda items**
Quarterly Planning Appeals – Update

Planning Appeals – Update

NOTE: VOTE TO CONTINUE

During the consideration of planning applications, and in accordance with the Constitution, the Committee voted to continue with the meeting after 10.15pm.

At 11.15pm the Committee took a further vote to continue until application 05/01961/FUL – Land Adjacent Merlin Way and Lancaster Road, Bowerhill had been determined

Recorded Votes

05/01015/OUT – 114 Station Road, Westbury

A motion for refusal was put to the vote and was LOST. A recorded vote having been requested was recorded as follows:

For the Motion (6)

Clark, James, Manasseh, Newbury, Oakman, Viles

Against the Motion (11)

Burnan OBE, Carbin, J Clegg, M Clegg, Cunliffe-Jones, Fortescue, Knight, March, Osborn, Repton and Rosier

Abstentions (0)

05/01015/OUT – 114 Station Road, Westbury

During the debate a motion as per the recommendation was put to the vote and was WON. Cllrs Manasseh and Newbury then requested that their votes against the decision to refer the above application to the First Secretary of State be recorded.

Attendance

Cllr James joined the meeting at the conclusion of minute 390

Cllr Cunliffe-Jones left the meeting during the open forum presentations, Cllr James left the meeting during the debate and Cllr Clark and Rosier left the meeting after the determination of application 05/01841/FUL - Tesco Stores Ltd, County Way, Trowbridge. Both Cllrs Cunliffe-Jones and James returned to the meeting during the debate of this application.

Cllrs Clark and Rosier returned to the meeting during the officers presentation of application 05/01015/OUT - 114 Station Road, Westbury. Cllr Repton left and returned to the meeting during the debate of this application.

Cllrs James and Oakman left the meeting during the officers presentation of 05/00677/FUL - Land West Of Commerce Close, West Wilts Trading Estate, Westbury, Wiltshire. Cllr James returned to the meeting during the officers presentation and Cllr Oakman returned during the debate of this application.

Cllr Cunliffe-Jones left the meeting during the officers presentation and returned during the open forum presentations of 04/02458/FUL - Fairfield Cottages, 39 High Street, Dilton Marsh.

Cllrs Fortescue and Knight left the meeting during the open forum presentations and Cllr J Clegg left the meeting during the debate of application 05/00282/FUL - Land South East Of Hillview Farm, Bradford Road, Winsley. Cllr Fortescue returned during the open forum presentations and Cllrs Knight and J Clegg returned during the debate of this application.

Cllrs James and Burnan OBE left the meeting during the officers presentation, Cllr Repton left the meeting during the debate and Cllr Oakman left the meeting after the determination of application 05/01175/OUT - 27 Forest Road, Melksham. Cllrs James and Burnan OBE returned during the open forum and Cllr Repton returned during the debate of this application.

Cllr Oakman returned to the meeting during the open forum presentations, Cllr M Clegg left the meeting during the officers presentation and Cllrs Manasseh and Osborn left the meeting during the open forum of application 05/01807/FUL - Land East Of 6 Lower Marsh Road, Warminster. Cllrs M Clegg and Manasseh returned to the meeting during the open forum and Cllr Osborn returned during the debate of this application.

ENDING THE MEETING

Due to the lateness of the hour (11.25pm), the Committee resolved to end the meeting. The following applications and items were not dealt with and were deferred to the next meeting :

Planning applications

05/01847/FUL – 5 Melrose Close, Warminster

Main agenda items

Quarterly Planning Appeals – Update

Planning Appeals – Update

DATE OF NEXT MEETING

The next ordinary meeting of the Planning Committee will be held on **Thursday 17 November 2005** at **7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(7.15pm – 11.25pm)

These minutes were prepared by Melanie Stimpson, Member Support Officer who can be contacted on direct line 01225 770322 or email mstimpson@westwiltshire.gov.uk

Commdev/word/planning/mins2005/27/10/05