

**THESE MINUTES WILL BE PRESENTED TO THE NEXT PLANNING COMMITTEE ON 21 JUNE FOR APPROVAL AS A CORRECT RECORD.**

**WEST WILTSHIRE DISTRICT COUNCIL**

**MINUTES**

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 31 MAY 2007**

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

Present:

Councillors: Cllrs Clark (Chairman), Binding, Burden, Carbin, Denison-Pender, Eaton, Fortescue, Fuller, Hawker, James, Griffiths, King, March, Martindale, Mounde, Parks, Phillips OBE and Repton

Also present: Cllrs Alford, Jenkins and Mudge

Officers: Development Control Service Manager(DH),Principal Planning Officer (PW), and Member Support Officers (PS and KH)

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**58. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE**

Apologies for absence were received from Cllrs Bolwell and Newbury

**59. OPEN FORUM**

At the beginning of the meeting:

Mr Karl Cleife made an open forum presentation in respect of planning application - 06/03588/OUT - Land Adjoining Sewage Works Cherry Orchard Codford.

For all other open forum presentations in respect of planning applications please refer to minute number 64

## 60. DECLARATIONS OF INTEREST

The following interests were declared:

| Application/Item  | Councillor/Officer   | Reason   |
|---|--|--|
| 06/01396/FUL - Land Rear Of 12B Westbury Road Warminster          | Binding<br>Denison-Pender<br>Eaton<br>Fortescue<br>Fuller<br>Griffiths<br>King<br>March<br>Mounde<br>Parks | Lobbied  |
| 07/00045/FUL - The Bungalow 16A Cobbett Rise Bishopstrow          | Eaton<br>Fuller<br>Mounde  | Lobbied  |
| 07/00048/CON - The Bungalow 16A Cobbett Rise Bishopstrow          | Eaton<br>Fuller<br>Mounde  | Lobbied  |
| 07/00678/OUT - Former Wincanton Site Bythesea Road Trowbridge     | Binding<br>Fortescue<br>Fuller<br><br>Hawker<br>March<br>Parks   | Lobbied<br>Lobbied<br>Lobbied – had also been present at Trowbridge Town Council Planning Committee when item discussed – would consider with an open mind.<br>Predetermination<br>Lobbied<br>Lobbied  |
| 06/03588/OUT - Land Adjoining Sewage Works Cherry Orchard Codford | Clark<br><br>Fortescue<br><br>Fuller   | Irrespective of his political position he would consider the application on its merits and make his decision with an open mind based solely on the strength of the position presented.<br><br>Cabinet Portfolio Holder for Housing PFI – would leave Chamber.<br><br>Member of Jefferson Housing Society – would leave Chamber |

|   |         |         |
|---|---------|---------|
|   |         |         |
| 07/00510/FUL - 5<br>Church Street<br>Melksham           | Parks   | Lobbied |
| 07/00739/FUL - 91<br>The Common<br>Broughton<br>Gifford | Binding | Lobbied |

## **61. ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman informed Members of some planning training that was available to them.

## **62. LAND AT BLUE HILLS HILPERTON**

Principal Planning Officer (PW) presented the report which asked Committee to consider an amendment to the original committee resolution of October 2006, which required an index linked and bonded contribution by the developer to the County Education Authority towards the cost of additional education provision within the locality, following a reassessment by the Education Authority.

Some discussion ensued and it was

### **RESOLVED:**

**That the matter be deferred.**

## **63. PROPOSED DIVERSION OF FOOTPATH 15 WINGFIELD**

Development Control Service Manager(DH) presented the report which requested the diversion of footpath 15 Wingfield away from the site of the proposed construction of agricultural buildings and slurry lagoon.

### **RESOLVED:**

**That an order be made for the diversion of Footpath 15 Wingfield and the new route to be constructed to the satisfaction of Wiltshire County Council, the Highway Authority.**

## 64. PLANNING APPLICATIONS

Open Forum speakers:

### **Application**

Delegated Decisions – 07/01300/TCA

06/01396/FUL - Land Rear Of 12B Westbury Road  
Warminster

07/00045/FUL - The Bungalow 16A Cobbett Rise  
Bishopstrow

07/00048/CON - The Bungalow 16A  
Cobbett Rise Bishopstrow

07/00678/OUT - Former

Wincanton Site Bythesea Road Trowbridge

06/03588/OUT - Land Adjoining Sewage Works Cherry  
Orchard Codford

07/00874/FUL - 10A Frome Road  
Bradford On Avon

07/00739/FUL - 91 The Common Broughton  
Gifford

07/00561/FUL - 33 Brecon Close  
Melksham

### **Speaker(s)**

Mr Frances Morland

Mr Chris Gibbons

Mrs Frances Britten

Mr Anthony Potter

Ms Charlotte Watkins

Ms Charlotte Watkins

Mr Nicholas Scott

Mr Chris Trowell

Mr Ian Walker

Mrs Deirdre Ducker

Mr A Harlow

### **Amended Recommendations/Directives**

The Committee agreed with the Officer's recommendation for referral to the Secretary of State as a departure from the Development Plan, but with an additional recommendation from the Late List. The recommendation now reads:

**That the application be referred to the Secretary of State as a departure from the Development Plan, which the Council is minded to grant permission subject to the satisfactory completion of a Legal Agreement to secure:**

- **the provision of up to 30% affordable housing;**
- **a financial contribution towards the cost of improved cycle pedestrian accessibility;**
- **a financial contribution towards the development of a car park guidance scheme for Trowbridge;**
- **the establishment of an executive role for the local authority in terms of car park management (particularly charging policy).**
- **a financial contribution towards improved public open space provision.**

**In the event that the application is remitted back to the Local Planning Authority and on completion of the Legal Agreement, the Development Control Manager be authorised to issue the decision.**

07/00739/FUL - 91 The Common Broughton Gifford

The Committee agreed with the Officer's recommendation for permission, but with the following additional conditions:

The existing hedgerow and shrub planting along the frontage of the site and to the rear of the garage shall be retained, reinforced where necessary, and maintained at a height of not less than 1.5m unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that existing hedges of value are adequately protected.

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

07/00561/FUL - 33 Brecon Close Melksham

The Committee agreed with the Officer's recommendation for permission, but with the following additional 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 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

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

**Applications deferred**

07/00045/FUL - The Bungalow 16A Cobbett Rise Bishopstrow

Officers recommended consent, however the Committee resolved to defer the application to allow for the consideration of the massing of the proposal including the height of the roof and to consider the removal of the proposed roof lights facing the highway.

**Decisions made against Officers recommendations**

06/01396/FUL - Land Rear Of 12B Westbury Road Warminster

Officers recommended the above application for permission. However, the Committee resolved to refuse the application for the following reason: -

The proposed dwelling, by reason of its height, size and location would have an unacceptable effect on living conditions of the occupiers of the adjoining residential dwelling, particularly by reason of overbearing impact, loss of outlook and loss of sunlight, contrary to Policy C38 of the West Wiltshire District Plan First Alteration (Adopted June 2004).

### **Member Attendance**

Cllr Phillips OBE arrived at the meeting during the debate 06/01396/FUL - Land Rear Of 12B Westbury Road

Cllr James left the Chamber during the officer presentation of 07/00844/FUL - Land Rear of 104 The Butts Westbury and returned during the open forum presentation of 07/00045/FUL - The Bungalow 16A Cobbett Rise Bishopstrow

Cllr Eaton left the meeting during the debate on 07/00844/FUL - Land Rear of 104 The Butts Westbury and returned during the open forum presentation of 07/00045/FUL - The Bungalow 16A Cobbett Rise Bishopstrow

Cllr Fortescue left the meeting at the start of 06/03588/OUT - Land Adjoining Sewage Works Cherry Orchard Codford and returned at the start of 07/00510/FUL - 5 Church Street Melksham

Cllr Fuller left the meeting at the start of 06/03588/OUT - Land Adjoining Sewage Works Cherry Orchard Codford and returned at the start of 07/00510/FUL - 5 Church Street Melksham

Cllr Mounde left the meeting at the end of 06/03588/OUT - Land Adjoining Sewage Works Cherry Orchard Codford and did not return.

Cllr Hawker left the meeting during the officer presentation of 07/00874/FUL - 10A Frome Road Bradford On Avon and did not return.

Cllr James left the meeting during the officer presentation of 07/00739/FUL - 91 The Common Broughton Gifford and returned during the open forum of the same.

### **Recorded Vote**

07/00561/FUL - 33 Brecon Close Melksham

Cllr James requested that his vote against the motion for permission for the above application be recorded.

### **RESOLVED:**

West Wiltshire District Council/Planning Committee/31 May 2007

(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.

## 65. PLANNING APPEALS UPDATE

Open Forum – Mr Frances Morland reference 04/020303/OUT – Staverton Triangle.

Development Control Service Manager, Dave Hubbard, presented planning appeals update reports for the period 14 March – 14 May 2007.

### **RESOLVED:**

**That the reports be noted.**

### **DATE OF NEXT MEETING**

The next meeting of the Planning Committee would be held on **Thursday 7 June 2007** at **7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(7.00 – 9.59pm)

These minutes were prepared by Pam Sidgwick, Member Support Team Leader who can be contacted on 01225 776655 ext 204 or email [psidgwick@westwiltshire.gov.uk](mailto:psidgwick@westwiltshire.gov.uk)