

## WEST WILTSHIRE DISTRICT COUNCIL

### MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 11 MAY 2006**

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

Present:

Councillors: Newbury (Chairman), Burnan OBE, Carbin, Clark, John Clegg, Cunliffe-Jones, Hawker, Knight, Lovell, March, Osborn, Repton and Viles

Officers: Development Control Manager, (DH), Principal Planning Officers (CC and PW), Member Support Officer (MS) and Democratic Support Officer (KF)

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#### **55. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE**

An apology for absence was received from the Cllrs Marion Clegg, James, Manasseh and Oakman.

Following the meeting of Annual Council the membership of the Planning Committee was as follows: -

Burnan OBE	Hawker	Oakman
Carbin	James	Osborn
Clark	Knight	Repton
Clegg, John	Lovell	Rosier (Vice Chairman)
Clegg, Marion	Manasseh	Viles
Cunliffe-Jones	March	
Fortescue	Newbury (Chairman)	

#### **56. OPEN FORUM**

For open forum presentations in respect of planning applications please refer to minute number 58.

**57. MINUTES**

The minutes of the last meeting held on 20 April 2006 were approved as a correct record and signed by the Chairman.

**58. DECLARATIONS OF INTEREST**

The following interests were declared:

Application/Item	Councillor	Reason
06/00646/FUL – Land between 47 and 49 Princess Gardens, Hilperton 06/00633/FUL – Units 1 – 2, 75 Whaddon, Hilperton	Clark	Personal interest - chaired meetings of Hilperton Parish Council when these applications had been discussed.
06/00692/FUL – 8 and 10 Victoria Road, Warminster	Lovell	Member of Warminster Town Council which had raised objections to the application.
06/00157/FUL – Unit 13, Ashton Mills, West Ashton Road, Trowbridge	Knight	Member of Trowbridge Town Council Planning and Development Committee.
06/00716/ADV – Magnet Ltd, Polebarn Road, Trowbridge	Burnan OBE Knight	Members of Trowbridge Town Council Planning and Development Committee.

**59. QUESTIONS**

No formal questions were received.

**60. ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman welcomed a new member, Cllr Lovell, on to the planning committee.

**61. PLANNING APPLICATIONS**

Prior to the committee determining any planning applications a constitution query was raised regarding Section 1B – Terms of Reference of Council Committees and Sub Committees. Section 1. (i) A stated that determination of planning applications was delegated to officers except where objections had been raised to the application. The query was if all applications had to be brought before the planning committee.

A comment was also made that in the past the committee has had a legal officer present and if this had still been the normal practice the query raised regarding the constitution would have been resolved.

Open Forum speakers:

<b>Application</b>	<b>Speaker(s)</b>
06/00646/FUL - Land between 47 and 49 Princess Gardens, Hilperton	Mr Michael Halliday
06/00633/FUL - Units 1-2, 75 Whaddon, Hilperton	Mr David Pearce
06/00692/FUL - 8 And 10 Victoria Road, Warminster	Mr David Whitten
06/00157/FUL - Unit 13 Aston Mills, West Ashton Road, Trowbridge	Mr David Pearce

### **Decision made against officer's recommendation**

#### **06/00646/FUL - Land between 47 and 49 Princess Gardens, Hilperton**

Officers recommended that planning permission be granted at a future date in the event of the Development Control Manager being satisfied as to the prior completion of a Legal Agreement to ensure the provision of a commuted sum towards affordable housing in the district in accordance with the Supplementary Planning Guidance – Affordable Housing. However the Committee resolved that permission be refused for the following reason:

The proposal by reason of its siting, design and layout would be out of character with the surrounding area and would adversely harm neighbouring amenity contrary to Policy C38 of the West Wiltshire District Plan 1st Alteration 2004.

### **Split Decision**

#### **06/00716/ADV – Magnet Ltd, Polebarn Road, Trowbridge**

Officers recommended that consent be granted. However the Committee resolved to refuse the proposed advertisements fronting County Way as the proposed sign on the elevation fronting County Way would by virtue of its size, position and location, be detrimental to the visual amenity of the area and highway safety contrary to Policy C24 of the West Wiltshire District Plan First Alteration 2004.

The Committee resolved to grant consent to the proposed advertisements fronting Polebarn Road, subject to an additional condition:

- 2 Prior to the erection of the illuminated signs hereby granted consent, details of the level of illumination shall be submitted to and approved in writing by the Local Planning Authority. The work shall be carried out in accordance with the approved details.

Reason In the interest of amenity.

**Application Deferred**

06/00633/FUL - Units 1-2, 75 Whaddon, Hilperton

The above application was recommended for permission by officers. However, the Committee resolved to defer the application as Members were minded to approve but agreed to defer the application to allow for negotiation to secure an appropriate sum for improvements to the highway in this location.

**Amended condition**

06/00605/FUL – 8 and 10 Victoria Road, Warminster

The Committee agreed with the officers recommendation that the First Secretary of State be informed that the Council was minded to approve the proposals because of the material considerations that exist to outweigh policy H19 of the West Wiltshire District Plan 1<sup>st</sup> Alteration 2004, subject to the following amendments to condition no.2: -

- 2 Before the sub-divisions of the dwelling hereby permitted are first occupied there area **between** the nearside carriageway edge and a line drawn 2 metres parallel thereto over the entire site frontage shall be cleared of any obstruction to visibility at and above a height of 600mm above the nearside carriageway level, and thereafter maintained free of obstruction at all times

06/00512/FUL – Land at Kingston Farm, Holt Road, Bradford on Avon

The Committee resolved to permit the application, subject to the following amendment to the condition: -

- 1 The building hereby permitted shall be removed and the land restored to its former condition on or before ~~the date of completion of the barn conversion permitted by application number 00/00871 or the date it expires, ie. 29/11/10~~ **11/05/2008** whichever is sooner, in accordance with a scheme of work to be submitted to and approved by the Local Planning Authority.

**Recorded Vote**

06/00633/FUL - Units 1-2, 75 Whaddon, Hilperton

A motion for refusal was initially put forward and was lost. Cllr Clark requested that his vote in support of refusal in respect of the above application be recorded.

**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.

**Member attendance**

Cllrs Hawker entered the meeting as the meeting progressed to agenda item 'planning applications'.

Cllr Cunliffe-Jones left and returned to the meeting during the debate of 06/00633/FUL – Units 1 – 2, 75 Whaddon, Hilperton.

Cllr Repton left the meeting during the officer's presentation of 06/00564/FUL – 137 Fox Holes, Crockerton and returned to the meeting during the debate of the same application.

**62. PLANNING APPEALS - UPDATE**

The Development Control Manager presented the planning appeals update report for the period 31 March – 20 April 2006 and drew members attention to the three appeal decisions which had been received.

**RESOLVED:**

**That the report be noted.**

**DATE OF NEXT MEETING**

The next ordinary meeting of the Planning Committee would be held on **Thursday 1 June 2006** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge at **7pm**

(7.15pm – 9.00pm)

These minutes were prepared by Melanie Stimpson; Member Support Officer who can be contacted on direct line 01225 770322 or email

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Commdev/word/planning/mins2006/11/05/06