

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 23 AUGUST 2007**

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

Councillors: Cllrs Clark (Chairman), Binding, Burden, Carbin, Eaton,
Fortescue, Fuller, James, Jenkins, King, March, Mounde,
Newbury, Phillips OBE and Repton

Also Present Cllr Conley

Officers: Development Control Service Manager(DH), Principal
Planning Officers (CC, PW & RMc), Member Support Team
Leader (PS) and Member Support Officer (EW)

93. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE

Apologies for absence were received from Cllrs Denison-Pender, Griffiths
Martindale and Parks

94. OPEN FORUM

There were no open forum presentations at the beginning of the meeting.

For all other open forum presentations in respect of planning applications
please refer to minute number 99

95. MINUTES

Open Forum: Mr Francis Morland

The minutes of the meetings held on 21 July and 2 August 2007 were
approved and signed as a correct record by the Chairman.

96. DECLARATIONS OF INTEREST

The following interests were declared:

Application Item	Councillor / Officer	Reason
Agenda Item No. 6	Clark	Personal interest – Member of Hilperton Village Hall and, as Chairman of Hilperton Parish Council, is an ex-officio member of the Hall Management Committee.
07/01393/FUL - Land Adjoining 42 Lower Westwood, Westwood	Fuller	Personal interest - Lobbied
06/03526/OUT - Hillside Hostel 117 Boreham Road, Warminster	Clark	Personal interest - 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.
	Eaton Fortescue Fuller King	Prejudicial interest
07/01962/FUL - Land Adjoining And Rear Of 3 St Thomas Road Trowbridge	Clark	Personal interest - 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.
	Eaton Fortescue Fuller King	Prejudicial interest
07/01963/FUL - Land Off York Buildings, Trowbridge	Clark	Personal interest - 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.
	Eaton Fortescue Fuller King	Prejudicial interest

97. ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman pointed out that at the meeting of 21 June it was the minutes of the meeting held on 31 May that were approved and not 7 June as stated.

98. Land at Blue Hills, Hilperton

Open Forum: Miss Pam Turner

The Committee were asked to consider an amendment to the original committee resolution 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.

RESOLVED:

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 secure:

- 1) The provision of affordable housing in accordance with Council policy**
- 2) Provision of public open space together with a financial contribution to secure its future maintenance.**
- 3) Provision of integrated cycle ways and footpaths leading into the existing network**
- 4) Provision of traffic calming measures within the development and locality.**
- 5) A contribution to the provision of public transport initiatives in the area.**
- 6) A contribution to the provision of public art within the development”**
- 7) A contribution of £46,200 towards community facilities at Hilperton Village Hall.**

Together with justification reason and all conditions as identified on the original resolution numbered 1 to 19 and informative numbered 1.

Secondly, the Committee requested that the Developer be asked to identify the availability of the Village Hall and its community facilities in its welcome packs for new residents of this development.

Recorded Vote: Cllr Clark requested that his abstention be recorded.

99. PLANNING APPLICATIONS

Open Forum speakers:

Speaker(s)

07/01393/FUL - Land Adjoining 42 Lower Westwood, Westwood	Mr Christopher Brunt
07/01590/FUL - Land Adjoining 357 Snarlton Lane Melksham	Ms Charlotte Watkins
06/03526/OUT - Hillside Hostel 117 Boreham Road, Warminster	Mr Anthony Freeman
	Mr Chris Trowell
07/01962/FUL - Land Adjoining And Rear Of 3 St Thomas Road Trowbridge	Mr Chris Trowell
07/01963/FUL - Land Off York Buildings Trowbridge	Mr Clive Jackson
	Mrs Marjory Wade
	Mr Chris Trowell
07/01683/FUL - DACO Engineering Ltd 19A Clivey, Dilton Marsh	Mr Francis Morland
	Mr Frank Brine
	Mr Mark Willis
07/00241/FUL & 07/00244/LBC - Masons Arms 52 Newtown Bradford On Avon	Mr John Romanski
07/02042/FUL - 29 Dark Lane South Steeple Ashton	Mrs Rosemary Brett-Green

Application No. 1 - 07/01393/FUL - Land Adjoining 42 Lower Westwood, Westwood

Section 106 agreement as per officer's recommendation

Application No. 2 - 07/01590/FUL Construction of two semi-detached houses and one detached house - Land adjoining 357 Snarlton Lane Melksham Wiltshire

Permission as per recommendation

Application No. 3- 07/01888/FUL Alterations to provide accommodation in roofspace, single storey extensions and replacement garage - 168 Bradford Road Winsley

Permission as per recommendation

Application No. 4 - 06/03526/OUT Proposed development of 23 houses and 10 flats with 51 parking spaces - Hillside Hostel 117 Boreham Road Warminster

The Committee agreed with the Officer's recommendation for a Section 106 legal agreement, but with the following amendments to the recommendation:

That the Development Control Manager be authorised to grant planning permission subject to the satisfactory completion of a Legal Agreement to secure a total contribution of £24,500 to the Highway Authority for cycling, bus shelter, improved road signage and kerb improvements and subject to the following conditions:

2. Delete Condition 6 and renumber conditions thereafter.
3. Reword Condition 4 as follows:

The development hereby permitted shall not be commenced until either improvement works have been carried out to the existing sewage infrastructure to address additional flows from this development, or satisfactory alternative works for the disposal of sewage have been provided to serve the development hereby permitted in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out strictly in accordance with the approved details and subsequently maintained in a serviceable condition.

REASONS: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies U1 & U1A.

4. Reword Condition 21 as follows:

No work shall commence on site until details of a scheme to enhance the facilities on the open space to the northeast of the site, Queensway Recreation Ground, has been submitted to the Local Planning Authority and approved in writing. Such improvement shall be implemented in accordance with the approved details.

REASON: In order to comply with the Council's policy on providing open space/recreational facilities with new developments which cannot be secured on site.

POLICY: West Wiltshire District Council - 1st Alteration 2004 - Policies R4 & H1 and the Council's Supplementary Planning Guidance - Open Space Provision in New Housing Development.

Application No. 5 - 07/01962/FUL New development of four no. new houses, four no. new flats and eight no. car parking spaces - Land Adjoining and Rear Of 3 St Thomas Road Trowbridge

Permission as per recommendation

Recorded Vote: Cllr Clark requested that his vote in favour of the motion for permission for the above application be recorded.

Application No. 6 - 07/01963/FUL New development of 12 no. new houses, 12 no. new flats and 26 no. car parking spaces - Land Off York Buildings Trowbridge

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

18. Notwithstanding the submitted plans, before work starts on site details showing the introduction of some chimneys to the development shall be submitted to and approved in writing by the LPA. The work shall be carried out in accordance with the approved details.

REASON: In the interest of visual amenity.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C18 and C31a.

Application No. 7 - 07/01683/FUL Change of use of equestrian building (and external cladding) to class B1 use - DACO Engineering Ltd 19A Clivey Dilton Marsh

The Committee agreed with the Officer's recommendation for permission, but with the following rewording of condition 14:

The B1 Use of the premises hereby permitted shall be for the use of DACO Engineering Ltd only. On the vacating of the site by DACO Engineering Ltd the use of the site shall revert to stabling.

REASON: In the interest of rural amenity and employment in the countryside.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C1.

Recorded Vote: Cllr King requested that his abstention and the fact that he did not take part in the debate on the above application be recorded.

Application No. 8 - 07/02273/FUL One bedroom dwelling - Land Adjacent To 14 Church Lane Trowbridge

Officers recommended the above for permission, however, the committee resolved to refuse the application for the following reason:

The proposal by reason of its scale and location would result in a cramped form of development that would have a detrimental impact on the amenities currently enjoyed by the occupiers of neighbouring dwellings and future occupiers of the site, contrary to Policies C31A and C38 of the West Wiltshire District Plan - 1st Alteration 2004.

Application No. 9 - 07/02168/FUL Change of use from A1 to A5 - 25 High Street Westbury

Officers recommended the above for permission, however, the committee resolved to refuse the application for the following reason:

The proposal by reason of the loss of this retail unit would result in harm to the shopping function of the primary retail frontage and to the vitality of the town centre contrary to Policy SP4 of the West Wiltshire District Plan - 1st Alteration 2004

Application No. 10 - 07/02323/LBC Damp proofing works - 35A St Georges Terrace Stallard Street Trowbridge

Consent as per recommendation

Application No. 11 - 07/00054/FUL Residential re-development comprising of three terrace properties, one detached home and two apartments - The Black Swan 1 Adcroft Street Trowbridge

Officers recommended the above for refusal, however, the committee resolved to permit the application for the following reason:

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

Condition(s):

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 C17, C18 & C31A.

3. The existing stonework from the demolition of the extension shall be carefully dismantled, set aside and stored in a safe place for re-use in the construction of the new terrace and detached dwelling.

REASON: To ensure that the setting of the listed building is conserved and to protect the special character and appearance of the Conservation Area.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C17 and C27.

4. A sample wall panel, not less than 1 metre square, shall first be constructed on site and approved by the Local Planning Authority before construction proceeds. The panel shall then be left in position for comparison while the development is carried out. The development shall be carried out in accordance with the approved sample.

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

POLICY: West Wiltshire District Plan - 1st Alteration – Policies C17, C18 & C31A.

5. 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.

6. 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.

7. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the

positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the building(s) is/are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

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

8. The development hereby permitted shall not be occupied until surface water drainage works have been carried out and completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

9. The development hereby permitted shall not be occupied until works for the disposal of sewage have been completed to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U1A.

10. Before the development is first occupied, provision shall be made within the site for the disposal of surface water on the driveway so as to prevent its discharge onto the highway.

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration – Policy H1.

11. Before the development is first occupied, the proposed access shall incorporate a pedestrian intervisibility splay on the south eastern side of the access to the rear of the existing footway based on co-ordinates of 1.8m X 2.4m (being 1.8m back from the carriageway edge and 2.4m along the south eastern frontage of the development) and which shall be kept free of obstruction above a height of 600mm.

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration – Policy H1.

12. Before the development is first occupied, the first 2 metres of the north western boundary between the site and the adjoining private driveway shall be reduced in height and maintained at or below 600mm, in order to provide some level of intervisibility.

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration – Policy H1.

13. Before the development is first occupied, the area allocated for parking on the submitted plans shall be kept clear of obstruction and the spaces shall be allocated 1 per dwelling and additional spaces allocated for visitor parking in connection with the development hereby permitted.

REASON: In the interests of highway safety and amenity of residents.

POLICY: West Wiltshire District Plan - 1st Alteration – Policy H1.

14. Before the development is first occupied, the access drive and car parking areas shall be surfaced in a bound material (not loose stone or gravel) to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration – Policy H1.

15. Details of all external windows and doors, which shall be of timber construction and of a painted finish, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1:2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the development. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character and setting of the listed building and the conservation area in which it is situated.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C17, C18, C27, C28 & C31A.

16. Details of all flues, extract ducts, vents, grilles, meter housings and like features shall be submitted to and approved by the Local Planning Authority prior to their installation in the development. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character and setting of the listed building at the site.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C27, C28 & C31A.

Application No. 12 - 07/00053/LBC Residential re-development comprising of three terrace properties, one detached home and two apartments in listed building - The Black Swan 1 Adcroft Street Trowbridge

Officers recommended the above for refusal, however, the committee resolved to grant consent for the application for the following reason:

Justification: The proposals would not harm the character or setting of the listed building.

Condition(s):

1. The consent hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) 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 - Policy C31A.

3. Details of all new or replacement internal doors, door linings, architraves, beadings, skirtings, panelling and dado rails shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

4. Details of all new or replacement rainwater goods, which shall be of cast iron or cast aluminium construction and finished in black, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To ensure that the character and appearance of the listed building is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

5. Details of the elevations of all external windows and doors to be repaired including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1:2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. Any replacement doors and windows shall match the detail of the original and details shall be submitted as above. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.
POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

6. Details of all flues, extract ducts, vents, grilles, meter housings and like features shall be submitted to and approved by the Local Planning Authority prior to their installation in the listed building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.
POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

7. The existing stonework from the demolition of the extension shall be carefully dismantled, set aside and stored in a safe place for re-use in making good following the works of demolition.

REASON: To protect and preserve the character of the listed building.
POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

8. The ornate bracket for the hanging sign on the front elevation facing British Row shall be retained, repaired and repainted. Details of any repairs together with details of the paint finish and colour shall be submitted to and approved in writing by the local planning authority prior to the works being carried out.

REASON: To protect and preserve the character of the listed building.
POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

9. A full schedule of repairs, including details of repairs to external walls and re-pointing, floors, staircase, plasterwork and ceilings shall be submitted to and approved by the Local Planning Authority prior to the commencement of any works to the listed building, and subsequently the works shall be carried out strictly in accordance with the approved details.

REASON: To ensure that the character of the listed building is conserved.
POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

Application No. 13 - 07/00241/FUL Proposed change of use from public house to two self contained residential units - Masons Arms 52 Newtown Bradford on Avon

Permission as per recommendation

Application No. 14 - 07/00244/LBC Proposed change of use from public house to two self contained residential units - Masons Arms 52 Newtown Bradford on Avon

Consent as per recommendation

Application No. 15 - 06/02733/FUL Construction of stables for the personal use of stabling of horses - Lilac Cottage 40 Temple Corsley

Permission as per recommendation

**Application No. 16 - 07/00886/ADV Shop sign x 2 and projecting sign x 2
- 8 Market Place Warminster**

Consent as per recommendation

**Application No. 17 - 07/00892/LBC Two advertising fascia signs and two
projecting signs – 8 Market Place Warminster**

Consent as per recommendation

**Application No. 18 - 07/01909/FUL Replace garage with two guest rooms
and dining room extension - 23 Station Road Westbury**

Permission as per recommendation

**Application No. 19 - 07/02042/FUL Two storey extension to rear with
single storey extension to side of property - 29 Dark Lane South Steeple
Ashton**

Permission as per recommendation

**Application No. 20 - 07/01485/FUL Demolition of timber garage and
building of new stone built garage - The Old Coach House 12 Woolley
Green Bradford On Avon**

Refer to Secretary of State as per recommendation

Member Attendance

Cllr James left the meeting during the officer presentation of 07/01888/FUL -
168 Bradford Road Winsley and returned during the officer presentation of
06/03526/OUT - Hillside Hostel 117 Boreham Road Warminster

Cllrs Eaton, Fuller, Fortescue and King left the meeting at the start of
06/03526/OUT - Hillside Hostel 117 Boreham Road Warminster and returned
at the start of 07/01683/FUL e - DACO Engineering Ltd 19A Clivey Dilton
Marsh

Cllr Burden left the meeting during the officer presentation of 07/01962/FUL -
Land Adjoining and Rear Of 3 St Thomas Road Trowbridge and returned
during the officer presentation of 07/01963/FUL - Land Off York Buildings
Trowbridge

Cllr James left the meeting during the officer presentation of 07/01683/FUL -
DACO Engineering Ltd 19A Clivey Dilton Marsh and returned during the
debate of the same.

Cllr Mounde left the meeting at the start of at the start of 07/01683/FUL e -
DACO Engineering Ltd 19A Clivey Dilton Marsh and did not return.

Cllr Jenkins left the meeting during the debate of 07/02273/FUL - Land Adjacent To 14 Church Lane Trowbridge and returned at the start of 07/00241/FUL - Masons Arms 52 Newtown Bradford On Avon

Cllr Repton left the meeting during the officer presentation of 07/02168/FUL - 25 High Street Westbury and returned during the debate of the same.

Cllr Newbury left the meeting during the officer presentation of 06/02733/FUL - Lilac Cottage 40 Temple Corsley and did not return.

Cllr Burden left the meeting during the officer presentation of 07/02042/FUL - 29 Dark Lane South Steeple Ashton and returned during the debate of the same.

Cllr March left the meeting at the start of 07/01485/FUL - The Old Coach House 12 Woolley Green Bradford On Avon and did not return

NOTE: VOTE TO CONTINUE

During consideration of the planning applications, after determination of 07/02168/FUL - 25 High Street Westbury, 3 hours having elapsed, the Committee took a vote in accordance with the Constitution on whether or not to continue with the meeting.

RESOLVED:

To continue with the meeting until the completion of the following 4 items or until 11pm, whichever is the later.

Order of Applications Considered

The Chairman varied the order of the applications and dealt with them in the following order: (numbers refer to the application number on the agenda):
1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 13, 14, 19, 11,12,15,16,17,18,20

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.

100. PLANNING APPEALS UPDATE

The Development Control Manager presented planning appeals update reports for the period 18 July – 8 August 2007.

RESOLVED:

That the reports be noted.

DATE OF NEXT MEETING

The next meeting of the Planning Committee would be held on **Thursday 13 September 2007 at 7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(19.00 – 23.00)

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