

## WEST WILTSHIRE DISTRICT COUNCIL

### MINUTES

Minutes of the: **SPECIAL PLANNING COMMITTEE**

Held on: **THURSDAY 29 NOVEMBER 2007**

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

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

Also Present Cllrs Brown and Walker

Officers: Development Control Service Manager (DH), Principal  
Planning Officer (CC), Member Support Team Leader  
(PD). And Member Support Officer (KH)

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

No apologies were received

#### **133. DECLARATIONS OF INTEREST**

Cllr Brown declared a personal interest as her property overlooked the site.

#### **134. ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman announced that he had notified the Proper Officer that this application would be dealt with under the procedure for dealing with important planning applications as laid down in the Council's Constitution.

This was because he considered that the applications were particularly important to the community of West Wiltshire (or part of it) which was evidenced by the number of people present. The main emphasis for dealing with the applications in this way was that, as Chairman, he would try to ensure that all parties were given an equal hearing.

For the benefit of those present he would ask the officers to give their presentations first, then move to open forum and hear the views of the public.

### **135. OPEN FORUM**

In order to give all parties an equal hearing, the Chairman reminded those present that up to 45 minutes would be given for those opposing, or neutral to, the proposal and up to 45 minutes for those supporting it including 10 minutes to Bradford on Avon Town Council and up to 20 minutes for the applicant and agent.

Open forum presentations were made by the following:

#### **Objectors**

Susan Andrew  
V F Easthope  
Godfrey Marks – Bradford on Avon Community Area Transport Group  
Sheila Bowen  
Martin Valatin  
Kate Nicholls  
Gareth Slater  
Nick Nicholls  
D P Miles

#### **Neutral**

John Seekings – Gasworks Action Group  
Annette Seekings  
Trevor Tees – Gasworks Action Group

#### **Supporters**

David Moss – Bradford on Avon Preservation Trust  
Philip Sutton  
Martin Wood – Climate Friendly Bradford on Avon  
Piers Bizowy - Bradford on Avon Community Planning Group  
Alan Hines - Bradford on Avon Chamber of Commerce  
Gerald Milward-Oliver - Bradford on Avon Development Trust

Vicky Landell-Mills - Bradford on Avon Town Council  
Gwen Allison - Bradford on Avon Town Council  
Peter Leach - Bradford on Avon Town Council  
Simon Fisher - Bradford on Avon Town Council

### **Applicant and Agent**

Edward Nash – Nash Partnership  
Chris Beaver – Nash Partnership  
Charles Whateley – Asset Group  
Simon Gait – Linden Homes  
Ian Baker – Linden Homes

At 8.35pm, after the open forum speakers the Chairman allowed a 10 minute comfort break.

Meeting resumed at 8.45pm

## **136. Planning Applications**

### **06/02394/FULES Kingston Mills, Kingston Road, Bradford on Avon**

Councillor Martindale moved that planning permission be granted with recommendations, conditions and notes, as detailed by officers in the agenda and amended in the late list. This was seconded by Councillor Repton.

The following amendments were suggested which were accepted by Cllrs Martindale and Repton:

That the heads of agreement be amended as follows:

1. After Housing Corporation grant add 'as and when phased funding becomes available'
3. After 'a contribution towards' delete 'increasing the capacity' and replace with 'enhancement and increased use

And that the following conditions be amended:

29. After 'appearance of the street scene' insert 'and to minimise their impact on residents' In the reason for this condition after 'of the street scene insert 'and residential amenity'  
In the policy for this condition delete Policy C31A and replace with Policies C31A and C38

39. After 'Very Good standard' insert or 'equivalent level of any other recognized standard'

For the avoidance of doubt, the Chairman read out the motion before the Committee which was made up of the amendments as agreed and detailed above and on the late list.

On being put to the vote, the motion was CARRIED and a recorded vote having been requested, the voting was recorded as follows:

**For the motion (17)**

Councillors Alford, Bolwell, Burden, Clark, Carbin, Denison-Pender, Fortescue, Fuller, Griffiths, James, King, March, Martindale, Mounde, Parks, Phillips OBE, Repton

**Against the motion (1)**

Councillor Newbury

**Abstentions (Nil)**

It was therefore

**RESOLVED:**

**That the Development Control Manager be authorised to grant permission on receipt of a positive response from the Secretary of State in respect of the Listed Building Application, 06/02400/LBC and subject to the completion of S106 Agreement to secure the headings listed below and the following conditions:**

**1) Affordable housing provision: developer to provide 17 No. units at nil subsidy and 36 No. available for purchase with Housing Corporation grant as and when phased funding should become available.**

**2) Public open space: developer to pay a commuted sum payment in lieu of the shortfall of Public Open Space £104,705:69**

- 3) Off site car parking: developer to pay a contribution towards enhancement and increased use of the Council's Station Road car park to increase off site parking capacity.**
- 4) Traffic Regulation Order: developer to fund WCC's reasonable costs to progress the required Traffic Regulation Orders.**
- 5) Off Site Highway Works: developer to fund the cost of the off site highway works, which must be fully in place prior to the occupation of any part of the development to include the pelican and advisory crossing points, re-siting of Knee Corner mini roundabout, footway build out, and new footway to Mill Lane**
- 6) Off Site Directional Signage: Financial contribution towards a scheme of signage for the town centre, including enhanced pedestrian signage and directional signage to long stay and short stay car parking to manage off-street car parking demand.**
- 7) The requirement for a Travel Plan.**
- 8) The requirement for a Construction Vehicle Management and Routing Plan**
- 9) Education: developer to provide a contribution £90,000 towards primary school education, which must be paid on completion of the development.**
- 10) A Car Park Management Plan which accords with the principles contained in the West Wiltshire District Council's practice guidelines**
- 11) To set up a Management Company to be responsible for the maintenance of the communal and public areas within the site including the provision of a public route through the site to the bridge abutment plot and ensure the requisite areas are available for public use in perpetuity.**
- 12) Listed Building: A mechanism to be agreed with the District Council to ensure that the listed buildings are refurbished and reused in the event the developer is unable to complete the work**

**To vary the following conditions as per the late list and detailed in the appendix to these minutes:**

**4, 5, 26, 28, 30, 33, 34, 36, 40, 46, 49**

**Condition 29 after 'appearance of the street scene' insert 'and to minimise their impact on residents'**

**In the reason for this condition after 'of the street scene insert 'and residential amenity'**

**In the policy for this condition delete Policy C31A and replace with Policies C31A and C38**

**Condition 39 after 'Very Good standard' insert or 'equivalent level of any other recognized standard'**

**REASON:**

**The proposed development conforms to the Development Plan and the conditions attached to it overcome any objections on planning grounds.**

**Note: A copy of the full conditions as approved is attached as an appendix to these minutes.**

**06/02400/LBC Kingston Mills, Kingston Road, Bradford on Avon**

Councillor Martindale moved that planning permission with conditions be granted as recommended by officers. This was seconded by Councillor Repton.

Approved as per recommendation

**06/02401/CON Kingston Mills, Kingston Road, Bradford on Avon**

Councillor Martindale moved that planning permission with conditions be granted as recommended by officers. This was seconded by Councillor Repton.

Approved as per recommendation

**137. Planning enforcement investigation into the compliance with approved plans and conditions in respect of a terrace of five dwellings at Victory Fields (the former gasworks site), Frome Road, Bradford on Avon.**

Open Forum: John Seekings and Mr Reid

The Development Control Manager updated the committee about progress in the above planning enforcement case.

A debate ensued and it was

**RESOLVED:**

- **That the report be noted**
- **That a further report updating committee on further progress be made in February 2008**

At the end of the meeting the Chairman took the opportunity to thank Christine Caistor for all her hard work in dealing with the Kingston Mills application and wished her well for the future.

Cllr Phillips OBE thanked the Chairman for the way he had handled the meeting.

**Member Attendance**

Cllrs Denison-Pender and Parks left the meeting during the open forum and returned during the same.

Cllr James left the meeting during the debate and returned during the same.

Cllr Mounde left the meeting after the vote on Kingston Mills, Kingston Road, Bradford on Avon 06/02394/FULES and did not return.

**NOTE: VOTE TO CONTINUE**

During consideration of Kingston Mills, Kingston Road, Bradford on Avon 06/02394/FULES, after 3 hours had 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 all items had been debated.**

**Date of next meeting**

The next scheduled meeting of the Planning Committee will be held on Thursday 6 December 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 Denton, Member Support Team Leader,  
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