

## WEST WILTSHIRE DISTRICT COUNCIL

### MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 8 MAY 2008**

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

Councillors: Cllrs Clark (Chairman), Alford, Binding, Carbin, Fortescue, Fuller, Griffiths, James, King, March, Martindale, Mounde, Newbury and Phillips OBE.

Also Present Cllrs Eaton and Walker.

Officers: Development Control Service Manager (DH), Principal Planning Officer (RM), Principal Planning Officer (MK), Principle Lawyer (SS) and Democratic Support Officer (KF).

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#### 47. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE

Apologies for absence were received from Cllrs Bolwell, Burden, Denison-Pender, Repton and Parks.

#### 48. DECLARATIONS OF INTEREST

<b>Application Item</b>	<b>Cllr / Officer</b>	<b>Reason</b>
08/00508/FUL Land adjoining 3 Ashton Rise, Hilperton	Cllr Clark	Chaired the meeting of Hilperton Parish Council when this application was discussed, will consider the application with an open mind.

Any items discussed at Trowbridge Town Council planning Committee

Cllrs Fuller and James

Personal interests, Trowbridge Town Council Planning Committee Members.

#### **49. MINUTES**

The minutes of the meetings held on 17 April 2008 were approved and signed as a correct record by the Chairman.

#### **50. ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman advised the Committee that it was hoped that the application 07/01911/OUT Former Bottling Plant, Ushers Brewery, Conigre, Trowbridge would be heard at the next Planning Committee meeting on 29 May 2008.

The Chairman thanked both Officers and Members for their input over the last year and advised that the Vice-Chairman would be taking the chair at 10pm if the meeting was still sitting.

It was also announced that at its meeting of 7th May 2008, that Cabinet had resolved that publicity for planning applications would revert to using letters to neighbours advising that a planning application had been submitted and inviting them to inspect the application and submit their comments to the Council. Statutory Site Notices and advertisements in local newspapers and site notices where applications are of wider interest than just the immediate neighbours would be used alongside neighbour notification letters. This would apply to all planning applications validated from the 12th May onwards.

#### **51. OPEN FORUM**

For all other open forum presentations in respect of planning applications please refer to minute number 52.

#### **52. PLANNING APPLICATIONS**

Open Forum speakers:

Agenda Item No.6 – Heywood House, Park Lane, Heywood. – Mr Chris Da Costa

<b>Application No. 1</b> <b>08/00508/FUL</b> <b>Land adjoining 3 Ashton Rise, Hilperton</b>	Mrs Gwendoline Gibbs Mr Ian Thomas
<b>Application No. 2</b> <b>07/02927/FUL</b> <b>The Black Swan, 1 Adcroft Street, Trowbridge</b>	Mr Dudley Garrett
<b>Application No. 4</b> <b>08/00243/FUL</b> <b>15 Fitzmaurice Close, Bradford on Avon</b>	Mrs Abi McGillaray
<b>Application No. 5</b> <b>08/00818/FUL</b> <b>Barn at Manor Farm, Holt</b>	Mr David Pearce
<b>Application No. 6</b> <b>08/00880/FUL</b> <b>161A Winsley, Wiltshire</b>	Mr Alan Appleby
<b>Application No. 7</b> <b>07/03824/FUL</b> <b>51 &amp; 52 Rutland Crescent, Trowbridge</b>	Mr Alan Price Mr Brett Hodges Mr Eric Hunt
<b>Application No. 8</b> <b>08/00310/FUL</b> <b>Land adjacent The Coach House, Shurnhold, Melksham</b>	Ms Charlotte Watkins Cllr Rod Eaton
<b>Application No. 9</b> <b>08/00599/OUT</b> <b>Land South East of Heywood Equestrian Centre, Church Rd, Heywood</b>	Mr Kevin Worcester Miss Elizabeth Lock
<b>Application No. 10</b> <b>07/03762/FUL</b> <b>20 lower Stoke, Limpley Stoke</b>	Mr Adrian Goddard Cllr Carolyn Walker
<b>Application No. 12</b> <b>08/00798/ADV</b> <b>Sainsburys, 29 Elms Cross Shopping Centre, Rowden Lane, Bradford on Avon</b>	Miss Lucy Neal Mrs Anna Roland-Price
<b>Application No. 15</b> <b>08/00585/FUL</b> <b>The Manor House, Brixton Deverill</b>	Mr D. Carpendale

**Application No. 16** Mr Kenny Harris  
**08/00525/FUL**  
**Sunnymount Cottage, 159 West Hill, Whitley**

**Application No. 17** Mr Paul Lewis  
**08/00655/FUL**  
**24 Roundpond, Melksham**

**Application No. 18** Mr Mark Campbell  
**08/00759/FUL**  
**Land adjacent Brook Fields, Edington Road,  
Steeple Ashton**

**Application No. 19** Mr Nick Higginbottom  
**08/00720/FUL**  
**The Roundabout Shop, 1-2 Silver Street,  
Bradford on Avon**

**53. 07/01377/FUL Heywood House, Park Lane, Heywood.  
Change to Resolution to grant planning permission in principle on 13  
September 2007 subject to a Section 106 Agreement.**

To consider Counsel's opinion in respect of a proposed modification to the Heads of Terms of the Section 106 Agreement previously agreed by this committee.

**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 the following:**

**(i) A planned and agreed phased timetable for the implementation of the proposed works to ensure the listed structures, including the landscape and garden features, are fully restored before the new build is completed/occupied.**

**(ii) In place of a financial contribution to public open space, an agreed arrangement for public access to the grounds and gardens, and the erection of an Information Board or similar for education benefit.**

**All conditions and informatives as agreed by the Committee in the Resolution of the 13 September will continue to apply.**

**Cllr Phillips OBE requested that his vote against the recommendations was noted.**

**54. 06/00297/FUL Victoria Garage, 36 Victoria Road, Warminster.  
Proposed change to condition following resolution to grant planning permission in principle on 19 April 2007 subject to a Section 106 Agreement**

To consider a request by the applicant in respect of this application to vary the wording of Condition 21 relating to the hours of delivery to this development as agreed by this Planning Committee.

**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 relating to highway works, education and public open space, and the previously agreed 23 conditions, with the revision to Condition 21 as follows:**

**“Delivery and dispatch of goods to and from the site be limited to between 07.00 hours and 19.00 hours on Mondays to Saturdays, inclusive of Bank Holidays.”**

**All other conditions and informatives agreed by the Committee in the Resolution in the 19 April 2007 will continue to apply.**

**Application No. 1 – 08/00508/FUL – Land adjoining 3 Ashton Rise Hilperton Wiltshire**

Permission as recommendation

Note the incorrect application number was printed on the agenda but the decision is as the recommendation on 08/00508

**Cllr Clark requested that his abstention was noted.**

**Application No. 2 – 07/02927/FUL - The Black Swan 1 Adcroft Street Trowbridge Wiltshire**

Permission for the whole development with conditions and justification as previously recommended for the Split Decision permission plus 4 additional conditions as follows:

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.

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 2004 - Policy C31A.

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

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H1.

The development hereby permitted shall not be commenced 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 2004 - Policy U2.

**Application No. 3 – 07/02933/LBC - The Black Swan 1 Adcroft Street Trowbridge Wiltshire**

Consent as recommendation

**Application No.4– 08/00243/FUL - 15 Fitzmaurice Close Bradford On Avon Wiltshire BA15 1UE**

Permission with one condition as follows:

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.

**Application No. 5 – 08/00818/FUL - Barn At Manor Farm Bradford Road Holt Wiltshire**

Refusal as recommendation

**Application No. 6 – 08/00880/FUL - 161A Winsley Wiltshire BA15 2LW**

Permission as recommendation

**Application No. 7 – 07/03824/FUL - 51 And 52 Rutland Crescent Trowbridge Wiltshire**

Refusal as recommendation

**Application No. 8 – 08/00310/FUL - Land Adjacent The Coach House Shurnhold Melksham Wiltshire**

Deferred for Site Visit at 5pm on 29 May

**Application No. 9 – 08/00599/OUT - Land South East Of Heywood Equestrian Centre Church Road Heywood Wiltshire**

Permission as recommendation BUT change Condition 5 to read as follows:

The occupation of the dwelling hereby approved shall be limited to a person solely or mainly employed, or last employed, at Heywood Equestrian Centre, or a widow or widower of such a person, or any resident dependants.

REASON: Because the site is in an area where residential development is not permitted unless required for agricultural, forestry or a specific rural based enterprise.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy H19.

**Application No. 10 - 07/03762/FUL - 20 Lower Stoke Limpley Stoke Wiltshire BA2 7FR**

Permission as recommendation

**Application No. 11 – 08/00393/FUL - Littlebrook Centre Bath Road Melksham Wiltshire**

Deferred until Planning Committee on 29 May

**Application No. 12 – 08/00798/ADV - Sainsburys 29 Elms Cross Shopping Centre Rowden Lane Bradford On Avon**

Split Decision as recommendation

**Application No. 13 – 08/00797/ADV - Sainsburys 29 Elms Cross Shopping Centre Rowden Lane Bradford On Avon**

Deferred until Planning Committee on 29 May

**Application No.14 – 08/00794/FUL - Sainsburys 29 Elms Cross Shopping Centre  
Rowden Lane Bradford On Avon**

Deferred until Planning Committee on 29 May

**Application No. 15 – 08/00585/FUL - The Manor House Brixton Deverill**

Permission as recommendation

**Application No. 16 – 08/00525/FUL - Sunnymount Cottage 159 West Hill Whitley  
Wiltshire**

Permission as recommendation

**Application No. 17 – 08/00655/FUL - 24 Roundpond Melksham Wiltshire SN12  
8DL**

Permission as recommendation

**Application No. 18 – 08/00759/FUL - Land Adjacent Brook Fields Edington Road  
Steeple Ashton Wiltshire**

Permission as recommendation

**Application No. 19 – 08/00720/FUL - The Roundabout Shop 1 - 2 Silver Street  
Bradford On Avon Wiltshire**

Permission as recommendation

**Member Attendance**

Cllr Alford left the meeting at the start of the officer presentation of 08/00880/FUL 161A Winsley, Wiltshire and returned during the officer presentation of 07/03824/FUL 51 & 52 Rutland Crescent, Trowbridge.

Cllr Alford left the meeting at the start of the officer presentation of 08/00599/OUT Land South East of Heywood Equestrian Centre, Church Road, Heywood and did not return.

Cllr Clark left the meeting at the conclusion of 08/00599/OUT Land South East of Heywood Equestrian Centre, Church Road, Heywood and did not return.



Cllr Fortescue left the meeting at the start of the officer presentation of 08/00599/OUT Land South East of Heywood Equestrian Centre, Church Road, Heywood and returned during the officer presentation of the same.

Cllr James left the meeting at the start of the officer presentation of 08/00243/FUL 15 Fitzmaurice Close, Bradford on Avon and returned during the debate of the same.

Cllr James left the meeting at the start of the officer presentation of 08/00310/FUL Land adjacent The Coach House, Shurnhold, Melksham and returned during the debate of the same.

Cllr James left the meeting at the conclusion of 08/00599/OUT Land South East of Heywood Equestrian Centre, Church Road, Heywood and did not return.

Cllr March left the meeting at the start of the officer presentation of 08/00599/OUT Land South East of Heywood Equestrian Centre, Church Road, Heywood and returned during the officer presentation of the same.

Cllr Mounde left the meeting at the start of the officer presentation of 08/00310/FUL Land adjacent The Coach House, Shurnhold, Melksham and returned during the officer presentation of the same.

Cllr Newbury left the meeting at the start of the officer presentation of 08/00243/FUL 15 Fitzmaurice Close, Bradford on Avon and returned during the debate of the same.

Cllr Newbury left the meeting during the open forum of 08/00525/FUL Sunnymount Cottage 159 West Hill, Whitley and did not return.

Cllr Phillips OBE left the meeting at the start of the officer presentation of 08/00798/ADV Sainsburys 29 Elms Cross Shopping Centre, Rowden Lane, Bradford on Avon and did not return.

#### **NOTE: VOTE TO CONTINUE**

During consideration of planning application no.9, 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 on the agenda with open forum speakers registered had been debated.**

**NOTE: Cllr Fuller takes the chair at the start of planning application no.10, 07/03762/FUL 20 Lower Stoke, Limpley Stoke and continued until the conclusion of the meeting.**

#### **ORDER OF APPLICATIONS CONSIDERED**

The Chairman varied the order of the applications and dealt firstly with those where the public had registered to speak or had attended the meeting to listen.

Consequently, the applications were dealt with in the following order (numbers refer to the application number on the agenda):

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 12, 15, 16, 17,18 and 19. Items 11, 13, and 14 were deferred until the meeting of 29 May 2008.

### **Site Visit**

It was agreed that a site visit would take place at 5pm on Thursday 29 May to view the land adjacent The Coach House, Shurnhold, Melksham.

### **55. DATE OF NEXT MEETING**

The next meeting of the Planning Committee will be held on **Thursday 29 May 2008** at **7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(19.00 – 23.15)

These minutes were prepared by Kevin Fielding, Democratic Support Officer who can be contacted on 01225 776655 ext 115 or by e-mail [kfielding@westwiltshire.gov.uk](mailto:kfielding@westwiltshire.gov.uk)