

# WEST WILTSHIRE DISTRICT COUNCIL

## MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 19 FEBRUARY 2009**

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

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

Also Present Cllrs Conley and Davis.

Officers: Acting Development Control Manager (RY), Principal Planning Officer (RM), Housing PFI Project Manager (CT) and Democratic Support Officer (KF).

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

Apologies were received from Cllrs Bolwell and Phillips OBE.

### 18. DECLARATIONS OF INTEREST

<b>Application Item</b>	<b>Cllr / Officer</b>	<b>Reason</b>
Application No. 1	Cllr Clark	Personal interest - Board member at Selwood Housing Society. Will consider with an open mind.
Application No. 2	Cllr Clark	Personal interest - Board member at Selwood Housing Society and chaired the meetings of Hilperton Parish Council when this application was discussed. Will consider with an open mind.

Application No. 5

Cllr Clark

Prejudicial interest - Board member at  
Selwood Housing Society.

## 19. MINUTES OF THE 4 DECEMBER 2008 MEETING

The minutes of the meeting held on 29 January 2009 were approved as a correct record.

## 20. ANNOUNCEMENTS FROM THE CHAIRMAN

There were no announcements from the Chairman.

## 21. OPEN FORUM

For all open forum presentations in respect of planning applications please refer to minute number 22.

## 22. PLANNING APPLICATIONS

Open Forum speakers:

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| Application No.1 - 08/03269/REM - Hillside Hostel 117<br>Boreham Road, Warminster, Wiltshire.              | Ms Gill Offord   |
| Application No.2 – 08/03268/FUL - Land Adjoining<br>Hilperton Drive and Ashton Road, Hilperton, Wiltshire. | Ms Gill Offord   |
| Application No.3 – 08/03292/FUL - Football Ground,<br>Park Street, Heytesbury, Wiltshire.                  | Col Peter Andrew<br>Mr Joe Charlesworth<br>Mr David Bond<br>Mr Tim Reynolds<br>Mr Steve Reynolds<br>Ms Vanessa Tanfield<br>Mr Anthony Wilson |
| Application No.4 – 08/03092/OUT - Garden of 27<br>Forest Road, Melksham, Wiltshire.                        | Mr Arthur Webb   |
| Application No.5 – 07/02409/OUT - Garage Block,<br>Alcock Crest, Warminster, Wiltshire.                    | Mr Stephen Miles<br>Mr Mick Iatham   |
| Application No.6 – W/08/03495/OUT - Land Rear of 10<br>Newtown, Westbury, Wiltshire.                       | Mr Geoffrey Honeyfield   |

Application No.7 – 08/00979/FUL - Land West of The Orchard, Upton Scudamore, Wiltshire.

Mr Adrian Cunningham  
Mr John Spencer  
Cllr Linda Conley

**Application No.1 - 08/03269/REM - Hillside Hostel, 117 Boreham Road, Warminster, Wiltshire BA12 9HA.**

**Approval** as recommendation but with changes to conditions and an informative.

The 2 conditions numbered 5 and 6 currently proposed to be replaced with the following 4 conditions and the decision notice be re-numbered accordingly.

5. The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be submitted and approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner.

6. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

7. The gradient of any proposed driveway shall not be steeper than 1 in 15.

REASON: In the interests of highway safety.

8. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of Highway safety

9. No doors, including garage doors, or window openings at ground floor level shall be permitted to open over the highway.

REASON: In the interests of highway safety.

This additional condition, to be inserted after Condition 6 as it appears on the recommendation, to read as follows:

**An arboricultural method statement prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority prior to**

**the commencement of demolition/development. All works shall subsequently be carried out in accordance with the approved details. The method statement shall provide the following: -**

- A specification for protective fencing to trees during both demolition and construction phases and a plan indicating the alignment of the protective fencing;
- A specification for scaffolding and ground protection within tree protection zones;
- A schedule of tree works;
- Details of general arboricultural matters including details of the area for storage of materials, concrete mixing and use of fires;
- Plans and particulars showing the siting of the service and piping infrastructure;
- A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- Details of all other activities, which have implications for trees on or adjacent to the site.

**REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that the work is carried out in accordance with current best practice**

**POLICY: West Wiltshire District Plan - 1<sup>st</sup> Alteration 2004 – Policy C32.**

In addition to this an informative to be inserted as Informative 2 to read as follows:

You are advised that the works for protective fencing to trees and specification for scaffolding and ground protection works must comply with BS5837:2005 and that the schedule of tree works must conform to BS3998

**Application No.2 – 08/03268/FUL - Land Adjoining Hilperton Drive and Ashton Road, Hilperton, Wiltshire.**

**Legal agreement** as recommendation but with the following changes to conditions and the directive.

The conditions numbered 5 and 6 currently proposed in the recommendation are replaced with the following 3 conditions and the conditions on the decision notice be re-numbered accordingly.

5. The proposed estate roads, footways, footpath, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, car parking and street furniture shall be constructed and laid out in accordance with details to be submitted and approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and

sections indicating as appropriate the design, layout, levels, gradients, materials and method of construction shall be submitted to the Local Planning Authority. The hard surfaces other than the adopted carriageways shall be designed as porous or permeable surfaces.

REASON: To ensure that the roads are laid out and constructed in a satisfactory manner and to prevent flooding.

6. The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

7. Prior to being brought into use the driveways and private parking areas shall be properly consolidated and surfaced (not loose stone or gravel) and shall be constructed of porous or permeable material such that they do not discharge water onto the highway, in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety and to prevent flooding.

The original condition 7 then becomes condition 8 etc.

The Heads of Terms be amended at a) and b) to include the above figures and therefore to read as follows:

- a) An index linked financial contribution in the sum of £15,825 towards public transport.
- b) An index linked financial contribution towards education provision in the sum of £51,860.

**Cllr Clark proposed a vote for refusal on the grounds that:**

**The proposed development would provide insufficient parking for the number of units which would be likely to result in on street parking to the detriment of highway safety and inconvenience of other road users contrary to Policies C38, H1 and T10 of the West Wiltshire District Plan – 1<sup>st</sup> Alteration 2004.**

**In the event of there being a tie, (8 votes for and 8 votes against the motion), the Chairman cast the deciding vote which resulted in the motion being lost.**

**The Chairman proposed a vote for permission, in the event of there being a tie, (8 votes for and 8 votes against the motion), the Chairman cast the deciding vote which approved permission for the application.**

**Application No.3 – 08/03292/FUL - Football Ground, Park Street, Heytesbury, Wiltshire.**

**Refusal** as recommendation but delete condition number 6 and re-number thereafter.

The plans as detailed on the recommendation shall be replaced as follows:

It currently states Drawing 031203-208A received on 22.12.2008. The decision notice shall read Drawing 031203-208C received on 16.02.2009.

It currently states Drawing 031203-200 received on 27.11.2008. The decision notice shall read Drawing 031203-200A received on 16.02.2009

**Application No.4 – 08/03092/OUT - Garden of 27 Forest Road, Melksham, Wiltshire.**

**Permission** as recommendation but with the following additional condition and an informative.

15. The finished ridge height of the new dwelling shall be no higher than the ridgeline of the adjoining dwelling at 11 Murray Walk based on ordnance survey datum. There shall be no rooms in the roofspace and notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows or rooflights shall subsequently be added to the roof of the dwelling.

REASON: In the interests of the amenity and privacy of neighbours and the streetscene.

POLICY: West Wiltshire District Plan - 1st Alteration – Policies H1, C31A & C38.

1. You are advised that the Planning Committee has requested that when a subsequent application for approval of reserved matters, or a full planning application for similar proposals, is submitted that the application is considered by the committee.

**Cllr Griffiths proposed a vote for refusal, this vote was lost, Cllr Carbin then proposed a vote for permission which was subsequently carried.**

**Application No.5 – 07/02409/OUT - Garage Block, Alcock Crest, Warminster, Wiltshire.**

**Permission** as recommendation but with the addition of the following informative:-

1. The developer must ensure that the highway land is stopped up before the commencement of works.

**Application No.6 – W/08/03495/OUT - Land Rear of 10 Newtown, Westbury, Wiltshire.**

**Permission** as recommendation but the committee requested the following informative be attached to the permission:-

1. You are advised that the Planning Committee has requested that when a subsequent application for approval of reserved matters, or a full planning application for similar proposals, is submitted that the application is considered by the committee.

**Application No.7 – 08/00979/FUL - Land West of The Orchard, Upton Scudamore, Wiltshire.**

**Refusal** for the following reason:-

1. The proposed change of use of this agricultural and recreational land would result in the loss of an area of green open space important to the character and setting of the tumulus and the adjoining listed buildings, and which is a vital visual amenity for the village. This together with all the trappings of domestic activity resulting from the change of use would be contrary to Policies C15 and C27 of the West Wiltshire District Plan 1<sup>st</sup> Alteration 2004.

**Member Attendance**

Cllr Alford left the meeting at the start of the officer presentation of application No.5 – 07/02409/OUT - Garage Block, Alcock Crest, Warminster, Wiltshire and did not return.

Cllr Clark left the meeting at the start of the officer presentation of application No.5 - 07/02409/OUT - Garage Block, Alcock Crest, Warminster, Wiltshire and returned during the Officer presentation of application No.6 - W/08/03495/OUT - Land Rear of 10 Newtown, Westbury, Wiltshire.

Cllr Clark left the meeting at the during of the debate of application No. 7 – 08/00979/FUL - Land West of The Orchard, Upton Scudamore, Wiltshire and did not return.

Cllr Denison-Pender left the meeting at the start of the officer presentation of application No.5 -07/02409/OUT - Garage Block, Alcock Crest, Warminster, Wiltshire and returned during the officer presentation of the same.

Cllr Griffiths left the meeting at the start of the officer presentation of application No.6 - W/08/03495/OUT - Land Rear of 10 Newtown, Westbury, Wiltshire and did not return.

Cllr James left the meeting at the start of the officer presentation of application No.4 - 08/03092/OUT - Garden of 27 Forest Road, Melksham, Wiltshire and returned during the debate of the same.

Cllr Martindale left the meeting at the start of the officer presentation of application No.5 - 07/02409/OUT - Garage Block, Alcock Crest, Warminster, Wiltshire and returned during the officer presentation of the same.

Cllr Mounde left the meeting at the start of the officer presentation of application No.5 - 07/02409/OUT - Garage Block, Alcock Crest, Warminster, Wiltshire and returned during the open forum of the same.

Cllr Parks left the meeting during the debate of application No.4 - 08/03092/OUT - Garden of 27 Forest Road, Melksham, Wiltshire and returned during the debate of the same.

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

During consideration of application No.7 – 08/00078/FUL – 08/00979/FUL - Land West of The Orchard, Upton Scudamore, Wiltshire, 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 the meeting until all applications on the agenda had been debated.**

#### **23. PLANNING APPEALS UPDATE REPORT**

The Planning Committee noted the update report.

#### **24. DATE OF NEXT MEETING**

The next meeting of the Planning Committee will be held on **Thursday 12 March 2009 at 7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(19.00 – 22.35)

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)