

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 17 NOVEMBER 2005**

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

Present:

Councillors: Newbury (Chairman), Burnan OBE, Carbin, Clark, J Clegg, M Clegg, Cunliffe-Jones, Fortescue, James, Knight, Manasseh, March, Oakman, Osborn, Repton and Viles

Also in attendance: Lewis (part) and Oldrieve (part)

Officers: Development Control Services Manager (DH), Principal Planning Officers (RM, PW) and Member Support Officer (MS)

396. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE

Apologies for absence were received from Cllrs Hawker and Rosier. There was also a change to the membership as Cllr Hawker was now a member of the Planning Committee.

397. OPEN FORUM

For open forum presentations in respect of planning applications please refer to minute numbers 402 and 403.

398. MINUTES

The minutes were held over, to be approved at the next meeting of the Planning Committee on 8 December due to an issue being raised with minute no. 395.

399 DECLARATIONS OF INTEREST

The following interests were declared:

Application/Item	Councillor/Officer	Reason
05/01001/FUL – Castle Place Shopping Centre and Former Tesco Site, St Stephens	Burnan OBE and Knight	Members of Trowbridge Town Council Development Committee

Place, Trowbridge	Newbury Osborn	Prejudicial Interest – Cousin was a tenant in one of the buildings – would vacate the chair and leave the Council Chamber Portfolio Holder for Planning and Development and member of the Transforming Trowbridge Board. Would not vote nor participate in the debate, but would remain in the Council Chamber
05/01002/LBC – Castle Place Shopping Centre and Former Tesco Site, St Stephens Place, Trowbridge	Burnan OBE and Knight Newbury Osborn	Members of Trowbridge Town Council Development Committee Prejudicial Interest – Cousin was a tenant in one of the buildings – would vacate the chair and leave the Council Chamber Portfolio Holder for Planning and Development and member of the Transforming Trowbridge Board. Would not vote nor participate in the debate, but would remain in the Council Chamber
05/01113/FUL – Land North of Fairfield Road, Warminster	Burnan OBE J Clegg M Clegg Cunliffe – Jones Knight Manasseh March Newbury Oakman Osborn	Lobbied – had received a letter Lobbied Lobbied Lobbied – had received a letter Lobbied Lobbied Lobbied Lobbied Lobbied – had received a letter Lobbied – had received a letter
05/02334/ADV – Oval Motors, Warminster Road, Westbury	J Clegg	Member of Westbury Town Council Planning Committee - had not predetermined the application
Trowbridge Applications	James	Chairman of Trowbridge Town Council Development Committee

Various	James	Had received general lobbying on a number of items
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400. QUESTIONS

No questions were received.

401. ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman informed the Committee that both he and the Vice Chairman were unable to attend the Planning Committee meeting on 8 December 2005. For the purposes of the Planning Briefing he asked the Committee to informally elect a Chairman. Cllr Carbin was proposed by Cllr Osborn and seconded by Cllr James.

There being no other nominations and on being put to an informal vote it was

RESOLVED: That Councillor Carbin be appointed to attend the Planning Briefing and as Chairman for the meeting of the Planning Committee on 8 December 2005.

The Committee would formally elect a temporary Chairman on the evening of the meeting.

402. PLANNING APPLICATIONS

Open Forum speakers:

Application	Speaker(s)
05/01001/FUL – Castle Place Shopping Centre and Former Tesco Site, St Stephens Place, Trowbridge	Ms Jane Mainwaring
05/01113/FUL – Land North of Fairfield Road, Warminster	Mr Matthew Parry
05/02083/FUL – 22 Frome Road, Bradford on Avon	Mr Nigel Clarke
05/02001/FUL – 120 First Lane, Whitley	Miss Janet Turner

Decisions made against officers' recommendation

05/02083/FUL – 22 Frome Road, Bradford on Avon

The above application was recommended for refusal by officers. However, the Committee resolved that planning permission be granted with the following conditions:

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 C31A & E2

3. 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 - Policy C31A.

4. No work shall commence on site until details of the levels of the floor slab and finished roof height of the garage, together with details of the levels and gradients of the driveway and turning area 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.

REASON: In order to protect the visual appearance of the area.

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. The landscaping shall be carried out strictly in accordance with the approved scheme prior to the garage being brought into use

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - Policy C24 and West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policy C32.

05/02334/ADV – Oval Motors, Warminster Road, Westbury

The above application was recommended for permission by officers. However, the Committee resolved to refuse the application for the following reasons: -

1. The projecting sign on the eastern side of the building, because of its height and position adjacent to the highway and above the narrow pedestrian walkway, would be hazardous to pedestrian and highway safety contrary to Policy C24 of the West Wiltshire District Plan 1st Alteration 2004
2. The sign affixed to the north elevation of the building, because of its size, appearance, elevated level and position, is harmful to the setting of the 3 buildings listed as being of special architectural or historic value located on the opposite side of Warminster Road. This sign is therefore contrary to Policy C24 of the West Wiltshire District Plan 1st Alteration 2004.

05/02001/FUL – 120 First Lane, Whitley

The above application was recommended for permission by officers. However, the Committee resolved to refuse the application for the following reason: -

The proposed rooflights would detract from the amenities currently enjoyed by the occupiers of the neighbouring dwelling by reason of nuisance and loss of privacy contrary to Policy C38 of the West Wiltshire District Plan – 1st Alteration 2004

05/02002/LBC – 120 First Lane, Whitley

The above application was recommended for permission by officers. However, the Committee resolved to refuse the application for the following reason: -

The proposed rooflights would adversely affect the character of the listed building which would be neither preserved nor enhanced contrary to Policy C27 & C28 of the West Wiltshire District Plan – 1st Alteration 2004.

Applications Deferred

05/01780/FUL – Fore Street Farm, 23 Back Lane, Great Hinton

The above application was recommended for permission by officers. However, the Committee resolved that the application be deferred in order to negotiate relocation away from public footpath and neighbour to the side, and to obtain details of levels, sections through and details of access and hardstanding.

Additional/Change/s to Application/Condition/s

05/01001/FUL – Castle Place Shopping Centre and Former Tesco Site, St Stephens Place, Trowbridge

The Committee agreed with the Officers recommendation, that the Developmental Control Manager be authorised to issue the Decision Notice following the satisfactory completion of a Section 106 Agreement, with the additional conditions, as circulated in the 'late list': -

14. The development hereby permitted shall not be occupied until a scheme for the linking of the St Stephens car park and the multi-storey car-parks with electronic signage advising of the availability of parking spaces has been submitted to and agreed in writing by the local planning authority and implemented in full.

REASON: In the interests of highway safety and sustainability.

15. The development hereby permitted shall not be occupied until a scheme for the access arrangements to the car park has been submitted to, agreed in writing by the local planning authority, and fully implemented.

REASON: In the interests of highway safety.

05/01113/FUL – Land North of Fairfield Road, Warminster

The Committee agreed with the Officers recommendation to refer the application to the First Secretary of State, with the amendments to the following conditions as circulated via the 'late list': -

4. The amount of retail floorspace permitted on the site shall not exceed ~~4,600m²~~ **4,800m²** Gross Internal Area, excluding the garden centre, and no additional internal floorspace shall be created (for example by the installation of mezzanine floors) without the prior written permission of the Local Planning Authority.

REASON: In order to ensure that retail floorspace is not provided on the site in a way which would alter the basis of provision assessed by the retail study.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies SP1 & SP3..

16. The development hereby permitted shall not be ~~commenced~~ **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.

20. No building shall be occupied until the highway works, comprising the site access and ~~eyeleway~~ **3m wide footpath at the access and site frontage**, have been constructed to the satisfaction of the Local Planning Authority

REASON: In the interests of highway safety.

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.

Attendance

Applications were considered in the following order:

1 – 6, 11, 12, 7 – 10

05/01001/FUL and 05/01002/LBC – Castle Place Shopping Centre and Former Tesco Site, St Stephens Place, Trowbridge - Cllr Newbury left the meeting and vacated the Chair for these two applications. Cllr Carbin chaired the meeting for these two applications only.

05/01002/LBC – Castle Place Shopping Centre and Former Tesco Site, St Stephens Place, Trowbridge – Cllrs Cunliffe – Jones, James and Oakman left the meeting at the conclusion of this application. Cllr James returned to the meeting during the open forum presentation of 05/ 01113/FUL – Land North of Fairfield Road, Warminster and Cllrs Cunliffe – Jones and Oakman returned to the meeting during the debate of this application

Cllr Clark left the meeting during the officers presentation and returned during the debate of application – 05/01867/LBC – 8 St Margarets Hill, Bradford on Avon.

403. PLANNING APPEALS DECISIONS – QUARTERLY FIGURES

OPEN FORUM – MR FRANCIS MORLAND

The Developmental Control Manager, Dave Hubbard, presented a report and informed members that the quarterly reports would shortly have been produced for year, therefore an end of year report would be produced.

RESOLVED:

That the Committee note the analysis of the planning decisions and the current appeal caseload.

404. PLANNING APPEALS UPDATE

The Developmental Control Manager, Dave Hubbard presented the planning appeals update report for the period covering from 7 October – 17 November 2005.

RESOLVED:

That the report be noted.

DATE OF NEXT MEETING

The next ordinary meeting of the Planning Committee will be held on **Thursday 8 December 2005** at **7.15pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

Prior to this meeting Local Development Framework Training will commence at **6.30pm** in the 8trium.

(7.02pm – 9.45pm)

These minutes were prepared by Melanie Stimpson, Member Support Officer who can be contacted on direct line 01225 770322 or email mstimpson@westwiltshire.gov.uk