

# WEST WILTSHIRE DISTRICT COUNCIL

## MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 10 JULY 2008**

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

Councillors: Cllrs Fuller (Chairman), Alford, Binding, Burden (part), Clark, Carbin, Denison-Pender, Fortescue (part), Griffiths, March, Martindale, Mounde, Newbury, Parks, and Phillips OBE.

Also Present Cllr Eaton (part), Payne (part) and Wiltshire (part).

Officers: Development Control Service Manager (DH), Principal Planning Officer (MK), Principal Planning Officer (RM), Renovation Project Manager (AN) and Democratic Support Officer (KF).

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

Apologies for absence were received from Cllrs James and Repton.

### 79. DECLARATIONS OF INTEREST

<b>Application Item</b>	<b>Cllr / Officer</b>	<b>Reason</b>
08/01279/FUL 42 St Marys Gardens, Hilperton.	Cllr Clark	Personal Interest 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

Cllr Fuller

Personal interest, Trowbridge Town  
Council Planning Committee Member.

## **80. MINUTES OF THE 19 JUNE PLANNING MEETING**

The minutes of the meeting held on 19 June 2008 were approved and signed as a correct record by the Chairman with the following amendments.

Cllr Clark requested that the following be noted:

Application No.7 – 08/01021/FUL Stephen Graver Ltd, Edington Road, Steeple Ashton should have noted that his abstention on this vote was due to him being out of the chamber whilst the application was debated.

That his declaration of interest for application 08/00379/FUL -1 Aspley Close, Hilperton was a personal interest.

That the declaration of interest noted against application 08/01060/OUT – Land adjoining 4 Beech Avenue Warminster should have been for agenda item No.6 Proposed Diversion of Footpath No 26 – Bradford on Avon.

Cllr Martindale requested that it was noted that the record should show that she was there for only part of the meeting, as she had arrived late due to attending an earlier meeting.

## **81. ANNOUNCEMENTS FROM THE CHAIRMAN**

There were no announcements from the Chairman.

## **82. OPEN FORUM**

Application No.12 - 08/01453/FUL – 23 Wiltshire Drive, Trowbridge. – Cllr Graham Payne.

## **83. OPEN FORUM**

For all other open forum presentations in respect of planning applications please refer to minute number 84.

## 84. PLANNING APPLICATIONS

Open Forum speakers:

<b>Application No. 1</b> <b>07/02676/FUL</b> <b>Land South of Old Broughton Road,</b> <b>Melksham</b>	Mr James Mitchell Mr Mike Lapworth Cllr Eaton Cllr Wiltshire
<b>Application No. 2</b> <b>07/03440/FUL</b> <b>Land adjacent Crusader Park, Furnax Lane,</b> <b>Warminster</b>	Mr Adam Nardell
<b>Application No. 3</b> <b>08/00931/FUL</b> <b>Kelsey Farm Hindon Road Monkton Deverill</b>	Mr Cliff Lane
<b>Application No. 8</b> <b>08/01452/FUL</b> <b>Land rear of 14b Bratton Road West Ashton</b>	Mrs Sylvia Griffiths
<b>Application No.10</b> <b>08/00770/FUL</b> <b>Rose Cottage 97 Bradford Leigh South</b> <b>Wraxall</b>	Mr Tim Bray
<b>Application No.11</b> <b>08/00633/FUL</b> <b>356 Frome Road Trowbridge</b>	Mr Marc Willis

### **Application No. 1 – 07/02676/FUL Land South Of Old Broughton Road Melksham Wiltshire**

The Council's Trees and Landscape Officer shall be asked as a matter of urgency to visit the site and advise the applicant what measures are necessary to protect the trees on the neighbouring site where the roots have been exposed following demolition.

**Permission as recommendation BUT change to the wording of the first paragraph of the recommendation to read as follows, revise condition 3 and add the following condition:**

Planning Permission be granted at a future date in the event of the Development Control Manager being satisfied that no further adverse representations have been received.

3. No development shall take place until full details of both hard and soft landscape works, which shall include heavy standard trees, 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 site and adjoining land, together with protection measures 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.

24. The access to the site and the car parking area shall be secured so as to prevent vehicular access outside the hours of operation of the business, and details of the gates or other means of enclosure shall be submitted to and approved in writing by the local planning authority prior to the business being brought into use.

REASON: In the interest of the amenity of local residents.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 – Policy C38.

## **Application No. 2 - 07/03440/FUL Land Adjacent Crusader Park Furnax Lane Warminster Wiltshire**

### **Permission following completion of a S106 agreement with recommendation and conditions as follows:**

Recommendation: 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 S106 Legal Agreement to secure a proportionate financial contribution towards highway improvements which monies shall be spent within 5 years from the date of permission being granted.

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 – Policy C31A.

3. 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, details of any to be retained, and shall incorporate robust native tree and hedgerow planting on the north, east and west boundaries of the site.

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

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

4. 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.

5. 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 is 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.

6. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

REASON: To prevent pollution of the water environment.

7. No development approved by this permission shall be commenced until a scheme for the provision of surface water drainage works has been submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water management.

POLICY: West Wiltshire District Plan – 1st Alteration 2004 – Policy U2.

8. No development approved by this permission shall be commenced until a scheme for the disposal of foul sewerage has been 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 U1A.

9. The development hereby permitted shall not begin until a scheme to deal with any contamination of the site has been submitted to and approved by the Local Planning Authority. The scheme shall include an investigation and assessment to identify the extent of contamination, and the measures to be taken to avoid risk to the public or the environment when the site is developed which shall be implemented before the development begins. The scheme shall be carried out in accordance with the approved details and shall include the submission of a detailed remediation and validation report on completion of the works.

REASON: In the interests of public health and safety.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C37.

10. A Green Travel Plan shall be submitted to and approved in writing by the local planning authority prior to the first occupation of any of the premises hereby approved. The travel plan shall include measures to minimise vehicle movements to the development and a timetable for implementation.

REASON: In pursuit of sustainable transport objectives.

11. No works, including any site clearance or preparation, shall commence on site until details of the improvements to the existing unadopted vehicle access to the site have been submitted to and agreed in writing by the local planning authority. The works shall be carried out and completed in full in accordance with the approved details.

REASON: In the interests of highway safety.

12. Detailed plans of the parking and servicing areas, together with the means of access thereto shall be submitted to and approved by the Local Planning Authority before development commences. The detailed proposals shall indicate the provision to be made for the draining of the parking and servicing areas, the individual marking of car parking spaces, the landscaping of the parking and servicing areas where appropriate, and full details of the method of construction. All works referred to in this condition shall be completed, and the parking and servicing areas shall be available for use before the premises are first occupied.

REASON: To ensure that an adequate area for parking and/or servicing is available in the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy T10.

13. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. Full details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall only be carried out in accordance with the approved details.

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U4.

14. Full details of the existing foundations and the new foundations required in connection with the buildings hereby approved, together with any required modifications to the former, shall be submitted to and approved in writing by the local planning authority prior to the commencement of any works. The development shall subsequently be carried out in accordance with the approved details.

REASON: To ensure that the foundations on this made up ground are adequate to support the structure.

15. Notwithstanding the submitted plans, details of existing and proposed land levels across the site, illustrated by means of spot heights, contours and sections across the

site, and demonstrating the relationship between the proposed development and the surrounding land shall be submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details. There shall be no land raising unless approved under the terms of this condition.

REASON: In the interests of visual amenity.

16. Prior to the commencement of the development hereby permitted, an ecological survey, investigating and recording details of all protected species and their habitats, likely to be affected by the development, and measures to mitigate the effect of the development on them, shall be submitted to and approved by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.

REASON: In the interests of natural species which have statutory protection.

**Application No. 3 – 08/00931/FUL Keysley Farm Hindon Road Monkton Deverill Wiltshire BA12 7EY**

**Permission as recommendation BUT add the following 2 conditions and revise condition 6:**

24. Details of lighting to the site (including measures to minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C35.

25. Prior to the development hereby approved being first brought into use a Travel Plan shall be submitted to and approved by the Local Planning Authority. The plan shall include details of the catchment area; times when traffic is likely to be heavier than others; hours of operation; how traffic will gain access to the site; the number, size and weight of the vehicles entering the site; how they will be directed to the site; details of signage; and how traffic will be managed within the site and on the access road to prevent queuing together with a timetable and details of how the Traffic Management Plan will be implemented and monitored.

REASON: In the interest of highway safety and amenity of local residents in the area.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 – Policies E6 & C38.

6. No development shall take place until full details of both hard and soft landscape works, which shall include heavy standard trees, have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall reflect details of all earthworks including the proposed bunding, proposals for the provision of topsoil to the bunded areas and 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.

**Application No.4 – 08/01509/FUL Forest And Sandridge Church Of England School Sandridge Common Melksham Wiltshire SN12 7QU**

**Permission** as recommendation **BUT delete Condition 1** and re-number thereafter.

**Application No.5 – 08/01552/FUL Little Orchard House 32 Lower Wraxall South Wraxall Wiltshire BA15 2RS**

**Permission** as recommendation

**Application No. 6 – 08/01559/FUL Limpley Mill Lower Stoke Limpley Stoke Wiltshire BA2 7FJ**

**Permission** as recommendation

**Application No. 7 – 08/01279/FUL 42 St Marys Gardens Hilperton Wiltshire BA14 7PQ**

**Permission** as recommendation

**Application No. 8 – 08/01452/FUL Land Rear Of 14B Bratton Road West Ashton Wiltshire**

**Permission** as recommendation

**Application No. 9 – 08/01347/FUL 18 Bridge Avenue Trowbridge Wiltshire BA14 9SF**

**Permission** as recommendation

**Application No. 10 – 08/00770/FUL Rose Cottage 97 Bradford Leigh South Wraxall Wiltshire BA15 2RW**

**Defer Permission to notify Secretary of State** with 3 conditions as follows:

Recommendation: Planning permission be granted at a future date in the event of the Development Control Manager being satisfied that the Secretary of State has remitted the application back to the Council for decision.

Justification: The proposal would represent the improvement of the existing building because it would remove the sub-standard flat roofed extensions, reduce the overall footprint and enhance the appearance of this building, which being within a group of dwellings, would not prejudice the openness of the Green Belt and would represent the very special circumstances necessary to justify a Departure from Green Belt Policy.

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 – Policy C31A.

3. 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, there shall be no further alterations to the building and no other development including outbuildings, sheds or garages, falling within Schedule 2, Part 1, Classes A, B, C, D & E of the Order shall be carried out without the express planning permission of the Local Planning Authority.

REASON: Because the further implementation of permitted development rights on this site within the Green Belt would be unacceptable.

Note to Case Officer – This application must be advertised as a Departure from the Development Plan prior to the application being referred to the Sect of State.

**Members requested that their unanimous vote in favour of this application was noted.**

**Application No. 11 – 08/00633/FUL 356 Frome Road Trowbridge Wiltshire BA14 0EF**

**Deferred for site visit** to take place on 31 July at 5.45pm.

**Application No. 12 – 08/01453/FUL 23 Wiltshire Drive Trowbridge Wiltshire BA14 0RR**

**Permission** as recommendation **BUT add the following condition:**

3. There shall be no vehicle access or car parking on the site frontage of either of the two properties.

REASON: In the interest of highway safety.

POLICY: West Wiltshire District Plan – 1<sup>st</sup> Alteration 2004 Policy H1.

### **Member Attendance**

Cllr Burden entered the meeting during the debate of 07/02676/FUL Land South of Old Broughton Road Melksham.

Cllr Burden left the meeting during the debate of 08/00931/FUL Kelsey Farm Hindon Road Monkton Deverill and returned during the debate of the same.

Cllr Clark left the meeting at the start of the officer presentation of 08/00633/FUL 356 Frome Road Trowbridge and did not return.

Cllr Fortescue entered the meeting during the debate of 07/02676/FUL Land South of Old Broughton Road Melksham.

Cllr Griffiths left the meeting at the start of the officer presentation of 08/00633/FUL 356 Frome Road Trowbridge and did not return.

Cllr Martindale left the meeting at the start of the officer presentation of 08/00633/FUL 356 Frome Road Trowbridge and returned during the open forum of the same.

Cllr Mounde left the meeting at the start of the officer presentation of 08/01509/FUL Forest and Sandridge C of E School, Sandridge Common Melksham and returned during the open forum of the same.

Cllr Newbury left the meeting during the debate of 08/00931/FUL Kelsey Farm Hindon Road Monkton Deverill and returned during the open forum of the same.

Cllr Newbury left the meeting at the start of the officer presentation of 08/00633/FUL 356 Frome Road Trowbridge and did not return.

Cllr Parks left the meeting during the debate of 08/00931/FUL Kelsey Farm Hindon Road Monkton Deverill and returned during the debate of the same.

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

During consideration of application No.11 – 08/00633/FUL – 356 Frome Road Trowbridge, 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.**

#### **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, 8, 10, 11, 12, 5, 6, 7, and 9.

#### **Site Visit**

It was agreed that a site visit would take place at 5.45pm on Thursday 31 July to view 356 Frome Road Trowbridge.

**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.

**85. DATE OF NEXT MEETING**

The next meeting of the Planning Committee will be held on **Thursday 31 July 2008** at **7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(19.00 – 22.40)

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)