

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 13 MAY 2004**

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

Present:

Councillors: March (Chairman), Brice, Burnan OBE, Carbin, Chivers, Clark, Marion Clegg, Cunliffe-Jones, Davis, Fortescue, Hawker, Knight, Manesseh, Newbury, Osborn, Payne, Syme and Viles

Also in attendance: Councillors Mudge and Cox (part)

Officers: Development Control Manager, Principal Planning Officer (Commercial), Senior Planning Officer (JD), Planning Officers (RB & AS), Principal Lawyer and Member Support Officer (AB)

129 ANNOUNCEMENT FROM THE CHAIRMAN

The Chairman thanked Councillor Newbury for the work he had undertaken as the previous Chairman of the Committee.

130 APOLOGIES AND CONSTITUTION OF THE COMMITTEE

Apologies for absence were received from Councillors Baker, John Clegg, Cox, Repton, Rosier and Whatley-Gibbs and from Councillor Marion Clegg for lateness.

The following temporary changes to membership were made:

Councillor Chivers replaced Councillor Repton
Councillor Davis replaced Councillor Whatley-Gibbs
Councillor Manesseh replaced Councillor Cox
Councillor Payne replaced Councillor Baker

131 OPEN FORUM

Mr Morland – The Ham, Westbury

NOTE: In respect of questions asked in the above presentation the Chairman requested that a written reply be sent to Mr Morland.

For open forum presentations in respect of planning applications please refer to minute number 136.

132 **MINUTES**

The minutes of the meeting held on 28 April 2004 were approved as a correct record and signed by the Chairman.

NOTE: Councillor Clark referred to the report requested at the last meeting regarding options for enforcement in respect of application 04/00187/FUL – 28 Avonfield Avenue, Bradford on Avon. The Principal Lawyer informed the Committee that the report would be brought to the next meeting.

133 **DECLARATIONS OF INTEREST**

Councillors Clark, Brice and March reported that they had received general lobbying on various applications to be considered at the meeting.

04/00302/FUL – Sports Ground, Woodmarsh, North Bradley

Councillor Osborn declared his interest in the above application as it was in his ward. He left the Chamber during consideration of this item.

Councillor Payne declared a personal interest in the application as he had donated a football to Trowbridge Town Football Club.

Councillor Burnan reported that he had been lobbied in respect of this application.

The Principal Lawyer declared his personal interest in this application as a friend's house backed onto the pitch. He left the Chamber during consideration of the item.

04/00434/FUL & 04/00565/LBC – Rear of 3 Church Walk, Melksham

Councillor Cunliffe-Jones declared her personal interest in the above application as she knew the applicant's agent.

04/00524/FUL – (Unit 42), 11 The Shires, Trowbridge

Councillor Burnan declared his personal interest in this application.
Councillors Davis and Osborn declared that they owned shares in the Halifax.

04/00498/FUL – Mulberry, 12 Frogmore Road, Westbury

Councillor Manesseh reported that he had been lobbied in respect of this application.

04/00458/FUL – Land adjacent 5 Newleaze, Hilperton

Councillor Clark declared his personal interest in this application as he had chaired the Hilperton Parish Council meeting at which it had been discussed. He undertook to consider the application with an open mind at this evening's meeting.

04/00385/FUL – Land east of Furnax Lane, Warminster

Councillors Burnan, Davis and Knight reported that they had been lobbied in respect of the above application. Councillor Newbury reported that he had been lobbied by both the applicant and the applicant's agent.

Councillor Hawker reported that he had been lobbied by a land owner but not the applicant. He also declared a personal interest as he knew the applicant.

Councillor Syme stated that he knew the applicant.

NOTE: Committee member Councillor Whatley-Gibbs, part of the company submitting this application, was not present at the meeting. Her agent, speaking in the open forum, informed the Committee that she had requested that her prejudicial interest in this item be recorded.

NOTE: During discussion of this item Councillor Davis stated that he was substituting for Councillor Whatley-Gibbs and he had formed his own view in respect of this application and was speaking on his own behalf only.

04/00356/FUL – Land adjacent to 22 Maristow Street, Westbury

Councillor Hawker reported that he had been lobbied by both the applicant and the owner of the adjacent property who was the principal objector.

Councillor Syme reported that he had been lobbied in respect of this application.

NOTE: In respect of application in 04/00302/FUL – Sports Ground, Woodmarsh, North Bradley - Councillor Clark took advice, following the open forum presentations in respect of this item, as to whether he should declare a personal interest in view of his portfolio covering sport & recreation. Following the advice given, Councillor Clark did not declare an interest.

134 QUESTIONS

No questions were received.

135 ANNOUNCEMENTS FROM THE CHAIRMAN

There were no announcements.

136 PLANNING APPLICATIONS

Open forum speakers:

Application	Speaker(s)
04/00315/FUL – Upside Business Park, Bath Road, Melksham	Ms Cardy
04/00077/FUL – 30 Westlands Lane, Beanacre	Mr Benson
04/00302/FUL – Sports Ground, Woodmarsh, North Bradley	Mr Kirkpatrick, Mrs Williams, Mr Seviour, Mr Bright, Mrs Davies, Mr Fuller, Mr Fitchen, Mr Mackinder
04/00429/FUL – 23 Islington, Trowbridge	Miss Holden

04/00524/FUL – Unit 42, 11 The Shires, Trowbridge	Mr Raper
04/00458/FUL – Land adjacent 5 Newleaze, Hilperton	Mr Mould
04/00385/FUL – Land east of Furnax Lane, Warminster	Mr Gibbs, Mr Grist
04/00371/FUL – B Missen, Watsons Court, Melksham	Dr Cardy, Mrs Cardy, Mr Goodhind
04/00356/FUL – Land adjacent to 22 Maristow Street, Westbury	Mr Snook, Mr Davies
04/00366/OUT – Land rear of 10 Green Lane, Westbury	Ms Jones, Mr Bartlett, Mr Mitchell, Mr Norris, Mr Baber

Decisions made against officers' recommendation

04/00385/FUL – Land east of Furnax Lane, Warminster

This application was recommended for refusal by officers. However, the Committee resolved to defer the application to the meeting on 24 June to allow the applicant to resolve matters through negotiations with neighbouring land owners.

04/00366/OUT – Land rear of 10 Green Lane, Westbury

This application was recommended for permission by officers. However, the Committee resolved to refuse planning permission for the reasons detailed in the appendix to these minutes.

Recorded Votes

04/00385/FUL – Land east of Furnax Lane, Warminster

Councillors Chivers and Newbury requested that their votes AGAINST deferral be recorded.

NOTE: VOTE TO CONTINUE

During this item, at 10.00pm, the Committee voted to continue with the meeting in accordance with the Constitution.

RESOLVED:

- (a) **That the list of delegated decisions made since the last meeting be received and noted.**

NOTE: Councillor Syme requested that a written explanation of delegated powers in respect of planning applications be sent to Warminster Town Council.

- (b) **To make decisions on planning and related applications as set out in the appendix to these minutes.**

- (c) **04/00371/FUL – B Missen, Watsons Court, Melksham**

This application was listed as index number 13 on the planning applications for determination list. Due to the number of public present for this item the Committee agreed to bring it forward to the beginning of the list. Due to this change in order the applicant was not present when the application was considered and was therefore unable to make his open forum presentation. Both the applicant and his agent requested that the matter be adjourned until the next meeting of the Committee and it was therefore

- RESOLVED:**
- (i) That the refusal of this item be set aside.**
 - (ii) That the item be adjourned for determination at the next available meeting.**
 - (iii) That officers inform supporters, objectors and all other interested parties of the revised resolution.**

Attendance

Councillor Chivers arrived during item 3 on the agenda – Minutes - and Councillor Marion Clegg arrived during item 4 on the agenda – Declarations of Interest.

Councillor Cox arrived at the beginning of consideration of 04/00371/FUL – B Missen, Watsons Court, Melksham, left during its consideration and returned prior to the vote being taken. He left the meeting on completion of this item.

Councillor Manesseh left the meeting and also returned during consideration of 04/00077/FUL 30 Westlands Lane, Beanacre.

Councillor Hawker left the meeting during consideration of 04/00077/FUL – 30 Westlands Lane, Beanacre – and returned during consideration of the next item 04/00275/FUL – Land adjacent 11 Chapel Rise, Atworth.

04/00302/FUL – Sports Ground, Woodmarsh, North Bradley

Councillors Davis left the meeting during consideration of the above item and returned prior to the vote being taken. Councillor Cunliffe-Jones left at the start of this application and returned during its consideration. Councillors Mudge and Osborn left at the beginning of this item and did not return to the meeting. The Principal Lawyer left the meeting at the beginning of this item and returned after the vote had been taken.

Councillor Payne left the meeting at the beginning of 04/00434/FUL – Rear of 3 Church Walk, Melksham and returned during 04/00429/FUL – 23 Islington, Trowbridge

Councillor Knight left the meeting at the beginning of 04/00434/FUL – Rear of 3 Church Walk, Melksham and returned during its consideration.

Councillor Chivers left the meeting at the beginning of 04/00434/FUL – Rear of 3 Church Walk, Melksham and returned during consideration of 04/00515/FUL – 105 Woolley Street, Bradford on Avon.

Councillor Manesseh left the meeting during consideration of 04/00515/FUL –

105 Woolley Street, Bradford on Avon and returned to the meeting during consideration of 04/00429/FUL – 23 Islington, Trowbridge

Councillor Clark left the meeting and also returned during consideration of 04/00385/FUL – Land east of Furnax Lane, Warminster.

Councillor Syme left the meeting at the beginning of 04/00356/FUL – Land adjacent to 22 Maristow Street, Westbury and returned during its consideration. Councillors Carbin and Chivers also left and returned to the meeting during this item.

Councillors Chivers and Cunliffe-Jones both left and returned to the meeting during consideration of 04/00366/OUT – Land rear of 10 Green Lane, Westbury

Councillor Chivers left the meeting after consideration of 04/00214/FUL – King George's Field, Bath Road, Melksham and did not return.

137 PLANNING APPEALS - UPDATE

Details of planning appeals to date were presented to the Committee.

RESOLVED: **That the report be noted.**

138 REPRESENTATIVES ON OUTSIDE BODIES – REPORTING BACK

No reports were made.

DATE OF NEXT MEETING

The next meeting was scheduled for 3 June 2004 at 7.00pm in the Council Chamber, in the Council Offices, Bradley Road, Trowbridge.

(7.00pm – 10.35pm)

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

commdev/word/planning/mins2003/130504

MINUTES OF THE PLANNING COMMITTEE ON 13 MAY 2004

**04/00077/FUL
Melksham Without
16.01.04
Full plan**

**Alteration to form a new house
30 Westlands Lane Beanacre Wiltshire SN12 7QE**

Applicant: E Reynolds And L Benson

REASON(S) FOR PERMISSION:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Permission

Condition(s):

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.
- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.
REASON: To ensure that the development harmonises with its setting.
POLICY: West Wiltshire District Plan - 1st Alteration (as modified) - Policy C31A.
- 3 The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, 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 - Policy U1A.
- 4 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 (as modified) - Policy U2.

**04/00214/FUL
Melksham (Town)
06.02.04
Full plan**

**Floodlighting to skatepark compound
King Georges Field Bath Road Melksham Wiltshire SN12 6LL**

Applicant: West Wiltshire District Council (Mr Tony Miles)

REASON(S) FOR PERMISSION:

The proposal accords with all relevant development plan policies and there have been no objections raising material considerations that cannot be overcome by conditions.

Permission

Condition(s):

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.
- 2 The floodlights hereby permitted shall not be illuminated other than between 0700 and 2300 hours.

REASON: To prevent unnecessary light pollution.

**04/00302/FUL
North Bradley
19.02.04
Full plan**

**Two covered stands, hospitality unit and storage unit
Sports Ground Woodmarsh North Bradley Wiltshire**

Applicant: Trowbridge Town Youth FC

REASON(S) FOR PERMISSION:

The proposed development does not conform to the Adopted Development Plan, however the proposal does conform to the emerging District Plan (as amended) and the conditions attached to it overcome any objections on planning grounds.

Permission

Condition(s):

- 1 The buildings hereby permitted shall be removed and the land restored to its former condition on or before five years from the date of this decision in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

REASON: Because this is a form of development which would not be appropriate on a permanent basis.

- 2 The buildings hereby permitted shall be removed and the land restored to its former condition within three months of the senior Trowbridge Football Club being registered and/or playing at an alternative site, in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

REASON: Because this is a form of development which would not be appropriate on a permanent basis.

- 3 The storage trailer which is currently located on site shall be removed within 2 months of the date of this permission, and the land restored to its former condition in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

REASON: Because this form of development that is not appropriate in this countryside location.

- 4 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the covered stands, hospitality unit and storage unit 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 - Policy C1 and West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policies C1 & C31A.

- 5 No development shall take place until full details of 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 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 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 - Policy C24 and West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policy C32.

- 6 No hedge shall be felled, uprooted or otherwise removed before, during or after the construction period, except where removal is indicated on the approved plans or on an approved landscaping scheme.

REASON: To ensure that existing hedges of value are adequately protected.

- 7 There shall be no external lighting or floodlighting of the development hereby permitted.

REASON: In the interests of neighbouring amenity.

POLICY: West Wiltshire District Plan - Policy C26 and West Wiltshire District Plan 1st Alteration as Modified - Policies C35 & C38.

- 8 The opening hours of the hospitality unit hereby permitted shall be limited to an ancillary use in connection with only the junior and senior Trowbridge Football Clubs, to a time of 1 hour and 30 minutes before kick off and closing 30 minutes after the final whistle.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - Policy C26 and West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policy C38.

Note(s) to Applicant:

- 1 The applicant is advised that a public right of way (reference PROW 1) runs across the south east corner of the application site. This shall at all times remain accessible and clear from obstruction to any people who wish to use this right of way.
- 2 The applicant is advised that there is currently no legal obligation for the provision of public toilets on site. However, the Environmental Health Department of West Wiltshire District Council have been informed of the current application and will monitor the situation, with regards to any future provision on matchdays.
- 3 The applicant is advised that this application grants permission for the two covered stands, hospitality and storage unit as shown on the approved plans, this permission does not grant any consent for any works to the car park and / or entrance track. The Planning Enforcement Officer has been notified of the apparent formation of a car park and track.

**04/00429/FUL
Trowbridge
10.03.04
Full plan**

Retrospective change of use from residential to offices

23 Islington Trowbridge Wiltshire BA14 8QL

Applicant:

Simon Beck And Christine Holden

REASON(S) FOR PERMISSION:

The proposal does not conflict with the provisions of the Development Plan and any objections could be overcome through the imposition of conditions.

Permission

Condition(s):

- 1 The use hereby permitted shall be discontinued on the 13.05.05, by which date the use shall cease and the building and land restored to its former condition, in accordance with a scheme of work to be submitted to and approved in writing by the Local Planning Authority.

REASON: Because this is a form of development that may not be acceptable on a permanent basis in view of its impact on the highway network.

- 2 The hours of operation of the business shall be limited to between 08.00 and 18.00 on Mondays to Fridays, and at no time on Saturdays, Sundays and Bank Holidays.

REASON: In order to safeguard the amenities of the area in which the development is located.

- 3 Delivery and despatch of goods to and from the site shall be limited to between 08.00 and 18.00 on Mondays to Fridays and at no time on Saturdays, Sundays and Bank Holidays.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - Policy C26 and West Wiltshire District Plan - 1st Alteration (including Proposed Modifications) - Policies C36, C38 and E4.

- 4 There shall be no outside storage or display of goods, materials, plant machinery, equipment, waste, or other items.

REASON: In order to safeguard the amenity of the area in which the development is located.

POLICY: West Wiltshire District Plan - Policy C26 and West Wiltshire District Plan - 1st Alteration (including Proposed Modifications) - Policies C26, C38 and E4.

- 5 The premises shall be used for offices only and for no other purpose, including any other purpose in Class B1 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

REASON: Because the use hereby permitted is acceptable whereas other uses within the same use class may not be.

Note(s) to Applicant:

- 1 You are advised that delivery vehicles should pull on to the parking area so as to park legally, and not obstruct either the footpath or highway.

**04/00434/FUL
Melksham (Town)
10.03.04
Full plan**

Refurbishment of domestic outbuilding

Rear Of 3 Church Walk Melksham Wiltshire

Applicant:

Mr P Murton

REASON(S) FOR PERMISSION:

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

Permission

Condition(s):

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.

- 2 Details of the elevations of all new or replacement external windows, rooflights and doors including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1:2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.

POLICY: West Wiltshire District Plan - Policies C19 & C20 and West Wiltshire District Plan - 1st Alteration (as modified) - Policies C27 & C28.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration (as modified) - Policy C31A.

- 4 The conversion hereby permitted shall be occupied as part of, or an extension to number 5 Church Walk, and it shall not be let, sold or occupied as separate accommodation.

REASON: Because the creation of a separate dwelling unit would be contrary to planning policy in this area.

POLICY: West Wiltshire District Plan - Policy H7 and West Wiltshire District Plan - 1st Alteration (as modified) - Policy H19.

04/00458/FUL
Hilperton
11.03.04
Full plan

Detached dwelling with conservatory

Land Adjacent 5 Newleaze Hilperton Wiltshire

Applicant: Mr P Morris

REASON(S) FOR PERMISSION:

The proposed development would not materially affect the amenities of the neighbours and would not significantly harm any interests of acknowledged importance.

Permission

Condition(s):

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.

- 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 (as modified) - 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, and details of any to be retained.

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

POLICY: West Wiltshire District Plan - Policy C24 and West Wiltshire District Plan - 1st Alteration (as modified) - Policy C32.

- 4 Any gates shall be set back a minimum distance of 4.5 metres from the carriageway edge and the side boundaries splayed at an angle of 45 degrees on each side. Any gates shall be hung to open away from the highway and shall be maintained in this configuration in perpetuity.

REASON: In the interests of highway safety.

- 5 Sufficient space for one garage and one parking space (or two parking spaces) shall be provided before the dwelling is occupied, in a position approved by the Local Planning Authority. The approved space shall not be used other than for the parking of vehicles or for the purpose of access.

REASON: In the interests of highway safety.

- 6 Before the development is occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 7 A turning space shall be completed, before the dwelling is occupied, of sufficient size to enable vehicles to enter and leave the highway in forward gear and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 8 Building materials and construction equipment shall not be stored against or within one metre of its perimeter fence.

REASON: In order to protect the safety and security of the electricity sub-station.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking and re-enacting that Order with or without modification), no development falling within Schedule 2, Part 1, Class(es) A - E of the Order shall be carried out without the express planning permission of the Local Planning Authority.

REASON: The implementation of permitted development rights on this site would be unacceptable.

- 10 Loading and unloading of building materials and equipment shall not take place between 08.30am and 09.30am and 14.30pm and 15.30pm on Mondays to Fridays.

REASON: In the interests of amenity and road safety.

04/00498/FUL
Westbury
17.03.04
Full plan

Single storey extension

Mulberry 12 Frogmore Road Westbury Wiltshire BA13 3AT

Applicant: Mr And Mrs K J McKee

REASON(S) FOR PERMISSION:

The proposed development would not materially affect the amenities of the neighbours and would not significantly harm any interests of acknowledged importance.

Permission

Condition(s):

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration (as modified) - Policy C31A.

**04/00515/FUL
Bradford On Avon
18.03.04
Full plan**

Addition of first floor to single storey dwelling

105 Woolley Street Bradford On Avon Wiltshire BA15 1AL

Applicant: Mr And Mrs M Davis

REASON(S) FOR PERMISSION:

The proposed development would not materially affect the amenities of the neighbours or result in any detrimental impact on the street scene and any planning objections have been overcome by conditions.

Permission

Condition(s):

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.

- 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 (as modified) - Policy C31A.

- 3 A sample panel wall, not less than 1 metre square to show both the stone and lime rendered elevations, 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 (as modified) - Policy C31A.

**04/00524/FUL
Trowbridge
18.03.04
Full plan**

**Change of use from vacant (mixed A3 and A1) cafe/bakery to A2
(financial and professional services)**

(Unit 42) 11 The Shires Trowbridge Wiltshire BA14 8AT

Applicant: HBOS Plc

REASON(S) FOR PERMISSION:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Permission

Condition(s):

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.

- 2 The premises shall be used for professional and financial services and for no other purpose, including any other purpose in Class A2 of the Schedule to the Town & Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order, with or without modification.

REASON: Because the use hereby permitted is acceptable whereas other uses within the same use class may not be.

- 3 A shop window display shall be maintained at all times.

REASON: To prevent the introduction of dead frontage that would harm the vitality and viability of the Town Centre.

POLICY: West Wiltshire District Plan - Policy SP3 and West Wiltshire District Plan - 1st Alteration (as modified) - Policy SP4.

Note(s) to Applicant:

- 1 The applicant is advised that any physical works, for example changes to the shopfront, will require explicit planning permission.

04/00565/LBC
Melksham (Town)
26.03.04
Listed building

Refurbishment of existing building

Rear Of 3 Church Walk Melksham Wiltshire

Applicant: Mr P Murton

REASON(S) FOR CONSENT:

The proposal would not harm the character or setting of the listed building and is acceptable in design terms.

Consent

Condition(s):

- 1 The consent hereby granted shall be begun before the expiration of five years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

- 2 Details of the elevations of all new or replacement external windows, rooflights and doors including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1:2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.

POLICY: West Wiltshire District Plan - Policies C19 & C20 and West Wiltshire District Plan - 1st Alteration (as modified) - Policies C27 & C28.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration (as modified) - Policy C31A.

**04/00275/FUL
Atworth
17.02.04
Full plan**

**Erection of detached dwelling and garage and associated siteworks
Land Adjacent 11 Chapel Rise Atworth Wiltshire**

Applicant: Ashford Homes (SW) Limited

Planning permission be granted at a future date in the event of the head of Regulatory Services being satisfied as to the completion of a S106 obligation in respect of footway improvements.

Condition(s):

- 1 The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990.

- 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 (as modified) - Policy C31A.

- 3 Before the development is occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 4 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 (as modified) - Policy U2.

- 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(s) is/are 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 - Policy C24 and West Wiltshire District Plan - 1st Alteration (as modified) - Policy C32.

Note(s) to Applicant:

- 1 The applicant is advised to contact Wessex Water (01225 526000) prior to the commencement of any works on site with regard to linkage to the foul sewer system and water supply.
 - 2 The applicant is advised to contact Southern Electric prior to the commencement of any works on site with regard to the health and safety issues and the protection of local electricity infrastructure.
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**04/00315/FUL
Melksham (Town)
23.02.04
Full plan**

Application under S.73 TCPA1990 to carry out the construction of a business park without complying with condition No 2 attached to planning permission referenced APP/F3425/A/00/1054049

Upside Business Park Bath Road Melksham Wiltshire

Applicant: Braemon Holdings

Planning permission be granted at a future date in the event of the Head of Regulatory Services being satisfied as to the prior agreement of an updated unilateral undertaking.

Condition(s):

- 1 Approval of the details of the siting, design and external appearance of the building(s), the means of access thereto and the landscaping of the site ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990.

- 2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990.

- 3 The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990.

- 4 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.

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.

- 5 Soft landscape works shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme.

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.

- 6 All hard and soft landscaping works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.

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.

- 7 A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas shall be submitted to

and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.

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.

- 8 No development shall take place until full details of a scheme for the provision and implementation, including a method of working and restoration, of compensatory flood storage works has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and maintained in the approved form for as long as the development hereby permitted remains on the site.

REASON: In the interests of flood prevention.

POLICY: West Wiltshire District Plan - Policy U2 and West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policy U3.

- 9 No development shall be carried out until details of proposed ground and finished floor levels 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: In the interests of flood prevention.

POLICY: West Wiltshire District Plan - Policy U2 and West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policy U3.

- 10 No development shall be carried out until details of all external lighting of roads, car parks and buildings 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: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policy C35.

- 11 No development shall take place until full details of schemes for the survey of water voles on the site and the mitigation of the impact of the development on them has been submitted to and agreed in writing by the Local Planning Authority. The approved mitigation scheme shall be implemented before any work commences on site in connection with the development hereby permitted.

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

POLICY: West Wiltshire District Plan - Policy C7.

- 12 No development shall begin until details of foul and surface water drainage works 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 can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policy U2.

- 13 Facilities for the storage of oils, fuels or chemicals shall be sited in impervious bases and surrounded by impervious bund walls, details of which shall be submitted to and approved in writing by the Local Planning Authority. Development shall 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 - Policy U3 and West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policy U4.

- 14 Before the development hereby permitted commences on site, a soil survey shall be undertaken and the results provided to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any unit hereby permitted is first occupied.

REASON: In the interests of public health and safety.

POLICY: West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policy C37.

- 15 No machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from any building in B8 use within the site outside the following times 0700 to 1900 hours Monday to Saturday, 1000 to 1700 hours on Sunday, nor at any time on Bank or Public Holidays.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - Policy C26 and West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policies C36 & C38.

- 16 The showroom hereby permitted shall be solely for the benefit of Marlin Developments and Falcon Interiors and shall be ancillary to the main use which is the construction, interior design and installation of kitchens and bathrooms. There shall be no retail sales of takeaway articles whether or not connected with the business referred to above unless otherwise agreed in writing by the Local Planning Authority.

REASON: To avoid an undue effect on the vitality and viability of existing town/local centres.

POLICY: West Wiltshire District Plan - Policies SP1 & SP2 and West Wiltshire District Plan - 1st Alteration (including proposed modifications) - Policies SP1 & SP3.

04/00371/FUL
Melksham (Town)
27.02.04
Full plan

Small retail outlet to include the sale of motor cycles and the sale of motor cycle parts and accessories and store area and external alterations to existing block of garages

B Missen Watsons Court Melksham Wiltshire SN12 6JX

Applicant:

Messer Brown/Dobson

Deferred

04/00385/FUL
Warminster
01.03.04
Full plan

Section 73 application for the carrying out of warehouse and storage with access road and parking without complying with Condition 03 imposed on planning permission reference 01/02033/FUL

Land East Of Furnax Lane Warminster Wiltshire

Applicant:

Gibbs Transport Services Ltd

Deferred

04/00356/FUL
Westbury
25.02.04
Full plan

Construct one dwelling as end of terrace and associated parking
Land Adjacent To 22 Maristow Street Westbury Wiltshire

Applicant: Mr And Mrs G Davies

Refusal

Reason(s):

- 1 The proposed development, by reason of its size, form, layout and relationship to the adjoining dwelling would result in a dominant, overbearing impact and loss of light to the detriment of the amenities of the adjoining property, No 20 to the east, contrary to Policies H1 and C26 of the West Wiltshire District Plan and Policies H1, C31a and C38 of the West Wiltshire District Plan - 1st Alteration (including proposed modifications).

Note(s) to Applicant:

- 1 The applicant is advised that a revised scheme which omits the first floor extension to the rear and which replicates the pattern of development at number 20, is likely to be considered more favourably.

04/00366/OUT
Westbury
01.03.04
Outline plan

Bungalow in garden with access off The Tynings
Land Rear Of 10 Green Lane Westbury Wiltshire

Applicant: Mr And Mrs J Baber

Refusal

Reason(s):

- 1 The proposed development, by reason of its siting, form and proximity to adjacent dwellings, would result in a pattern of development which would be detrimental to the host building and the amenity of future occupiers of that dwelling, and also the character of the area. This would be contrary to Policy H1 of the West Wiltshire District plan and Policies H1, H24 and C31a of the West Wiltshire District Plan Notice of Intention to Adopt Version.
 - 2 The proposed development, if approved, would create a precedent for other similar development in the near vicinity, which would give rise to a pattern of development detrimental to the character and appearance of the area, contrary to Policy H1 of both the West Wiltshire District Plan and the West Wiltshire District Plan Notice of Intention to Adopt Version.
 - 3 The proposal would result in an increase in traffic generation along The Tynings, to the detriment of local highway conditions.
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