

**THESE MINUTES WILL BE PRESENTED TO THE NEXT MEETING ON 17
FEBRUARY 2005 FOR APPROVAL AS A CORRECT RECORD**

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 27 JANUARY 2005**

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

Present:

Councillors: March (Chairman), Blakemore, Burnan OBE, Carbin, John
Clegg, Marion Clegg, Content, Cunliffe-Jones, Fortescue,
Knight, Newbury, Oakman, Osborn, Rosier and Viles

Also in attendance: Councillor James

Officers: Development Control Manager (DH), Principal Planning Officer
(RM), Principal Planning Officer (CC), Member Support Team
Leader (YR)

245. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE

Apologies for absence were received from Councillors Clark, Cox and Hawker

The following temporary change to membership was made:

Councillor Cox was replaced by Councillor Oakman

246. OPEN FORUM

The Chairman announced that officers would be asked to present the application first before hearing open forum speakers. It was hoped that this arrangement whereby open forum speakers would first hear details of the proposal and view the plans displayed would help them in making their open forum presentations and would also assist Members.

At the end of the meeting, the Chairman invited feedback from Members on this arrangement. Members commented that it had worked very well. In view of this, the Chairman explained that the Committee would adopt this sequence for future meetings.

For open forum presentations in respect of planning applications please refer to minute number 251.

247. MINUTES

The minutes of the last meeting held on 6 January 2005 were approved as a correct record and signed by the Chairman subject to the following amendments:

- (a) Minute no. 244 – Planning applications
04/02051/FUL – Conversion of 2 barns to dwellings – Church Farm, 37 Church Lane, Wingfield

That the full reason for deferral be included as detailed below:

That the application be deferred to allow further negotiations between the applicant and officers and to obtain the formal response of the Council's Conservation Officer.

- (b) In the appendix to the minutes detailing decisions on planning applications – 04/01909/FUL – 5 Valiant Close, Bowerhill, Melksham

The first line should read “Reason for Permission” and not reason for refusal.

248. DECLARATIONS OF INTEREST

The following interests were declared:

Application/Item	Councillor/Officer	Reason
04/02202/FUL Land adj. 22 Broxburn Road, Warminster	Cllr March	Member of Warminster Town Council's Planning and Advisory Committee.
04/01932/FUL Brew Cottage, 280 Green Lane, Turleigh	Cllr Cunliffe-Jones Rosie MacGregor (officer)	Personal interest - applicant was their GP
04/01831/FUL Land rear of 55 Castle Street, Trowbridge	Cllr Burnan OBE Cllr Newbury Cllrs Blakemore, Marion Clegg, John Clegg, Osborn, Knight, Content, Rosier and March	Lobbied and member of Trowbridge Planning Committee Lobbied by letter from applicant Lobbied
Potential Planning	Cllr Newbury	Please refer to minute no. 254 (a)

Appeal Costs report		
---------------------	--	--

249. QUESTIONS

No questions were received

250. ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman reminded members that there would be a special meeting of the Planning Committee on 28 January 2005 (the next day) to consider the planning application in respect of the Hilperton Relief Road.

251. PLANNING APPLICATIONS

Open Forum speakers:

Application	Speaker(s)
04/00531/FUL & 04/00532/LBC Manor Farm Barn, Main Street, Keevil	Mr Digby Rowsell
04/01925/FUL Waterside Barn, Maxcroft Lane, Hilperton	Mr John Lee, Mr Brent Hodges, Mr Richard Wheatley
04/01831/FUL Land rear of 55 Castle Street, Trowbridge	Mr Thomas Rothschild
04/01932/FUL Brew Cottage, 280 Green Lane, Turleigh	Dr Nell Wyatt

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.**

Changes to condition

04/00531/FUL Manor Farm Barn, Main Street, Keevil

That condition No. 13 to become a note to the applicant and to read as follows:

The applicant is advised that if any bats or barn owls are found during construction works, all work must cease and English Nature contacted for further guidance. A licence may be required from DEFRA before work can then commence.

04/01925/FUL – Waterside Barn, Maxcroft Lane, Hilperton

an additional condition: No. 6

Prior to the occupation of the dwelling as a separate unit, the turning space, garage and parking spaces shown on the approved plan shall be made available for the use of the premises hereby permitted and shall be maintained as such thereafter.

Reason for the above condition: To ensure that adequate parking and turning is available in the interest of highway safety.

04/02282/FUL – 9 Hanover Close, Hilperton

With an additional note to the applicant as follows:

The applicant is advised that this permission does not convey or imply any civil consents required to undertake work on land outside the applicant's ownership.

04/01932/FUL – Brew Cottage, 280 Green Lane, Turleigh

With an additional condition as detailed in the appendix to these minutes.

Decisions made against officers' recommendation

04/01831/FUL – Land rear of 55 Castle Street, Trowbridge

The above application was recommended for refusal by officers. However, the Committee resolved that planning permission be granted for the justification reason and with the conditions as detailed in the appendix to these minutes.

Attendance

04/02202/FUL – land adjacent 22 Broxburn Road, Warminster – Cllr Knight left the meeting and returned during the debate on this item.

04/00531/FUL – Manor Farm Barn, Main Street, Keevil – Cllr Newbury left the meeting and returned during the officer presentation of this item.

252. PLANNING APPEAL DECISIONS

The Development Control Manager presented a report which gave statistical

information and comments on planning appeal decisions made during 2004.

He explained that the Corporate Plan's section on 'Improving Development Control' included an objective (No. 2) 'to ensure high quality planning decisions based on up to date planning policy'. One of the key targets on this related to the percentage of appeals allowed against the Council's decision to refuse planning applications. It was noted that a target of 30% had been set for 2010.

The following information was given which related to the period from 1 January 2004 to date:

Appeals allowed	21	(33%)
Appeals dismissed	36	(56%)
Appeals withdrawn	3	(5%)
Split decisions	4	(7%)

The number of appeals allowed was exactly in line with the national average.

It was also noted that whilst 3 applications had been made for costs being awarded against the Council during 2003/04, no costs had in fact been awarded during this period.

The report also detailed the Development Control Manager's proposal to change the way in which appeal information is reported to this Committee.

In response to a question from a Member, the Development Control Manager confirmed that the level of appeals allowed would affect the amount of money the Council could receive from the Planning Delivery Grant.

Cllr Newbury suggested that Members should continue to be involved in defending appeals, particularly where the appeal was as a result of the Committee going against the officer recommendation. Examples of where Members had assisted in defending such appeals were referred to. The Development Control Manager endorsed the involvement of Members in this way.

RESOLVED:

- (a) The Committee notes the analysis of planning decisions, the current appeal caseload and the changes to the period for the making of appeals as detailed in the report.**
- (b) The Committee adopt the changes for reporting of appeal information as follows:**

The existing list of current appeals will be discontinued. Instead, the following will be reported:

At each Planning Committee

- Details of all appeals received and all appeal decisions received and any costs awarded in the period leading up to the publication of the agenda**

To the Planning Committee every quarter

- **A Similar report to that presented to this meeting giving appeal statistics with analysis of performance and trends and any costs awarded**

All information to include the origin of the decision whether it was an appeal against a decision made by officers under delegated powers or Committee decision in which case to include whether the Committee's decision was in support of or against the officer recommendation.

253. EXCLUSION OF PRESS AND PUBLIC

RESOLVED:

That under S100A (4) of the Local Government Act 1972 the public including the press be excluded from the meeting during the following item of business on the grounds that it was likely in view of the nature of business to be transacted or the nature of proceedings, that if members of the public were present during this item there would be disclosure to them of exempt information as described in paragraph 12 of Schedule 12A to the said Act.

254. POTENTIAL PLANNING APPEAL COSTS AWARDS AGAINST THE COUNCIL

- (a) **01/00882/OUT – Land off Bradford Road, Trowbridge**
- (b) **04/00941/REM – Phase 7B Marina Drive, Staverton**

Note: Declaration of Interest

Cllr Newbury declared his interest in this item in so far as it related to (a) above as he had declared his interest when the matter was previously considered by the Committee as his sister was one of the objectors to the application. In view of this, the Chairman agreed that the Committee would consider the two appeals separately. Cllr Newbury left the meeting at the start of consideration of the item whilst this part of the report was considered and resolved by the Committee.

The Development Control Officer presented a confidential report concerning the appeals lodged in respect of the above mentioned planning applications.

RESOLVED:

01/00882/OUT – Land off Bradford Road, Trowbridge

RESOLVED:

That a letter be sent to the applicants asking that the appeal concerning the above

mentioned application be held in abeyance and inviting them to submit a revised application for the Committee's consideration. That the applicants be given 14 days in which to respond to the letter and that a report on the outcome be presented to the Committee as soon as practicable.

Note: Cllr Newbury returned to the meeting at this point.

04/00941/REM – Phase 7B Marina Drive, Staverton

The Committee noted that the appellants' agent had contacted the Principal Planning Officer about the submission of a revised scheme for this development which would omit / reduce the number of three storey dwellings.

RESOLVED:

That a letter be sent to the applicant asking that the appeal be held in abeyance pending the submission and consideration of a further planning application for this development.

That a further report be presented to the Committee on the outcome of these negotiations as soon as practicable.

Note: The Committee would prefer to have both reports referred to in the above resolutions to be considered in open session. It was accepted that officers would recommend to Committee whether or not the reports should be taken in open or closed session depending on the information the reports would contain.

DATE OF NEXT MEETING

A special meeting of the Committee to consider the application for full planning permission for Hilperton Relief Road would be held on **Friday 28 January at 7pm in the Civic Hall, Trowbridge**

The next ordinary meeting of the Planning Committee will be held on **Thursday 17 February 2005 at 7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(7.00pm – 9.40pm)

These minutes were prepared by Yamina Rhouati, Member Support Team Leader who can be contacted on direct line 01225 770322 or email yrhouati@westwiltshire.gov.uk.

