

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 31 MARCH 2005**

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

Present:

Councillors: March (Chairman), Blakemore, Burnan OBE, Carbin, Clark, John Clegg, Marion Clegg, Cunliffe-Jones, Fortescue, Hawker, Knight, Manasseh, Newbury, Osborn, Repton and Viles

Also in attendance: Cllr Conley

Officers: Development Control Manager, (DH), Principal Planning Officers (RM & PW), Legal and Democratic Services Manager (SB), Housing Services Manager (GH), Member Support Team Leader (YR)

280. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE

Apologies for absence were received from Councillors Content, Oakman and Rosier.

Permanent change to membership:

Councillor Oakman replaced Councillor Cox.

The following temporary change to membership was made:

Councillor Oakman was replaced by Councillor Manasseh

281. OPEN FORUM

For other open forum presentations in respect of planning applications please refer to minute number 2.

282. **MINUTES**

The minutes of the last meeting held on 10 March 2005 were approved as a correct record and signed by the Chairman subject to the following amendments:

273 – Declarations of Interest

To correct the spelling of the name of Councillor Clark and in both references to declarations of interest made by Councillor Clark to add under the column 'reason' "but would be considering the application with an open mind".

276 – Planning Applications

Recorded vote in respect of application 05/00175/FUL – 187A Little Ashley, Winsley

For the motion – delete (Permission) insert (Refusal)

283. **DECLARATIONS OF INTEREST**

The following interests were declared:

Application/Item	Councillor/Officer	Reason
04/02399/FUL 506 Semington Road, Melksham	Burnan Knight Hawker John Clegg Marion Clegg Viles Cunliffe-Jones Newbury Osborn March	Lobbied Lobbied Extensively lobbied and visited premises with applicants Lobbied Lobbied Lobbied but gave no commitment Lobbied Lobbied by applicant Lobbied by correspondence Lobbied
04/02297/FUL & 04/02295/LBC Frogmore House Road, Westbury	Manasseh Knight Hawker Marion Clegg John Clegg Blakemore Cunliffe-Jones Newbury March	Personal Interest Lobbied Lobbied extensively and visited site with applicant Lobbied extensively/visited site Lobbied extensively Lobbied Lobbied Lobbied by applicant Lobbied
05/00058/EUD 29 Fairwood Road, Dilton Marsh	Knight	Lobbied
05/00181/FUL &	Burnan	Lobbied

05/00182/LBC 117 Winsley	Knight Blakemore Cunliffe-Jones Newbury Viles	Lobbied Lobbied Lobbied Lobbied by applicant Visited site for information
05/00112/FUL 37 Hillwood Lane, Warminster	March	Member of the Warminster Planning & Advisory Committee
05/00240/FUL 4A Newleaze, Hilperton	Clark	Chaired Hilperton Parish Council meeting which considered application, but would could consider application with an open mind.
Main agenda Item No. 9 – 114 Station Road, Westbury	Hawker	Personal interest

284. QUESTIONS

No formal questions had been received.

285.. ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman reminded the Committee that the Special Planning Committee to consider the planning application for the Hilperton Relief Road would be held on 7 April 2005 at the John of Gaunt School, Trowbridge at 7pm.

286. PLANNING APPLICATIONS

Open Forum speakers:

Application	Speaker(s)
04/01512/FUL – Site 57 Cory Way, West Wilts Trading Estate, Heywood	Mr Nick Bradshaw & Mr Francis Morland
04/02399/FUL – 506 Semington Road, Melksham	Mr Alistair Everett, Mr Paul Davies, Mr John Cousins, Mrs Norveen Wiltshire, Mr John Wiltshire
04/02297/FUL & 04/02295/LBC – Frogmore House, Frogmore Road, Westbury	Mr Bill Braid, Mr Kieran Rafferty
05/00138/FUL & 05/00136/ADV – Unit A, Area West of District Centre, Westbury Leigh, Westbury	Mr Francis Morland
05/00249/FUL – Northleigh Nurseries, Leigh Road West, Bradford on Avon	Mr Philip Sutton

05/00058/EUD – Penleigh Mill Farm, 29 Fairwood Road, Dilton Marsh	Mr Francis Morland
05/00181/FUL & 05/00182/LBC – 117 Winsley	Mrs Jane McDermott
05/00105/FUL – 7 Dursley Road, Heywood	Mr Brine & Mr Francis Morland

Decisions made against officers' recommendation

04/01512/FUL – Site 57 Cory Way, West Wilts Trading Estate, Heywood

The above application was recommended for planning permission. However, the Committee resolved that planning permission be refused for the following reason:

The proposed development would result in a material increase in traffic movements through the sub-standard road junction of Link Road and Hawkeridge Road to the detriment of the safety and convenience of users of the highway. The proposed development would be contrary to Policy E2 of the West Wiltshire District Plan First Alteration 2004.

05/00181/FUL & 05/00182/LBC – 117 Winsley

These applications were recommended for refusal by Officers. However, the Committee resolved to defer consideration of them to allow for a site inspection (resolution (c) below refers).

05/00240/FUL – 4A Newleaze, Hilperton

This application was recommended for planning permission by Officers. However, the Committee resolved that planning permission be refused for the following reason:

The proposed development would have a detrimental impact on the street scene and would conflict with the character of the area, contrary to Policy C31A of the West Wiltshire District Plan 1st Alteration 2004.

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.**
- (c) That the following applications be deferred for a site inspection to be held on 21 April at 3.30pm and considered by the Planning**

Committee later that evening at 7pm:

05/00181/FUL & 05/00182/LBC – 117 Winsley

Changes to Conditions

05/00138/FUL – Unit A Area West of District Centre, Westbury Leigh, Westbury

Planning permission was granted as recommended by Officers. The Committee added a note to the applicant concerning the naming of the Centre to be referred to as the Local Centre.

05/00136/ADV – Unit A, Area West of District Centre, Westbury Leigh, Westbury

Consent was granted as recommended with an amendment to condition 2 to read as follows:

The advertisement shall not be illuminated outside the hours of 0700 to 2200 7 days a week.

REASON: In the interests of amenity and highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C24".

05/00015/LBC – Sundial House, Corton

Consent as recommended by Officers with an amended reason for consent and note to applicant to read as follows:

Amended reason:

The development has not resulted in any material harm to the fabric of the listed building and the proposals conform to the development plan and there are no planning objections".

Note to Applicant:

The applicant is reminded that it is an offence to carry out unauthorised works to a listed building and that any future material alterations would require prior consent.

05/00105/FUL – Land in front of 7 Dursley Road, Heywood

Planning permission as recommended with the addition of the following note to applicant as follows:

That the applicant be reminded that the consent of the Highway Authority would be required for the lowering of kerbs.

Recorded Votes

04/02297/FUL – Frogmore House, Frogmore Road, Westbury

The above application was recommended by Officers for refusal. The Committee resolved to refuse planning permission and a recorded vote having been requested, the voting was recorded as follows:

For Refusal (12)

Councillors Blakemore, Burnan OBE, Carbin, Clark, Cunliffe-Jones, Fortescue, Hawker, Newbury, Manasseh, Osborn, Repton and Viles

Against Refusal (4)

Councillors John Clegg, Marion Clegg, Knight and March

Abstentions (Nil)

05/00015/LBC – Sundial House, Corton

The above application was granted planning permission subject to an amended reason for consent and the inclusion of a note to applicant (see above under 'changes to conditions').

Cllrs Newbury, Clark, Repton and Cunliffe-Jones requested their votes against the decision to grant consent be recorded.

NOTE:

VOTE TO CONTINUE

During the consideration of planning applications, and in accordance with the Constitution, the Committee voted to continue with the meeting after 10pm.

Attendance

Applications were considered in the following order:

1 through to 11; 15; 12; 13; 14

Councillor Blakemore left the meeting after consideration of item 11 (05/00015/LBC – Sundial House, Corton)

Councillors Cunliffe-Jones and Repton left during the officer presentation on item 13 (05/00112/FUL – 37 Hillwood Lane, Warminster.

Councillor Carbin left before the vote was taken on the last agenda item (No. 9 – 114 Station Road, Westbury)

287. PLANNING APPEALS - UPDATE

The Development Control Manager presented an update on planning appeals. That details of the appeal decision relating to 03/02209/FUL – Manor Farm, Bratton Road, West Ashton be circulated to Members.

RESOLVED:

That the report be noted.

288. MIXED USE REDEVELOPMENT AT LAND AT 114 STATION ROAD, WESTBURY

Planning permission for this development was granted by the Committee on 19 February 2004 subject to the prior completion of a legal agreement and 19 conditions.

The purpose of the report now presented was regarding the 19th condition which the Committee had specifically imposed. This condition required that prior to the erection of any buildings on site, a wall shall be erected on the northeast boundary of the site in accordance with details to be submitted and approved by the Local Planning Authority. The reason given for this condition was to protect the quality of the environment to the adjoining countryside following concerns having been expressed by an adjoining landowner.

When the Committee imposed this condition, it was unaware that a substantial tree screen already existed along this boundary. The applicant's agent is of the view that separation could be achieved by a more appropriate means such as a fence or soft landscaping rather than a wall. Officers agreed with this view especially given that the roots to the trees could be harmed by the construction of a wall.

RESOLVED:

That Condition 19 be amended to read as follows:

Prior to the erection of any buildings on site, a fence , or secure boundary treatment or other means of enclosure shall be erected on the northeast boundary of the site in accordance with details to be submitted and approved by the Local Planning Authority. The work shall be carried out in accordance with those details and retained thereafter

Note: Declaration of Interest

Councillor Hawker declared a personal interest in the above item.

DATE OF NEXT MEETING

The next ordinary meeting of the Planning Committee will be held on **Thursday 21 April 2005** at **7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(7.05pm – 10.55pm)

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

Commdev/word/planning/mins2005/131/03/05