

## **WEST WILTSHIRE DISTRICT COUNCIL**

### **MINUTES**

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 2 JUNE 2005**

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

Present:

Councillors: Rosier (Vice Chairman), Carbin, Clark, Clegg J, Cunliffe-Jones, Fortescue, Hawker, James, Knight, Lewis, Manasseh, March, Osborn and Viles

Also in attendance: Davis (part)

Officers: Development Control Services Manager, (DH), Principal Planning Officers (RM, CC & PW), Legal and Democratic Services Manager (part), Member Support Officer (MS)

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#### **311. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE**

Apologies for absence were received from Councillors Burnan, Clegg M, Newbury, Oakman and Repton.

Councillor Lewis replaced Councillor Repton

The following permanent changes to membership, made since the last planning committee meeting on 12 May 2005, were announced; - Councillors Blakemore and Content have been removed and Councillors James and Manasseh has been added.

#### **312. OPEN FORUM**

At the beginning of the meeting:

05/00477/LBC – Obelisk Post Office, 35 – 37 Silver Street, Warminster, Wiltshire, BA12 8PT – Mr Richard Haes of Warminster Civic Trust

At the beginning of minute 302 (a) – Planning Applications, delegated decision issued for period 3 May – 23 May 2005 on application 05/00752/AGD – Land North East of 15 Church Road, Heywood, Wiltshire and minute 303 – Planning Appeals Update – Mr Francis Morland.

For other open forum presentations in respect of planning applications please refer to minute numbers 302.

### 313. **MINUTES**

The minutes of the last meeting held on 12 May 2005 were approved as a correct record and signed by the Chairman subject to the amendment of the date of the next meeting being changed to 2 June 2005.

### 314. **DECLARATIONS OF INTEREST**

The following interests were declared:

Index No.	Application/Item	Councillor/Officer	Reason
2	05/00496/FUL New Unit at Hackett Place, Hilperton	Clark	Prejudicial interest - Chairman of Hilperton Parish Council – the applicant and Hilperton Parish Council today completed the transfer of Paxcroft Mead Community Centre to Hilperton Parish Council – left the meeting for this item.
3	05/00349/FUL Land Rear of and 36 Silver Street Lane, Trowbridge	Osborn	Been lobbied over a considerable amount of time
4	05/00437/FUL 33 Lower Westwood, Westwood	Cunliffe - Jones	Lobbied - Contacted by both applicant and objectors
5	05/00214/FUL Brooklands, 49 Woolley Street, Bradford on Avon	Cunliffe – Jones  Knight Manasseh March Osborn Rosier  Hawker	Lobbied – number of letters received Lobbied Lobbied Lobbied Spoken to applicant Received letters and emails but not responded or read any Lobbied
6	05/00681/REM 147B Westbury Leigh, Westbury	Clegg. J  Manasseh	Member of Westbury Town Council Planning Committee who had discussed this application  Lobbied

		Hawker	Lobbied
10	05/00613/FUL Land Adjoining Place House, Place Road, Melksham	Clegg. J	Prejudicial interest
11	05/00625/FUL Land Adjacent 41 – 47 Vicarage Street, Warminster	Cunliffe – Jones  Knight Osborn March	Lobbied – number of letters received  Lobbied Lobbied Lobbied
12	05/00476/FUL 19 Stallard Street, Trowbridge	Knight	Personal interest – left the meeting for the item
13	05/00477/LBC Obelisk Post Office, 35 – 37 Silver Street, Warminster	Mannaseh March Hawker	Lobbied Lobbied Lobbied
16	05/00584/LBC 8 Bratton Road, Westbury	Hawker	Met with both applicant and objector. Not given any view and would consider application with an open mind
	Trowbridge applications	James  Knight	Member of Trowbridge Town Development Committee.  Member of Trowbridge Town Council Planning Committee
	Various	James	Lobbied

### 315. **QUESTIONS**

Cllr Osborn was asked to confirm how he viewed an application after he declared he had been lobbied a number of times. Cllr Osborn confirmed that he always informed those who approached him that he was unable to discuss or become involved in the application and that he considered all applications on the night with an open mind.

### 316. **ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman explained that the officers would present the application and open forum presentations would follow. Open forum speakers would be limited to a maximum speaking time of 3 minutes and were asked to avoid

repetitions. Those applications with a large amount of open forum speakers would be moved towards the beginning of the agenda.

### 317. **PLANNING APPLICATIONS**

Open Forum speakers:

<b>Application</b>	<b>Speaker(s)</b>
05/00198/FUL – Land Opposite The Laurels, Hawkeridge Road, North Bradley	Mr A. F. Brine Mr Francis Morland Miss Jenni Goff
05/00214/FUL – Brooklands, 49 Woolley Street, Bradford on Avon	Mr Ted King Mr Robin Clark Mr Kevin Burnside Ms Ann Pennington Ms Gillian Ellis-King Cllr Paul O'Callaghan Cllr Jocelyn Fielding Mr Gareth Slater
05/00681/REM – 147B Westbury Leigh, Westbury	Mr Toby Sympter Mrs Kate Hutchings Ms Clarissa Hutchings Mrs Pamela Cox-Maidment Mr Francis Morland Mr Mervyn Dobson
05/00349/FUL – Land Rear Of And 36 Silver Street Lane, Trowbridge	Mr Paddy George Mr George Walker Mrs Felicity Walker Ms Sylvia Grist
05/00437/FUL – 33 Lower Westwood, Westwood	Mr Earl
05/00289/FUL – Land Rear Of 16 High Street, Codford	Mr Colin Beagley Mr Tom Thornton Mr Rob Huntley
05/00625/FUL – Land Adjacent 41 – 47 Vicarage Street, Warminster	Mr David Deacon
05/00477/LBC – Obelisk Post Office, 35 – 37 Silver Street, Warminster	Dr Michael Turner

05/00190/FUL – Raydown Leaze, Edington Road, Steeple Ashton	Mr Brent Hodges
05/00440/FUL – Turnpike Garage, Devizes Road, Bowerhill	Mr John Kostyszyu

### **Decisions made against officers' recommendation**

#### **05/00681/REM – 147B Westbury Leigh, Westbury**

This application was recommended for approval by officers, however, the Committee resolved to refuse planning permission for the following reason; - the scale, design and external appearance of the dwellings hereby proposed would be out of keeping with the character and appearance of the area and detrimental to the residential amenities of the occupiers of adjoining dwellings, by reason of loss of privacy from overlooking and the dominating and overbearing impact of the proposed buildings. The proposals as such would be contrary to Policies H1, H24 and C31A of the West Wiltshire District Plan – 1<sup>st</sup> Alteration.

#### **05/00349/FUL – Land Rear Of And 36 Silver Street Lane, Trowbridge**

Officers recommended that the Developmental Control Manager be authorised to grant planning permission on completion of a Section 106 Agreement to secure a financial contribution to:

- (a) the provision of off-site open space facilities
- (b) education provision
- (c) the upgrade and extension of existing footpaths and cycleways within the vicinity

However the Committee resolved to refuse the granting of planning permission as the proposal by reason of its layout, form, height and design would be contrary to Policies H1, H24 and C31A of the West Wiltshire District Plan – 1<sup>st</sup> Alteration and PPG3 Paragraph 54 in that it would not be sympathetic to the spatial form or character of the surrounding area.

#### **05/00625/FUL – Land Adjacent 41 – 47 Vicarage Street, Warminster**

This application was recommended for refusal by officers, however the Committee resolved that the Developmental Control Manager be authorised to grant permission following the completion of a Section 106 Agreement to secure tenants in perpetuity who are not car owners.

#### **05/00477/LBC – Obelisk Post Office, 35 - 37 Silver Street, Warminster**

This application was recommended for refusal by officers, however the Committee resolved to grant consent as the proposals would not result in substantial demolition and would enhance and preserve the character and integrity of the Listed Building. Conditions attached to the application are listed in the appendix to these minutes.

## **Applications Deferred**

### **05/00289/FUL – Land Rear of 16 High Street, Codford**

Officers recommended that the Developmental Control Manager be authorised to grant planning permission on completion of a Section 106 Agreement to secure the affordable housing and associated financial contribution within three months and subject to conditions. However, the Committee resolved to defer the planning application for further consultations with the Parish Council and Environmental Agency to ascertain the known flood levels and reconsider the impact of flooding, and for the developer to consider the implications of this on the design and finished floor levels.

## **Amended Conditions**

### **05/00584/LBC – 8 Bratton Road, Westbury**

Consent was granted however the listed conditions were deleted, as the application submitted was retrospective.

## **Additional Conditions**

### **05/00198/FUL – Land Opposite The Laurels, Hawkeridge Road, North Bradley**

Permission was granted with the addition of the 2 additions listed on the late list but amended as follows; -

- (1) Any entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of 4.5 metres from the carriageway edge
- (2) The driveway between the edge of the carriageway and the gates shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority

## **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) **05/00214/FUL – Brooklands, 49 Woolley Street, Bradford on Avon**

**That the above application be deferred for a site inspection to be held on Thursday 23 June 2005 at 5.30pm and that the application be considered by the Planning Committee at its meeting that**

**evening starting at 7.00pm in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.**

**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:

1,5, 6, 3, 2, 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16.

Cllr James left the meeting at the end of application 05/00214/FUL – Brooklands, 49 Woolley Street, Bradford on Avon and returned during the open forum presentations of 05/00681/REM – 147b Westbury Leigh, Westbury.

Cllr Hawker left the meeting during the officers presentation of 05/00349/FUL – Land Rear of and 36 Silver Street Lane, Trowbridge and returned during open forum of the same application

Cllr Viles left the meeting at the end of application 05/00681/REM – 147b Westbury Leigh, Westbury and returned during open forum of 05/00349/FUL – Land Rear of and 36 Silver Street Lane, Trowbridge

Cllr J Clegg left the meeting during the officers presentation of 05/00349/FUL – Land Rear of and 36 Silver Street Lane, Trowbridge and returned during open forum of the same application

Cllr Clark left the meeting during the open forum of application 05/00349/FUL – Land Rear of and 36 Silver Street Lane, Trowbridge and returned during the debate of this application

Cllr Manasseh left and returned to the meeting during the debate of application 05/00349/FUL – Land Rear of and 36 Silver Street Lane, Trowbridge

Cllrs Clark, Osborn and Lewis left the meeting at the end of application 05/00349/FUL – Land Rear of and 36 Silver Street Lane, Trowbridge. Cllr Clark returned at the beginning of application 05/00437/FUL – 33 Lower Westwood, Westwood. Cllr Osborn returned to the meeting during the officer's presentation of 05/00496/FUL – New Unit at Hackett Place, Hilperton. Cllr Lewis did not return to the meeting.

Cllr Knight left the meeting during the officer's presentation of 05/00496/FUL - New Unit at Hackett Place, Hilperton and returned during the vote of the same application.

Cllr Davis entered the Council Chambers during the officers presentation of 05/00496/FUL - New Unit at Hackett Place, Hilperton and left the Council Chambers after a decision was made on the application.

Cllr Carbin left the meeting at the end of application 05/00496/FUL - New Unit at Hackett Place, Hilperton and returned during the officer's presentation of 05/00437/FUL – 33 Lower Westwood, Westwood.

Cllr James left the meeting during the officers presentation of application 05/00437/FUL – 33 Lower Westwood, Westwood and returned during the debate of application 05/00586/FUL – 3A Silver Street, Steeple Ashton

Cllr Davis entered the Council Chambers during the officers presentation of 05/00437/FUL – 33 Lower Westwood, Westwood and left the Council Chambers at the end of application – 05/00289/FUL – Land Rear of 16 High Street, Codford.

Cllr Hawker left the meeting during the officer's presentation of 05/00437/FUL – 33 Lower Westwood, Westwood and returned during the debate of the same application.

Cllr Cunliffe – Jones left the meeting during the officers presentation of 05/00289/FUL – Land Rear of 16 High Street, Codford and returned during open forum of this application

Cllr Clark, Clegg and Fortescue left the meeting during the officer's presentation of 05/00613/FUL – Land Adjoining Place House, Place Road, Melksham. Cllr Clark did not return to the meeting. Cllr Clegg returned during the officer's presentation of 05/00476/FUL – 19 Stallard Street, Trowbridge. Cllr Fortescue returned to the meeting during the officer's presentation of 05/00625/FUL – Land Adjacent 41 – 47 Vicarage Street, Warminster.

Cllr Carbin left the meeting during the officer's presentation of 05/00625/FUL – Land Adjacent 41 – 47 Vicarage Street, Warminster and returned during the open forum presentations of the same application.

Cllr Davis entered the Council Chambers during the officers presentation of 05/00625/FUL – Land Adjacent 41 – 47 Vicarage Street, Warminster and left the Council Chambers at the end of application 05/00477/LBC – Obelisk Post Office, 35 – 37 Silver Street, Warminster

Cllr Knight left the meeting during the officer's presentation of application 05/00476/FUL – 19 Stallard Street, Trowbridge and returned during the officer's presentation of 05/00477/LBC – Obelisk Post Office, 35 – 37 Silver Street, Warminster.

Cllr Cunliffe-Jones left the meeting during the officer's presentation of 05/00477/LBC – Obelisk Post Office, 35 – 37 Silver Street, Warminster and did not return to the meeting.



Cllr Osborn left and returned to the meeting during the debate of 05/00477/LBC – Obelisk Post Office, 35 – 37 Silver Street, Warminster.

Cllr Clegg, Fortescue and James left the meeting during the officer's presentation of 05/00440/FUL – Turnpike Garage, Devizes Road, Bowerhill. Cllrs Clegg and Fortescue did not return to the meeting. Cllr James returned during the open forum of this application.

### **318. PLANNING APPEALS – UPDATE**

Christine Caister presented the planning appeals update report for the period covering from 27 April – 18 May 2005.

#### **RESOLVED:**

**That the report be noted.**

#### **DATE OF NEXT MEETING**

The next ordinary meeting of the Planning Committee will be held on **Thursday 23 June 2005 at 7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(7.03pm – 11.25pm)

These minutes were prepared by Melanie Stimpson; Member Support Officer who can be contacted on direct line 01225 770322 or email

[mstimpson@westwiltshire.gov.uk](mailto:mstimpson@westwiltshire.gov.uk)