

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 4 AUGUST 2005**

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

Present:

Councillors: Newbury (Chairman), Burnan OBE, Carbin, Clark, Clegg J, Clegg M, Cunliffe-Jones, Fortescue, Hawker, James, Knight, Manasseh, March, Oakman, Repton, Rosier and Viles

Also in attendance: Cllrs Cox, Davis and Syme (part meeting)

Officers: Development Control Services Manager, (DH), Legal and Democratic Services Manager, Principal Lawyer, Principal Planning Officers (RM &PW), Member Support Team Leader (MS)

344. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE

An apology for absence was received from Cllr Osborn. There were no changes to the membership of the Committee.

345. OPEN FORUM

At this point, Mr Jocelyn Fielding made an open forum presentation in respect of the item on the Confirmation of Tree Preservation Order – Land west of The George, Woolley Street, Bradford on Avon (minute no. 351 refers)

Mr Ian Frostick spoke at the beginning of the meeting in respect of application 05/01069/REM – Land south of St Stephens Way, Warminster.

For open forum presentations in respect of planning applications please refer to minute number 350. For other open forum presentations, please refer to the relevant minute.

346. MINUTES

The minutes of the meetings held on 13 and 14 July 2005 were approved as correct records and signed by the Chairman subject to the following amendment in respect of the minutes held on 13 July:

Minute no. 330 – Declarations of Interest

The declaration of interest made by Cllr Clark was only in respect of a personal interest by virtue of his capacity as Chairman of Hilperton Parish Council when the applications were considered by the Parish Council and did not relate to a prejudicial interest.

347. DECLARATIONS OF INTEREST

The following interests were declared:

Application/Item	Councillor/Officer	Reason
05/01014/FUL – Land to rear of 62 and 66 Market Place, Warminster	Manasseh	Lobbied – would leave room
05/00275/FUL – 1 Prospects Fields, Atworth	Manasseh	Personal interest – knew the applicant
	Repton, Cunliffe-Jones, Knight, Newbury & Rosier	Lobbied
Various	James, Burnan OBE & Knight	Had received generally lobbying on a number of items and had considered Trowbridge applications at Trowbridge Town Council
Various	Oakman	Had received general lobbying on a number of items and had considered Melksham applications as Vice Chairman of Melksham Town Council's Planning Committee
05/00214/FUL – Brooklands, 49 Woolley Street, Bradford on Avon	Repton, Cunliffe Jones, Burnan OBE & Knight	Lobbied/received letters
05/00978/FUL – Old Workmens Hall, Bath Road, Atworth	Repton, Burnan OBE, Cunliffe-Jones, Newbury, Knight & Rosier	Lobbied

*05/01078/FUL – 27 – 29 Woolley Terrace, Bradford on Avon	Repton,	
05/00549/FUL & 05/00795/CON – 2 The Avenue, Warminster	March	Personal and Prejudicial interest – applicant was acquaintance and political colleague – would leave room
05/01033/LBC – Land to rear of 62 and 66 Market Place, Warminster	March	Lobbied
Various	John Clegg & Marion Clegg	Lobbied
Warminster applications	Davis & Syme	Applications considered by Warminster Town Council's Planning Committee
05/01217/FUL – 95 Winsley Hill, Limpley Stoke	Newbury & Rosier	Lobbied

348. QUESTIONS

No formal questions were received.

349. ANNOUNCEMENTS FROM THE CHAIRMAN

The Chairman made no announcements

350. PLANNING APPLICATIONS

Open Forum speakers:

Application	Speaker(s)
05/00549/FUL & 05/00795/CON – 2 The Avenue, Warminster	Mr Philip Atyeo, Mr Goacher, Mr Robin Ludlow, Mr Ben Beveridge, Mrs Anne Mawn, Mr Burt Paul
05/00214/FUL – Brooklands, 49 Woolley Street, Bradford on Avon	Mr Jim Lynch, Ann Pennington, Mr J Fielding, Mr Peter Leach
05/00986/FUL – 54 Midford Lane, Limpley Stoke	Mr Richard Williams
05/00827/LBC – Manor Farmhouse, Beanacre Manor Old Road Beanacre	Mr Kevin Hunt
05/01014/FUL – Land to rear of 62 and 66 Market Place,	Mr Alan Moon, Mr Bryan

Warminster	Aderley, Mrs Joan Main, Mr Michael Thomas
05/01033/LBC – Land to rear of 62 and 66 Market Place, Warminster	Mr Alan Moon, Mr Bryan Adderley
05/01262/FUL – Moonrakers, 6 Butts Lane, Keevil	Mr Brent Hodges, Mr Anthony Marsh
05/00978/FUL – Old Workmens Hall, Bath Road, Atworth	Mr John Dunseith
05/01154/OUT – Land rear of 21 Middle Lane, Trowbridge	Mrs Iris Day
05/01069/REM – Land South of Stephens Way, Warminster Business Park, Warminster	Mr Paul Burrell, Mr Francis Morland and *Mr Frostick
05/00275/FUL – 1 Prospects Fields, Atworth	Mr Simon Filipowicz

* Spoke at beginning of meeting

Decisions made against officers' recommendation

05/00986/FUL – 54 Midford Lane, Limpley Stoke

The above mentioned application was recommended by officers for refusal for the reasons outlined in the report to Committee. However, the Committee resolved to refer the application to the Secretary of State stating that this Council was minded to approve planning permission.

Justification Reason: The creation of an enlargement to this small and limited residential curtilage associated with this rural building, which has been converted to a dwelling, would constitute a special justification for this development which would not harm the openness of the Green Belt, and would conserve and enhance the special landscape character of the Cotswold Area of Outstanding Natural Beauty. Condition to remove Permitted development rights as follows: 1. USEGPD....Part 1 Class(es) E and F...

05/01262/FUL – Moonrakers, 6Butts Lane, Keevil

The above application was recommended for planning permission. However, the Committee resolved to refuse the application for the following reason:

The proposal by reason of the increase in size and height together with its design and siting would have an adverse impact on the character of the countryside and would harm the character and setting of the adjoining Conservation Area, contrary to Policies C1, C17 and H20 of the West Wiltshire District Plan - 1st Alteration 2004 and the Keevil Village Design Statement.

05/00978/FUL – Old Workmens Hall, Bath Road, Atworth

The above application was recommended by officers for refusal. However, the Committee resolved to delegate to Officers to grant permission with necessary

conditions to be agreed between the Development Control Service Manager and the Chairman of the Planning Committee, following further negotiations to secure changes to fenestration and resolve issues in respect of affordable housing.

05/01154/OUT – Land to the rear of 21 Middle Lane, Trowbridge

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

The proposals would not be sympathetic to the spatial form of the surrounding area and would have an adverse impact on the amenity of neighbouring dwellings contrary to Policies C31a and H1 of the West Wiltshire District Plan - 1st Alteration 2004.

Applications Deferred

05/00827/LBC – Manor Farmhouse, Beanacre Manor Old Road Beanacre

The above mentioned application was recommended by officers for consent. However, the Committee resolved to defer the application for further clarification.

05/01014/FUL & 05/01033/LBC – Land to rear of 62 and 66 Market Place, Warminster

The above applications were deferred for a site inspection to be held at 4pm on the day of the next meeting, 25 August and then considered at the meeting that evening.

05/01078/ful – 27 – 29 Woolley Terrace, Bradford on Avon

05/01193/FUL – 1 Stirling Close, Bowerhill, Melksham

05/01009/FUL – 71 The Common, Broughton Gifford

05/01081/ADV – Land South of Shails Lane, Bowerhill, Melksham

05/01217/FUL – 95 Winsley Hill, Limpley Stoke

Due to the lateness of the hour, the above applications were deferred to the next meeting to be held on 25 August 2005 commencing at 7pm.

Additional/Change to Condition/s

05/00549/FUL – 2 The Avenue, Warminster

The above application was granted permission in line with the recommendation of officers, subject to the following additional conditions being imposed:

Before the development hereby permitted is commenced, a scheme for the management of the site during construction works, which shall include on site storage of all construction materials and machinery, and the parking of construction vehicles, shall be submitted to and approved by the Local Planning Authority. The scheme so approved shall be implemented throughout the construction period.

REASON: To safeguard neighbouring amenities.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C36 & C38.

Condition no 21.

During the development and construction works, the hours of operation on the site by the developer and contractors shall be limited between the hours of 0700 and 1800 on Mondays to Fridays, and 07.00 and 13.00 on Saturdays, and at no time on Sundays and Bank Holidays.

REASON: To safeguard neighbouring amenities

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C36 & C38.

Note: Cllr March left the meeting during consideration of the above application having already declared a personal and prejudicial interest.

05/00828/FUL – Manor Farmhouse, Beanacre Manor Old Road, Beanacre

That planning permission be granted as recommended, but that the condition detailed in the report be deleted and instead, the following note to the applicant be added:

You are advised that this permission does not regularise the replacement gate posts and gates which do not form part of this application.

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 25 August 2005 at 4pm and then considered by the Planning Committee at its meeting:**

05/01014/FUL & 05/01033/LBC – Land to rear of 62 and 66 Market Place, Warminster.

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. Given the number of items still yet to be considered, the Committee agreed to review the situation again later in the meeting.

Recorded Votes

05/00549/FUL – 2 The Avenue, Warminster

Cllr James requested that his vote against the decision to grant planning permission in respect of the above mentioned application be recorded.

Attendance

Applications were considered in the following order:

1 – 11; 16, 18

12 – 15 and 7 were deferred until the next meeting due to the lateness of the hour.

Cllr Hawker arrived during the officer presentation on No. 1 – 05/00549/FUL – 2 The Avenue Warminster

The Chairman at that point reminded members of the need to declare interests if appropriate.

Cllr March left the meeting during the entire consideration of No. 1 & 2 - 05/00549/FUL & 05/00795 – 2 The Avenue Warminster having previously declared his interest.

Cllrs James and Hawker left after consideration of No. 2 - 05/00795 – 2 The Avenue Warminster and returned at the start of the next item.

Cllrs Manasseh and Oakman left the meeting after consideration of No. 9 – 05/01262/FUL – Moonrakers, 6 Butts Lane, Keevil

351. CONFIRMATION OF TREE PRESERVATION ORDER – LAND WEST OF THE GEORGE, WOOLLEY STREET, BRADFORD ON AVON

**Open Forum Speakers: Mr Wilson, *Jocelyn Fielding and John Pearce
* spoke at beginning of meeting**

The decision on whether or not to confirm this Tree Preservation Order was deferred from the meeting held on 14 July for further consideration of the issues involved.

Accordingly a report was presented which invited the Committee to decide if it wished to confirm the Order, with or without modifications having regard to the issues involved and the representations received.

RESOLVED:

That Tree Preservation Order 05/00007 be confirmed subject to modifications. The four apple trees be omitted from the Order. Any subsequent planning applications for this site should include a robust

tree planting scheme, which include the planting of a minimum of eight semi mature trees.

352. PROPOSED FOOTPATH DIVERSION – NO. 2 STAVERTON (PART)

Open Forum Speaker: Mrs Leslie Warrne

An application had been received to divert part of Footpath No. 2 Staverton as shown on the plan presented to the meeting. The application was made under Section 257 of the Town and Country Planning Act 1990 to enable development to proceed.

It was noted that whilst the report had stated that no objections had been received, representations had been made by Staverton Parish Council, but had been considered irrelevant within the context of the proposal.

RESOLVED:

That the application be referred to the Secretary of State for decision and that a period of 14 days from the date of this meeting be allowed for the receipt of further information to explain the representations from Staverton Parish Council which before passing the matter to the Secretary of State for consideration.

353. PLANNING APPEALS – UPDATE

Due to the lateness of the hour, this item was deferred until the next meeting.

DATE OF NEXT MEETING

The next ordinary meeting of the Planning Committee will be held on **Thursday 25 August 2005** at **7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(7.00pm – 11.52pm)

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