

## MINUTES OF THE PLANNING COMMITTEE ON 4 AUGUST 2005

05/00549/FUL  
Warminster  
22.03.05  
Full Plan

Demolition of existing dwelling and redevelopment of site to provide 9 dwellings

2 The Avenue Warminster Wiltshire BA12 9AA

Applicant: Mr P Atyeo

Decision: PERMISSION

### 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 would not significantly harm any interests of acknowledged importance.

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 A schedule of the materials to be used in the external surfaces of the development shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

- 3 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 2004 - Policies C31A & E2.

- 4 Details, including samples where appropriate of the materials for the surfaces of all footways and pedestrian areas, cycleways and all other hard surfaced areas, shall be submitted to and approved by the Local Planning Authority prior to the commencement of the development, or prior to the commencement of any relevant phase of the development whichever is appropriate. The 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 2004 - Policy C31A.

- 5 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 - 1st Alteration 2004 - Policy C32.

- 6 All planting, seeding or turfing comprised in 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 the 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 - 1st Alteration 2004 - Policy C32.

- 7 Details of the design, external appearance and finish of all new walls, including the proposed stone wall along the southern boundary of the site, the boundary detailing along the western side of the proposed footpath link, and all other fences or means of enclosure within the site shall be submitted to and approved by the Local Planning Authority prior to their construction. The works shall then only be carried out in accordance with those approved details.

REASON: To ensure that the character and appearance of the Conservation Area is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C17 and C18.

- 8 The existing boundary walls along the north and western boundary of the site shall be retained and maintained in a satisfactory condition.

REASON: To ensure that the character and appearance of the Conservation Area is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C17 and C18.

- 9 No pedestrian access or opening shall be subsequently created in the existing boundary walls along the northern and western boundaries of the application site.

REASON: To ensure that the character and appearance of the Conservation Area is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C17 and C18.

- 10 The storage buildings hereby approved shall be retained for ancillary use in connection with the development and shall not be used for any commercial purpose whatsoever.

REASON: To ensure the facilities are retained for use by residents and in the interests of residential amenity.

- 11 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, no development falling within Schedule 2, Part 1, Classes A to E, and Class G and Part 2 Class B 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.

- 12 The proposed pedestrian access shall incorporate splays on both its sides to the rear of the carriageway based on co-ordinates of 2.4 metres by 2.4 metres which shall be kept free of obstruction above a height of 600mm in order to provide for pedestrian intervisibility.

REASON: In the interest of highway safety.

- 13 In connection with the above mentioned condition, before any work is commenced, details of the design, form and method of construction of these splays shall be submitted to and approved in writing by the Local Planning Authority. Such details shall include a sample wall panel, not less than 1 metre square to be first constructed on site and 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 character and appearance of the Conservation Area is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C17 and C18.

- 14 The pedestrian access, for at least the first 5 metres shall be surfaced in a bound material (not loose stone or gravel) in accordance with details which shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

- 15 Any gates to be erected to the pedestrian access shall be set back a minimum distance of 1.7 metres and shall be made to open inwards only, in order to provide adequate room for wheelchairs and pushchairs between the gates and the highway. (See note 1).

REASON: In the interests of highway safety.

- 16 Provision shall be made within the site for the disposal of surface water from the pedestrian access so as to prevent its discharge onto the highway.

REASON: In the interests of highway safety.

- 17 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 - 1st Alteration - Policy U1A.

- 18 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 - Policy U2.

- 19 A comprehensive management plan including long-term design objectives, management responsibilities and maintenance schedules for all communal landscape areas, external walls along the boundaries of the site and the footpath along the eastern boundary of the site, shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. The management plan shall be carried out as approved.

REASON: To ensure the adequate maintenance of amenity space and to ensure that the character and appearance of the Conservation Area is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C17, C18 and C32.

- 20 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.

- 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.

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**05/00795/CON**  
**Warminster**  
**22.04.05**  
**Conservation Area**

**Demolition of existing dwelling**  
**2 The Avenue Warminster Wiltshire BA12 9AA**

**Applicant: Mr P Atyeo**

**Decision: CONSENT**

**REASON(S) FOR CONSENT:**

**The proposed development would not materially affect the amenities of the neighbours or result in any detrimental impact on the street scene and would not significantly harm any interests of acknowledged importance.**

Condition(s):

- 1 The development hereby permitted shall be begun before the expiration of 5 years from the date of this permission.

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

- 2 The building(s) shall not be demolished before a contract for the carrying out of the works of redevelopment of the site has been entered into, and planning permission has been granted for the redevelopment for which the contract provides.

REASON: To ensure that the character and appearance of the conservation area is conserved.

Policy: West Wiltshire District Plan - 1st Alteration - Policies C17 & C18.

- 3 This consent relates solely to the demolition of the existing dwelling house and detached garage.

REASON: To ensure that the character and appearance of the Conservation Area is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C17 and C18.

- 4 Before any modification of the external boundary walls to the site is undertaken, a sample area shall be prepared on site to show the proposed mortar composition and colour, and method of pointing, for the approval of Local Planning Authority in writing. The development shall be carried out in accordance with the approved sample.

REASON: To ensure that the development harmonises with its setting and the character and appearance of the Conservation Area is conserved.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C17 and C18.

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**05/00828/FUL**  
**Melksham Without**  
**29.04.05**  
**Full Plan**

**Removal of stone wall and re-instatement at rear and reinstatement door to utility area and replacement brick pillar on front elevation**

**Manor Farmhouse Beanacre Manor Old Road Beanacre Wiltshire**

**Applicant: Mr And Mrs King**

**Decision: PERMISSION**

**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.**

Note(s) to Applicant:

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

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**05/01069/REM**  
**Warminster**  
**03.06.05**  
**Reserved Matters**

**Removal of conditions relating to application 04/1329/REM. Units on sites A1, A2, A3 and A4 for class B1/B2/B3 uses**

**Land South Of Stephens Way Warminster Business Park Warminster Wiltshire**

**Applicant: Prospect Land Ltd**

**Decision: APPROVAL**

**REASON(S) FOR APPROVAL:**

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

Condition(s):

- 1 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 2004 - Policies C31A & E2.

- 2 No development shall take place until details of earthworks have been submitted to and approved in writing by the Local Planning Authority. The details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, showing the relationship of proposed mounding to the existing vegetation and the surrounding landform. Development shall be carried out in accordance with the approved details.

REASON: In the interests of pollution prevention and amenity.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38.

- 3 Details of the construction of the earth bund and its landscaping shall be submitted to and approved in writing by the Local Planning Authority, and its construction completed, prior to the first operational use of the premises hereby permitted. The details submitted shall include measures to conserve trees and hedges and to prevent spillage onto adjacent land.

REASON: In the interests of pollution prevent and amenity.

POLICY: West Wiltshire District Plan - Policy C38.

- 4 The parking and servicing spaces indicated on the approved plans shall be formally laid out and marked on site, and shall be provided concurrently with the development to which they relate.

REASON: To ensure that an adequate area for parking and servicing is available in the interest of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy T10.

- 5 Before the development is occupied, the access roads and car parking areas shall be surfaced in a bound material (not loose stone or gravel) to the satisfaction of the Local Planning Authority and shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 6 The development hereby permitted shall not be occupied until the visibility splays shown on the submitted plan have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

REASON: In the interests of highway safety.

- 7 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. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway. The works shall be carried out in accordance with the approved details.

REASON: To ensure that the development can be adequately drained, and in the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U2.

- 8 The development hereby permitted shall not be commenced until sewage and foul water disposal works have been submitted to and approved in writing by the Local Planning Authority. Foul drainage must be kept separate from clean surface and roof water. The works shall be carried out in accordance with the approved details.

REASON: To ensure that the development can be adequately drained, and to prevent pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies U1A and U4.

- 9 Before the commencement of any works on site, details of the easement, diversion or protection works for the public sewer crossing the site need to be submitted to and approved in writing by the Local Planning Authority. The works shall then be undertaken in accordance with these approved details.

REASON: To protect the public infrastructure crossing the site.

- 10 Details of lighting to the site (including measures of minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The works shall be in accordance with the Institution of Lighting Engineers' "Guidance Notes for the Reduction of Light Pollution". The scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of light pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C35.

Note(s) to Applicant:

- 1 You are advised to contact Wessex Water as regards point of connection with their apparatus.
- 2 Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove gross solids. The Environment Agency must be advised if a discharge to a watercourse is proposed.
- 3 The Environment Agency must be notified immediately of any incident likely to cause pollution.
- 4 You are advised that parking and servicing areas should be kept free of obstruction.

**05/00986/FUL**  
**Limpley Stoke**  
**20.05.05**  
**Full Plan**

**Retrospective application to permit change of use from agricultural to domestic garden**

**54 Midford Lane Limpley Stoke Wiltshire BA2 7DF**

**Applicant:**

**Richard And Claire Wiliams**

**Decision:**

**PLANNING PERMISSION BE GRANTED AT A FUTURE DATE IN THE EVENT OF THE DEVELOPMENT CONTROL MANAGER BEING SATISFIED THAT THE FIRST SECRETARY OF STATE REMITS THE APPLICATION BACK TO THE COUNCIL FOR A DECISION.**

**JUSTIFICATION REASON(S):**

**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(s):

- 1 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, as amended, no development falling within Schedule 2, Part 1, Class(es) E & F 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.

**05/00827/LBC**  
**Melksham Without**  
**29.04.05**  
**Listed building**

**Insertion of four rooflights, change of use of store to garage and utility room, replacement roof tiles and removal of stone wall and reinstatement at rear**

**Manor Farmhouse Beanacre Manor Old Road Beanacre Wiltshire**

**Applicant:**

**Mr And Mrs King**

**Decision:**

**DEFERRED**

**05/00978/FUL**  
**Atworth**  
**23.05.05**  
**Full Plan**

**Conversion of derelict building to residential use**

**Old Workmens Hall Bath Road Atworth Wiltshire**

**Applicant:**

**Mr J Dunseith**

**Decision:**

**DEFERRED - Delegated to Officers to grant planning permission with necessary conditions following further negotiations to secure changes to fenestration and resolve issues in respect of affordable housing.**

**05/01014/FUL**  
**Warminster**  
**31.05.05**  
**Full Plan**

**Erection of four one bedroom flats, eight two bedroom flats and two office suites**

**Land To Rear Of 62 And 66 Market Place Warminster Wiltshire**

**Applicant:** **C Barkshire Esq**

**Decision:** **DEFERRED FOR SITE INSPECTION**

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**05/01033/LBC**  
**Warminster**  
**31.05.05**  
**Listed building**

**Demolition of remains of boundary wall to allow development of site**

**Land To Rear Of 62 And 66 Market Place Warminster Wiltshire**

**Applicant:** **C. Berkshire Esq**

**Decision:** **DEFERRED FOR SITE INSPECTION**

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**05/00214/FUL**  
**Bradford On Avon**  
**08.02.05**  
**Full Plan**

**Demolition of existing dwelling and erection of six 3-bedroom terraced cottages and associated works**

**Brooklands 49 Woolley Street Bradford On Avon Wiltshire BA15 1AG**

**Applicant:** **Beswick Homes**

**Decision:** **REFUSAL**

Reason(s):

- 1 The proposal to reduce the height of the traditional dry-stone coursed rubble frontage wall, which is of historic importance and prominent within the streetscene, would neither preserve nor enhance the character or appearance of the Conservation Area, contrary to Policies C17 and C18 of the West Wiltshire District Plan - 1st Alteration 2004.
  - 2 The proposed detached frontage dwelling, by reason of its height and position relevant to the highway, the contours of the site and level of the ground, would appear unduly prominent within the streetscene. This would create a discordant element that would be uncharacteristic of the area and harmful to the setting of the adjoining Conservation Area, contrary to Policies C17, C18, C31A, H1 and H24 of the West Wiltshire District Plan - 1st Alteration 2004.
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**05/00275/FUL**  
**Atworth**  
**15.02.05**  
**Full Plan**

**Detached double garage with carport with attic room**

**1 Prospect Fields Atworth Wiltshire SN12 8RS**

**Applicant:** **Mr A Aycliffe**

**Decision:** **REFUSAL**

Reason(s):

- 1 The proposed garage and studio, by reason of its size, height, form and positioning in close proximity to Prospect Farm would result in a loss of daylight, overshadowing and overbearing impact culminating in a loss of neighbouring amenity for the occupants of this property contrary to Policy C38 of the West Wiltshire District Plan 1st Alteration 2004 and the Adopted Supplementary Planning Guidance - Household Alterations and Extensions.
- 2 The proposed garage and studio, by reason of its size, height, form and positioning in close proximity to the Grade II Listed Prospect Farm would create an incongruous feature that would detract from the setting of this Grade II listed Building to the detriment of its character contrary to Policy C27 of the West Wiltshire District Plan 1st Alteration 2004 and Policy HE7 of the Wiltshire Structure Plan 2011.

- 3 The proposed garage and studio, by reason of its size, height, form and positioning in front of the host building would appear overly prominent and detract from the appearance of the host building and the street scene contrary to Policy C31a of the West Wiltshire District Plan 1st Alteration 2004 and the Adopted Supplementary Planning Guidance - Household Alterations and Extensions.
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**05/01154/OUT**  
**Trowbridge**  
**14.06.05**  
**Outline Plan**

**Erection of one, 2 bedroom single storey dwelling with attached garage**

**Land Rear Of 21 Middle Lane Trowbridge Wiltshire**

**Applicant: Mr And Mrs Doel**

**Decision: REFUSAL**

Reason(s):

- 1 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.
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**05/01262/FUL**  
**Keevil**  
**24.06.05**  
**Full Plan**

**Demolition of bungalow and erection of a new dwelling**

**Moonrakers 6 Butts Lane Keevil Wiltshire BA14 6LZ**

**Applicant: Moi Yeong**

**Decision: REFUSAL**

Reason(s):

- 1 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.
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