

# WEST WILTSHIRE DISTRICT COUNCIL

## MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 22 SEPTEMBER 2005**

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

Present:

Councillors: Rosier (Vice Chairman), Burnan OBE, Carbin, Clark, John Clegg, Marion Clegg, Cunliffe-Jones, Knight, Manasseh, March, Oakman, Repton, Syme and Viles

Officers: Planning Policy Manager (MR), Principal Planning Officers (CC, RM, PW) and Member Support Officer (MS)

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

Apologies for absence were received from Cllrs Fortescue, James, Newbury and Osborn

There were no changes to the membership of the Committee.

### **371. OPEN FORUM**

At the beginning of the meeting:

04/02307/OUT – Land Between New Terrace and Marina Drive, Staverton  
and 04/02303/OUT – Land At Staverton Triangle, Staverton - Sarah Richardson, Vice Chairman of Staverton Parish Council

04/02156/OUT – Land North of Victoria Road, Warminster,  
04/02307/OUT – Land Between New Terrace and Marina Drive, Staverton,  
04/02303/OUT – Land At Staverton Triangle, Staverton and  
05/01352/FUL – Land South West of Elmfield, Staverton – Ms Lesley Warne.  
The first three open forum presentations expressed the personal views of Ms Lesley Warne. The latter open forum presentation was presented as Chairman of Staverton Parish Council

For other open forum presentations in respect of planning applications please refer to minute number 374.

### **372. DECLARATIONS OF INTEREST**

The following interests were declared:

Application/Item	Councillor/Officer	Reason
All applications	J Clegg	Since his connection with Matravers School had ceased so had his dealings with Persimmon, therefore he now had no personal interest to declare
	Manasseh	Had predetermined the applications – would leave the Chambers.
04/02156/OUT – Land North of Victoria Road, Warminster	Syme	Member of Warminster Town Council and Warminster Town Council Planning Committee – would consider the application with an open mind
05/01352/FUL – Land South West of Elmfield, Staverton	Clark	Chaired the Hilperton Parish Council meeting when the application was discussed. Would consider the application with an open mind and had not predetermined the application
	Viles	Had received correspondence – no action taken
	Burnan OBE	Had received correspondence – no action taken
	Rosier	Lobbied
	Oakman	Correspondence received
	Cunliffe-Jones	Correspondence received

### **373. ANNOUNCEMENTS FROM THE CHAIRMAN**

The Chairman made no announcements

### **374. PLANNING APPLICATIONS**

The Planning Policy Manager gave a presentation on Plan Policy considerations in relation to the first three applications on the agenda. It was explained that Local Planning Authorities must determine planning applications in accordance with the statutory Development Plan unless material considerations indicate otherwise.

The Draft Structure Plan 2016 had been through an independent examination but was still subject to further consultation with adoption likely to be in 2006.

It was recommended to members that greater weight should be given to the Development Plan at this stage

Open Forum speakers:

Application	Speaker(s)
04/02156/OUT – Land North of Victoria Road, Warminster	Mr Francis Morland Mr Richard Haes – Warminster Civic Trust Mr Stephen Bawtree * Ms Lesley Warne
04/02307/OUT – Land Between New Terrace and Marina Drive, Staverton	Mr Francis Morland Mr Stephen Ayliffe * * Ms Lesley Warne * Sarah Richardson Mr Stephen Bawtree
04/02303/OUT – Land At Staverton Triangle, Staverton	Mr Francis Morland * Sarah Richardson * * Ms Lesley Warne Mr Stephen Bawtree
05/01352/FUL – Land South West of Elmfield, Staverton	* * Ms Lesley Warne – as Chairman of Staverton Parish Council

\* Spoke at beginning of meeting

\* \* Spoke prior to the agenda item and also at the beginning of the meeting

**Decisions made against officers' recommendation**

**04/02307/OUT – Land Between New Terrace and Marina Drive, Staverton**

Officers recommended that planning permission be granted at a future date subject to conditions and to the prior completion of a legal agreement/s to secure the following:

- 30% affordable housing
- provision of public open space together with financial contribution to secure its future maintenance
- an index linked and bonded contribution by the developer to the County Education Authority towards the costs of providing additional education provision within the locality
- provision of a contribution towards public art
- provision of a contribution to public transport facilities through the provision of bus stops, together with appropriate bus stop kerbing and bus shelters
- provision of footpaths and cycle ways connecting into the existing network
- provision of a link road to serve the new development and traffic calming within the locality
- a contribution towards infrastructure to serve the development including off site water mains reinforcements as required by Wessex Water and the provision of a surface water attenuation basin
- provision of car parking within the site to serve the adjacent playing field and provision of changing rooms.

However, the Committee resolved to refuse planning permission for the following reason; - The application would, by reason of the weight given to the emerging Structure Plan 2016 Policy DP4, be premature in that the cumulative effect of the proposal, together with the other Greenfield sites allocated in the Local Plan, would be so significant as to prejudice the proposed reduction in the future housing supply to the detriment of the emerging Development Plan Policy in the interests of the proper planning of the area.

### **Change to Condition/s or Recommendations**

#### **04/02156/OUT – Land North of Victoria Road, Warminster**

The Committee agreed a change to condition 14, that 14 (c) be omitted:

- (a) Pedestrians and cyclists only or
- (b) Pedestrians, cyclists and emergency vehicles only or
- ~~(c) Pedestrians, cyclists and emergency and other vehicles~~

Note: the full text of the condition is detailed in the appendix to these minutes.

#### **04/02303/OUT – Land At Staverton Triangle, Staverton**

The Committee agreed the following changes to the conditions:

- Condition 20 - .....easily accessible from the ~~Victoria Road~~ **main** entrance to the site.....

Note: the full text of the condition is detailed in the appendix to these minutes.

#### **05/01352/FUL – Land South West of Elmfield, Staverton**

As recommended with the following amendments:

Addition to the Section 106 Agreement to include a contribution of £5,000 for bus related infrastructure.

### **Additional Conditions**

#### **04/02303/OUT – Land At Staverton Triangle, Staverton**

The detailed drawings to be submitted for approval under reserved matters shall include no buildings in excess of two storeys high along the canal frontage.

REASON: In the interests of safeguarding the visual amenity of the area.

#### **05/01352/FUL – Land South West of Elmfield, Staverton**

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development Order) 1995, as amended, no development on Plots 17 and 18 falling within Schedule 2 of the Order shall be carried out without the express planning permission of the Local Planning Authority.

## **Note to Applicant**

### **04/02303/OUT – Land At Staverton Triangle, Staverton**

The Applicants are reminded that there are trees on the site which are the subject of Tree Preservation Orders and that any development should ensure their continued welfare.

The Applicants are advised that the layout of the site should take into account any public footpaths that cross the site and should ensure that all necessary footpath diversion orders are made where necessary

### **RESOLVED:**

- (a) To make decisions on planning and related applications as set out in the appendix to these minutes.**

### **Recorded Votes**

#### **04/02307/OUT – Land Between New Terrace and Marina Drive, Staverton**

A motion for refusal was put to the vote and CARRIED and a recorded vote having been requested was recorded as follows:

#### **For the Motion (6)**

Carbin, Clark, J Clegg, M Clegg, Cunliffe-Jones, Oakman

#### **Against the Motion (5)**

Burnan OBE, Knight, Repton, Rosier, Viles

#### **Abstentions (2)**

March, Syme

#### **04/02303/OUT – Land At Staverton Triangle, Staverton**

A motion for refusal was put to the vote and FELL and a recorded vote having been requested was recorded as follows:

#### **For the Motion (2)**

Clark, Oakman

#### **Against the Motion (10)**

Burnan OBE, Carbin, J Clegg, M Clegg, Cunliffe-Jones, Knight, March, Repton, Rosier, Viles

## **Abstentions (1)**

Syme

### **04/02303/OUT – Land At Staverton Triangle, Staverton**

A motion for the above application to be referred to the Secretary of State on planning grounds was proposed but not seconded. For this reason Cllrs Clark and Oakman asked for there votes to be recorded against the granting of planning permission.

## **Attendance**

Cllr Manasseh left the Council Chambers after declaring an interest in all of the applications and did not return to the meeting.

Cllr Syme left the meeting on conclusion of application 04/02156/OUT – Land North of Victoria Road, Warminster and returned during the officer's presentation of 04/02307/OUT – Land Between New Terrace and Marina Drive, Staverton.

Cllr Cunliffe – Jones left and returned to the meeting during the open forum presentations of 04/02307/OUT – Land Between New Terrace and Marina Drive, Staverton.

## **DATE OF NEXT MEETING**

The next ordinary meeting of the Planning Committee will be held on **Thursday 6 October 2005** at **7.00pm** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge.

(7.00pm – 9.33pm)

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

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### **04/02303/OUT – Land At Staverton Triangle, Staverton**

Since the resolution was made on 22 September, Officers were informed on the 23 September that the Government Office for the South West on behalf of the First Secretary of State issued an Article 14 direction directing the Council not to grant planning permission on this application without specific authorisation.

Commdev/word/planning/mins2005/22/09/05