

WEST WILTSHIRE DISTRICT COUNCIL

MINUTES

Minutes of the: **PLANNING COMMITTEE**

Held on: **THURSDAY 30 MARCH 2006**

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

Present:

Councillors: Newbury (Chairman), Burnan OBE, Clark, John Clegg, Marion Clegg, Cunliffe-Jones, Fortescue, James, Knight, Manasseh, March, Repton, Rosier and Viles

Officers: Development Control Manager, (DH), Principal Planning Officers (PW & RM) and Member Support Officer (MS)

35. APOLOGIES & CHANGES TO THE MEMBERSHIP OF THE COMMITTEE

An apology for absence was received from the Cllrs Carbin, Hawker, Oakman and Osborn.

There were no changes to the membership.

36. OPEN FORUM

For open forum presentations in respect of planning applications please refer to minute number 42.

37. MINUTES

The minutes of the last meeting held on 9 March 2006 were approved as a correct record and signed by the Chairman.

38. DECLARATIONS OF INTEREST

The following interests were declared:

Application/Item	Councillor	Reason
05/01750/FUL - 106 West Street, Warminster	March	Lobbied

06/00309/FUL - 194 Haugh, Winsley	Viles	Had not discussed the application with the applicant and would be taking part in the debate.
06/00145/OUT - Pembroke House, Edward Street, Westbury	John Clegg	Member of Warminster Town Council. Had kept an open mind regarding the application. This declaration was made during consideration of the application.
Tesco Application	Newbury	This application was not on the agenda, however, for a future date, Cllr Newbury declared that he had been lobbied,

39. QUESTIONS

No formal questions were received.

40. ANNOUNCEMENTS FROM THE CHAIRMAN

No announcements were made.

41. REDEVELOPMENT TO PROVIDE MULTIPLEX CINEMA, TEN PIN BOWLING AND ASSOCIATED COMMERCIAL LEISURE AND HOTEL FACILITIES TOGETHER WITH THE CONSTRUCTION OF A PUBLIC LIBRARY, OFFICES AND RESIDENTIAL DEVELOPMENT – LAND NORTH EAST OF COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE

Dave Hubbard, Development Control Service Manager, presented a report to amend part of the decision made by the Planning Committee, at its meeting on 16 February 2006 in respect of the above application.

The key issue was the form the agreement should take. The committee was asked to approve a change to the planning obligation, to secure the provision of sufficient affordable housing, education provision and a negotiated sum for the provision of public art, from a unilateral agreement to a section 106 agreement.

The Acting Legal and Democratic Services Manager had advised that although a "Unilateral Agreement" could be given under S.106 of the Town and Country Planning Act 1990, a "Unilateral Agreement" would only provide for the giving of undertakings by one party to another. Due to the complexities of the issues that needed to be addressed in respect of the application by the giving of undertakings between two or more parties, it would be in the Councils best interest to enter into a "Section 106 Agreement"

RESOLVED: -

The resolution by the Planning Committee at its meeting on 16 February 2006, in respect of this planning application be amended to read:-

‘That the application be referred, on completion of the statutory consultation period, to the Secretary of State as a departure from the Development Plan and for development within the conservation area, which the Council is minded to grant permission subject to the satisfactory completion of a Unilateral Section 106 Agreement to secure the provision of sufficient affordable housing, education provision and a negotiated sum for the provision of public art in accordance with adopted development plan policy. The Development Control Manager be authorised to issue the decision on completion of the above’.

42. PLANNING APPLICATIONS

Open Forum speakers:

Application	Speaker(s)
05/01780/FUL - Fore Street Farm, 23 Back Lane, Great Hinton	Mr Steve Adams
05/01750/FUL - 106 West Street, Warminster	Mr Richard Haes (on behalf of the Civic Trust) Mr Alan Moon
06/00309/FUL - 194 Haugh, Winsley	Mr Chris Beaver
06/00392/FUL - Land And Buildings To Rear Of 27 To 30 St Margarets Street, Bradford On Avon	Mr Simon Chambers
05/02633/FUL - Church Farm, Brokerswood, North Bradley	Ms Marion Masters (on behalf of Southwick Parish Council) Mrs Valerie Thomson (on behalf of herself and Mr Richard Wakely)
06/00145/OUT - Pembroke House, Edward Street, Westbury	Miss Jenny Rowe

Additional/amended conditions/notes to applicant

05/01750/FUL - 106 West Street, Warminster

The Committee resolved to refuse the application with an amendment to condition no.2, as detailed in the ‘Late List’ circulated at the meeting. The full decision, reasons and note to the applicant are detailed in the appendix to these minutes.

06/00309/FUL - 194 Haugh, Winsley

The Committee resolved to refuse the application with the addition of a note to the applicant/informative that they be advised that subject to detail, a smaller stable block that is consistent with Green Belt policy may be acceptable.

06/00392/FUL - Land and Buildings to Rear of 27 To 30 St Margarets Street, Bradford on Avon

The Committee resolved to permit the application with an additional condition, as detailed in the appendix to these minutes

05/02633/FUL - Church Farm, Brokerswood, North Bradley

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

For Refusal (6)

Cllrs Burnan OBE, Clark, James, Knight, Manasseh and Repton

Against Refusal (8)

Cllrs John Clegg, Marion Clegg, Cunliffe-Jones, Fortescue, March, Newbury, Rosier and Viles

Abstentions (0)

It was then moved and seconded that the Committee permit the application, as per the officer's recommendation, with an amendment to condition no.3. On being put to the vote, the motion was CARRIED. The full decision, conditions and note to the applicant are detailed in the appendix to these minutes.

Recorded Vote

05/01780/FUL - Fore Street Farm, 23 Back Lane, Great Hinton

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

06/00392/FUL - Land and Buildings to Rear of 27 To 30 St Margarets Street, Bradford on Avon

Cllr Repton requested that her vote against the decision to grant permission in respect of the above application be recorded.

06/00307/FUL - 24 Seymour Road Trowbridge

Cllrs James and Knight requested that their votes against the decision to grant permission in respect of the above application be recorded.

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.**

Member attendance

Cllrs James, Repton and Rosier left the meeting following the determination of 06/00392/FUL - Land and Buildings to Rear of 27 to 30 St Margarets Street, Bradford on Avon and all returned during the officer presentation of 05/02633/FUL - Church Farm, Brokerswood, North Bradley

Cllrs Clark and James left the meeting following the determination of 05/02633/FUL - Church Farm, Brokerswood, North Bradley. Cllr Clark returned during the officer's presentation of 05/02607/FUL – Barns Adjacent 18 Whitbourne Springs, Corsley. Cllr James returned during the debate of 06/00145/OUT - Pembroke House, Edward Street, Westbury.

Cllr Cunliffe-Jones left the meeting during the officer's presentation of 06/00145/OUT - Pembroke House, Edward Street, Westbury and did not return to the meeting.

Cllr Rosier left the meeting following the determination of 06/00145/OUT - Pembroke House, Edward Street, Westbury and returned during the officer's presentation of 05/02965/FUL – 21 – 22 West Wiltshire Craft Centre, Storridge Road, Westbury.

34. PLANNING APPEALS - UPDATE

The Committee considered a report regarding appeals for the period 23 February – 15 March 2006 which was presented by the Development Control Service Manager.

RESOLVED:

That the report be noted.

DATE OF NEXT MEETING

The next ordinary meeting of the Planning Committee would be held on **Thursday 20 April 2006** in the Council Chamber at the Council Offices, Bradley Road, Trowbridge at **7pm**

(7.05m – 9.30pm)

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

Commdev/word/planning/mins2006/30/03/06