

## MINUTES OF THE PLANNING COMMITTEE ON 26 OCTOBER 2006

**06/02480/FUL**  
**Staverton**  
**09.08.06**  
**Full Plan**

**Building alterations comprising new link building, demolishing of changing facilities, wheat intake building alterations, new hydraulics building and demolishing of social club**

**Cereal Partners Staverton Wiltshire BA14 6PH**

**Applicant: Cereal Partners**

**Decision: PERMISSION**

### **REASON(S) FOR PERMISSION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

### Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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

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

- 3 During the construction phase of the development no plant machinery or equipment shall be operated or repaired so as to be audible at the site boundary outside the hours of 0730 to 1800 Mondays to Fridays and 0800 to 1300 Saturdays, or at any time on Sundays or Bank Holidays.

REASON: In order to safeguard the amenities of the area in which the development is located.

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

### Note(s) to Applicant:

- 1 The applicant is advised to consider a travel plan to encourage walking and cycling to the site via the proposed footpath and cycleway and liaise with Holt Parish Council and with Wiltshire County Council to minimise the impact of traffic through Holt and Staverton.

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**06/01430/FUL**  
**Southwick**  
**04.05.06**  
**Full Plan**

**Erection of stables and menage for private use**

**Land Rear Of 27 Wynsome Street Southwick Wiltshire**

**Applicant: Mr M Jones**

**Decision: PERMISSION**

### **REASON(S) FOR PERMISSION:**

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

### Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be used for commercial purposes, including the keeping of horses at livery or as a riding school.

REASON: In the interests of highway safety and to protect the living conditions of nearby residents.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy E10.

- 3 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. The works shall be undertaken in accordance with the approved details.

REASON: To ensure that the development can be adequately drained.

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

- 4 Contaminated water shall not be discharged to any stream, watercourse or underground strata, whether direct or via soakaways.

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U4.

- 5 No materials, including manure, shall be burnt on site.

REASON: In order to minimise nuisance

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

- 6 Details of lighting to the stables (including measures to 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 scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of pollution prevention.

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

- 7 There shall be no lighting of any sort to the menage.

REASON: In order to minimise nuisance and pollution prevention

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C35 and C38

- 8 Before the commencement of any development on site, a method of storage and disposal of manure, which shall not include burning, shall be submitted and approved in writing by the local planning authority. Storage and disposal shall thereafter be in accordance with the approved method for so long as the stables hereby permitted remain on the site.

REASON: In order to protect groundwater

POLICY: West Wiltshire District Plan - 1st Alteration - Policies U4 and C38

- 9 Before the commencement of any works on site, the access, including the area of bridleway between the hard surfaced length of Breach Lane and the entrance, shall be surfaced to the satisfaction of the Rights of Way Warden, such that it is fit for use by pedestrians and horses, prior to either the stables or the menage being brought into use, details of which shall have been submitted to and approved in writing by the local planning authority. Maintenance of this length of the public right of way will become the responsibility of the applicant.

REASONS: In the interests of highway safety.

- 10 The proposed access to the menage shall incorporate splays on both its sides to the rear of the existing bridleway based on co-ordinates of 2.4m by 2.4m and which shall be kept free of obstruction at all times.

REASONS: In the interests of highway safety

- 11 Before any development is commenced on site, including site works or storage of any description, all trees to be retained on site must be protected. The protective fencing should be at minimum, weld mesh panels (Heras or similar) erected on a scaffold framework driven in to the ground by a minimum of 600mm. Alternatively a three-bar post and rail fence should be erected with galvanised livestock mesh attached to it.

The protective fence should be erected at a minimum of 2 metres outside the canopy of each tree or hedgerow. If a group of trees are to be protected the fence should be erected a minimum of 5 metres outside the group canopy.

Within the areas so fenced off the existing ground level shall neither be raised or lowered and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon.

If trenches for services are required within the fenced off area, they shall be excavated and back-filled by hand avoiding any damage to the bark and any principal tree roots encountered shall be left unsevered. Where excavations do expose roots, should be surrounded with sharp/grit sand before replacing soil or other material in the vicinity. For further details relating to Tree in relation to construction the applicant should refer to BS 5837: 1991.

The fences shall not be removed without the consent of the local Planning Authority until the whole of the development is complete

REASON: To ensure that existing trees of value are adequately protected.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C40.

- 12 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.

- 13 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.

- 14 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.

Note(s) to Applicant:

- 1 You are advised to contact Wessex Water to arrange connection onto their apparatus
  - 2 You are advised that a landscaping scheme needs to include planting to the western boundary of the site.
  - 3 You are advised that there are land ownership issues raised with this application as regards the use of the bridlepath.
  - 4 You are advised to contact the Rights of Way Section at Wiltshire County Council as regards use of the bridleway.
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**06/02438/FUL**  
**Melksham Without**  
**10.08.06**  
**Full Plan**

**Proposed ground floor side extension and rear conservatory**

**513A Shails Lane Melksham Wiltshire SN12 6DZ**

**Applicant: Mr Alan Hardman**

**Decision: PERMISSION**

**REASON(S) FOR PERMISSION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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

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

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**06/02293/FUL**  
**Melksham Without**  
**11.08.06**  
**Full Plan**

**New tiled pitched roof and reduction in glazing**

**2 Brookfield Rise Whitley Wiltshire SN12 8QP**

**Applicant: Mr Ian Holbrook**

**Decision: PERMISSION**

**REASON(S) FOR PERMISSION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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

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

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**06/02707/LBC**  
**Bradford On Avon**  
**01.09.06**  
**Listed building**

**Conversion of roof space including provision of two velux rooflights**

**11 Middle Rank Bradford On Avon Wiltshire BA15 1NL**

**Applicant:** **Rev'd Ian Brothwood**

**Decision:** **CONSENT**

**REASON(S) FOR CONSENT:**

**The proposed works would safeguard the character and integrity of this listed building.**

Condition(s):

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 Elevational details of the proposed rooflights, which shall be conservation type, including any glazing, at a scale of not less than 1:20, and sections through all frames, glazing bars and opening mechanisms, at a scale of not less than 1:2, shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

- 3 Further details of the proposed staircase including details of the handrail shall be submitted to and approved in writing by the Local Planning Authority prior to the implementation of these works on site. The work shall be carried out in accordance with the approved details.

REASON: The submitted drawings are inadequate in this matter and further information is needed in order to protect the character of the listed building.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 & C28.

Note(s) to Applicant:

- 1 You are advised that although this is acceptable in the context of Listed Building Consent, the proposals may not conform to the requirements of Building Control.

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**06/02770/FUL**  
**Knook**  
**08.09.06**  
**Full Plan**

**Wooden shiplap garage (double) with concrete base to store classic scooters**

**12 Knook Wiltshire BA12 0JG**

**Applicant:** **Mr & Mrs M A Mitchell**

**Decision:** **PERMISSION**

**REASON(S) FOR PERMISSION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 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.

- 3 No development shall take place until the unauthorised garage structure that was refused planning permission (reference 06/00867/FUL) on 04 July 2006 is completely demolished.

REASON: In order to protect the spatial characteristics of the area and the special landscape character of the AONB.

POLICY: West Wiltshire District Plan 1st Alteration (2004) - Policies C2 and C31a.

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**06/02583/FUL**  
**Warminster**  
**21.08.06**  
**Full Plan**

**Conversion to A5 hot food takeaway**

**25 George Street Warminster Wiltshire BA12 8QB**

**Applicant: Mr J Tiernay**

**Decision: PERMISSION**

**REASON(S) FOR PERMISSION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 Suitable ventilation and filtration equipment shall be installed to suppress and disperse any fumes and/or smell created from the cooking operations on the premises. Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. All equipment shall be installed in accordance with the approved details and in full working order to the satisfaction of the Local Planning Authority prior to the commencement of use.

REASON: In order to safeguard the amenities of the area in which the development is located.

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

- 3 Prior to the premises being brought into use, a scheme providing for the adequate storage of refuse shall be submitted to and approved by the Local Planning Authority. The scheme shall then be carried out in accordance with the approved details, prior to the commencement of use, and shall be maintained at all times.

REASON: In the interests of public health and safety.

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

- 4 At all times when the premises are in use, a sign shall be fixed near all exit doors to the premises requesting patrons to be quiet on leaving the premises.

REASON: To safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan 1st Alteration (2004) - Policy C38.

- 5 No live or amplified music or any other amplified sound shall be produced so as to be audible at the boundary of any inhabited premises either attached to or in the vicinity of the site to which this permission refers.

REASON: In order to safeguard the amenities of the area in which the development is located.

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

- 6 The use hereby permitted shall not be open to customers outside the following times: 09:00 and 23:00 on Mondays to Saturdays, and 09:00 and 22:00 on Sundays and Bank Holidays.

REASON: To safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan 1st Alteration (2004) - Policy C38.

- 7 Any door, window, louvre, vent or fan in the premises shall be insulated so as to prevent any noise being audible at the boundary of any inhabited premises, either attached to or in the vicinity of the premises to which this permission refers.

REASON: In order to safeguard the amenities of the area in which the development is located.

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

- 8 The development hereby permitted shall not begin until a scheme of suitable noise attenuation works has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed before the premises are first occupied and maintained in effective condition at all times thereafter.

REASON: In order to safeguard the amenities of the area in which the development is located.

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

Note(s) to Applicant:

- 1 The applicant is advised to contact the Food Section of West Wiltshire District Council, Bradley Road, Trowbridge, BA14 0RD, Tel, 01225 770388.
  - 2 The premises may require registration under the Food safety Act 1990 and will need to comply with the standards contained in the relevant Food Hygiene Regulations prior to becoming operational.
  - 3 The applicant is advised that a separate ventilated space between the toilet compartment and any rooms where foods are stored, prepared and/or served may be required. Any internal alterations to the layout of the building are likely to require a further listed building application.
  - 4 You are advised that signage to the shopfront and elsewhere on the building may require both advertisement consent and listed building consent. You should contact the local planning authority prior to installing any signs for further advice and guidance. Please note that internally illuminated signs would be contrary to policy in this conservation area location.
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**06/02590/LBC**  
**Warminster**  
**21.08.06**  
**Listed building**

**Conversion to A5 hot food takeaway and erection of external flue to rear elevation**

**25 George Street Warminster Wiltshire BA12 8QB**

**Applicant: Mr J Tierney**

**Decision: CONSENT**

**REASON(S) FOR CONSENT:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

Condition(s):

- 1 The works hereby authorised shall begin not later than three years from the date of this consent.

REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 Details of all new external flues shall be submitted to and approved by the Local Planning Authority prior to their installation in the building. The works shall then only be carried out strictly in accordance with those approved details.

REASON: To protect and preserve the character of the listed building.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C27 & C28.

- 3 A method statement of the proposed works, including but not limited to, details for the creation of the hole in the former external wall for the flue and the making good of all surfaces, shall be submitted to and approved in writing by the local planning authority prior to any development taking place.

REASON: To ensure that loss of historic fabric is minimised and the character and appearance of the listed building is preserved.

POLICY: West Wiltshire District Plan 1st Alteration (2004) - Policies C27 and C28.

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**06/02481/FUL**  
**Melksham Without**  
**15.08.06**  
**Full Plan**

**Conservatory to rear of property**

**19A Shaw Hill Shaw Wiltshire SN12 8ET**

**Applicant: Mr And Mrs Ware**

**Decision: PERMISSION**

**REASON(S) FOR PERMISSION:**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.

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

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

06/01979/FUL  
Westbury  
26.06.06  
Full Plan

Erection of 62 dwelling houses, associated public open space, road infrastructure and works to Blackhorse Lane

Area R14 Westbury Leigh Westbury Wiltshire

**Applicant:** Persimmon Homes (Wessex) Ltd

**Decision:** **PLANNING PERMISSION BE GRANTED AT A FUTURE DATE SUBJECT TO CONDITIONS AND TO THE PRIOR COMPLETION OF LEGAL AGREEMENTS TO SECURE THE FOLLOWING:-**

- **THE PROVISION OF 28% AFFORDABLE HOUSING PROVISION TO BE DELIVERED UNDER THE NIL SUBSIDY ARRANGEMENT;**
- **THE PROVISION OF PUBLIC OPEN SPACE TOGETHER WITH A MANAGEMENT PLAN AND FINANCIAL CONTRIBUTIONS FOR FUTURE MAINTENANCE;**
- **A FINANCIAL CONTRIBUTION TOWARDS HIGHWAY WORKS TO AND OFF SITE, AND TOWARDS PUBLIC AND SUSTAINABLE TRANSPORT IMPROVEMENTS AND PROVISION; AND**
- **A FINANCIAL CONTRIBUTION TOWARDS EDUCATION PROVISION, AS IDENTIFIED BY THE COUNTY EDUCATION OFFICER.**

**JUSTIFICATION REASON(S):**

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

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 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, H13 and H24.

- 3 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, H13 and H24

- 4 Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. Full details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall only be carried out in accordance with the approved details.

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U4.

- 5 The development hereby permitted shall not be occupied until details for the disposal of sewage and foul water have been provided to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U1A.

- 6 Contaminated water shall not be discharged to any stream, watercourse or underground strata, whether direct or via soakaways.

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy U4.

- 7 Prior to the commencement of any development the site shall be subject to:
- i) site investigation and risk assessment works for chemical contamination;
  - ii) works to remediate any chemical contamination identified, that is unacceptable in the context of the approved development and its environmental setting, as identified by the site investigation and risk assessment work; and
  - iii) remediation validation works.

The above to be carried out to the satisfaction of the Local Planning Authority. Site investigation works shall be carried out in line with the main procedural requirements of BS 1017:2001 - Investigation of Potentially Contaminated Sites - Code of Practice. Where a requirement for quantitative risk assessment is identified, the assessment works shall be carried out in line with the requirements of the UK Contaminated Land Exposure Assessment (CLEA) guidelines, for assessment of human health risks. Also for ground and surface water risk assessment the Environment Agency R&D Publication 20 "Methodology for the Derivation of Remedial Targets for Soil and Groundwater to Protect Water Resources" protocol shall be utilised.

REASON: in the interests of public health and safety.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policy C37.

- 8 Before the dwellings hereby approved are first occupied properly consolidated and surfaced accesses (not loose stones or gravel) shall be constructed, details of which shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

Reason: In the interests of highway safety.

- 9 Before works are commenced on site, provision shall be made within the site for the disposal of surface water, including arrangements so as to prevent its discharge onto the highway, details of which shall be submitted to and approved in writing by the Local Planning Authority. The works shall be undertaken in accordance with the approved details.

Reason: In the interests of highway safety.

Policy: West Wiltshire District Plan - First Alteration 2004 - Policy U2

- 10 No vehicular access shall be formed onto the distributor road from plots 1 to 7, 14 and 16 to 21, inclusive.

Reason: In the interests of highway safety.

- 11 The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, vehicle overhang margins, embankments, visibility splays, accesses, carriageway gradients, drive gradients, 'car parking and street furniture shall be constructed and laid out in accordance with details to be submitted to and approved by the Local Planning Authority in writing before their construction begins. For this purpose, plans and sections, indicating as appropriate, the design, layout, levels, gradients, materials and method of construction shall be submitted to and approved by the Local Planning Authority in writing. The works shall be undertaken in accordance with the approved details.

Reason: To ensure that the roads are laid out and constructed in a satisfactory manner.

- 12 The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling prior to it first being occupied for its intended purpose shall be served by a properly consolidated and surfaced footway and carriageway to at least base-course level between the dwelling and existing highway.

Reason: To ensure that the development is served by an adequate means of access.

- 13 The development hereby approved shall not be brought into use until that part of the service road which provides access to it has been constructed in accordance with the approved plans.

Reason: To ensure that the development is served by an adequate means of access.

- 14 No landscaping or other obstruction shall be allowed to exceed a height of 600mm within the residential amenity areas abutting the access road at plots 7, 8, 15 and 16.

Reason: In the interests of highway safety.

- 15 No doors, gates or any other means of enclosure or any window at ground floor level shall be permitted to open over or extend into the highway at any point.

Reason: In the interests of highway safety.

- 16 A landscaping scheme for the public open space and amenity areas, including a programme for their implementation, shall be submitted to and approved by the Local Planning Authority prior to the commencement of development. The approved scheme shall be implemented in accordance with the approved programme, and the landscaping shall be maintained thereafter for a period of not less than five years. Any trees and shrubs which fail within that period shall be replaced to the satisfaction of the Local Planning Authority and maintained for a further period of five years.

REASON: To ensure that adequate recreation space is provided to meet the needs of the development.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy R4.

- 17 The public open space, amenity areas and play areas shall be laid out and completed, including any equipment, means of enclosure and other structures, no later than the occupation of the 20th dwelling of the development.

REASON: To ensure that adequate recreation space is provided to meet the needs of the development.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy R4.

- 18 Before any development is commenced on site, including site works or storage of any description, all trees to be retained on site must be protected. The protective fencing should be at minimum, weld mesh panels (Heras or similar) erected on a scaffold framework driven in to the ground by a minimum of 600mm. Alternatively a three-bar post and rail fence should be erected with galvanised livestock mesh attached to it.

The protective fence should be erected at a minimum of 2 metres outside the canopy of each tree or hedgerow. If a group of trees are to be protected the fence should be erected a minimum of 5 metres outside the group canopy.

Within the areas so fenced off the existing ground level shall neither be raised or lowered and no materials, temporary buildings or surplus soil of any kind shall be placed or stored thereon.

If trenches for services are required within the fenced off area, they shall be excavated and back-filled by hand avoiding any damage to the bark and any principal tree roots encountered shall be left unsevered. Where excavations do expose roots, should be surrounded with sharp/grit sand before replacing soil or other material in the vicinity. For further details relating to Tree in relation to construction the applicant should refer to BS 5837: 1991.

The fences shall not be removed without the consent of the local Planning Authority until the whole of the development is complete

REASON: To ensure that existing trees of value are adequately protected.

POLICY: West Wiltshire District Plan - 1st Alteration - Policy C40.

- 19 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.

- 20 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.

- 21 No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected, including details of all new retaining walls. The boundary treatment shall be completed before the buildings are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.
- REASON: To ensure the appearance of the development is satisfactory.
- POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.
- 22 Before the commencement of any works on site, a structural engineers report shall be submitted to and approved in writing by the Local Planning Authority, demonstrating the measures being undertaken to ensure the stability of Boyers Wall. The development shall be only undertaken in accordance with these approved works.
- REASON: To ensure that the listed wall is preserved.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policies C27 and C28.
- 23 Prior to the commencement of the development hereby permitted, an ecological survey, investigating and recording details of all protected species and their habitats, likely to be affected by the development, and measures to mitigate the effect of the development on them, shall be submitted to and approved by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details.
- REASON: In the interests of natural species which have statutory protection.
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C7.
- 24 Details of existing and proposed land levels across the site, illustrated by means of spot heights, contours and sections across the site, and demonstrating the relationship between the proposed development and the surrounding land shall be submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details. There shall be no land raising unless approved under the terms of this condition.
- REASON: In the interests of proper planning of the area.
- 25 Building and construction work on the development hereby permitted shall not take place outside the hours of 07.30 hours to 18.00 hours Monday to Friday and 08.00 hours and 13.00 hours on Saturdays, and at no time on Sundays and Bank Holidays.
- REASON: In order to safeguard the amenity of the area
- POLICY: West Wiltshire District Plan - 1st Alteration - Policy C38
- 26 All works relating to the demolition/development with implications for trees shall be carried out as specified in the approved arboricultural method statement, and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.
- REASON: To prevent trees on site from being damaged during construction works.
- POLICY: West Wiltshire District Plan First Alteration 2004 Policy C32.
- 27 Prior to the commencement of demolition/development a pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the working procedures. Subsequently and until the completion of all site works, site visits should be carried out on a fortnightly basis by the developer's arboricultural consultant. Copies of written site notes and/or reports detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant immediately following that approval.
- REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.
- POLICY: West Wiltshire District Plan First Alteration 2004 Policy C32.
- 28 40 trees shall be included within the housing area and 10 within the Public Open Space, of a size and species and in a location to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428 in the earliest planting season following implementation of this permission. The tree(s) shall be thereafter maintained for a period of five years including the replacement of any tree(s), or any tree(s) planted in replacement for it, which die, are removed or become damaged or diseased within this period with tree(s) of a similar size and of the same species, unless the Local Planning Authority gives written consent to any variation. The Local Planning Authority shall be notified in writing when the tree(s) have been planted so that compliance with the condition can be confirmed.

REASON: In order to preserve the visual amenities which at present exist on the site and to ensure that as far as possible the work is carried to current best practice.

POLICY: West Wiltshire District Plan First Alteration 2004 Policy C32.

- 29 No development shall take place until proposals for the landscaping of the site have been submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels.

Upon approval:

- The approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive, following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- All planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- The whole scheme shall be subsequently retained.

REASON: In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants.

POLICY: West Wiltshire District Plan First Alteration 2004 Policy C32.

Note(s) to Applicant:

- 1 Storage of fuels for machines and pumps should be sited well away from any watercourses. The tanks should be bunded to control spillage and leakage in compliance with the Control of Pollution (Oil Storage) England Regulations 2001.
- 2 Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from parking areas and hardstandings shall be passed through trapped gullies with an overall capacity compatible with the site being drained.
- 3 Discharge of silty or discoloured water from excavations should be irrigated over grassland or a settlement lagoon be provided to remove gross solids. This Agency must be advised if a discharge to a watercourse is proposed.
- 4 According to our records there is a landfill site within 250 metres of the proposed development. The site, our ref. W80/0032/WD, is for land at Dilton Marsh (ST 855511). The licence permitted the disposal of soil, sub soil and builders waste, including material containing asbestos. The licence is no longer in force. It is thought that the site is at a low risk from the production of landfill gas. Waste Management Paper No 27 states: "Where development is proposed within 250 metres of a landfill site the developer will need to take account of the proximity of the proposed development to the landfill".
- 5 You are advised to contact Wessex Water to agree points of connection to and protection of their apparatus.
- 6 You are advised that planning permission does not absolve you from complying with the relevant laws protecting habitats and species, including obtaining and complying with the terms and conditions of any licences required, as described in Part IV of Circular 06/2005.
- 7 The ground conditions on the site must be subject to a detailed investigation to establish their suitability for the proposed use. This information should comprise a historical investigation, sampling and analysis of current soils, site assessment and action plan to remedy any contamination. The report should include and comment on the following:
  - a) summary of site history;
  - b) description of the investigation procedures;
  - c) description of the site;
  - d) details of findings of the investigation and interpretation methodology and results of hazard/risk assessment;
  - e) recommendations for further investigations and/or remedial measures.

The report should also include appendices covering the following:

- i) logs of exploratory holes and tabulated gas/contamination data;
- ii) drawings showing location of exploratory holes and spatial distribution of gas/contamination as appropriate.

- 8 In relation to condition number 28 in cases of sites where there is a need to soften the impact of new development it may be appropriate to require trees of a semi-mature standard.
- 9 The applicant's attention is drawn to the draft Code for Sustainable Homes published by the Department for Communities and Local Government.

**06/02569/FUL  
Winsley  
21.08.06  
Full Plan**

**Conversion of building to community care centre and roof alterations**

**Avonpark Care Centre Avonpark Village Limpley Stoke Wiltshire  
BA2 7FF**

**Applicant: Care Village Group**

**Decision: THE APPLICATION BE REFERRED TO THE FIRST SECRETARY OF STATE UNDER THE GREEN BELT DIRECTIVE AS A DEPARTURE FROM THE DEVELOPMENT PLAN AND PLANNING PERMISSION BE GRANTED AT A FUTURE DATE IN THE EVENT OF THE DEVELOPMENT CONTROL MANAGER BEING SATISFIED THAT THE APPLICATION IS REMITTED BACK TO THE COUNCIL FOR A DECISION.**

**JUSTIFICATION REASON(S):**

**The proposal represents a departure from the development plan but there are very special circumstances which are that the increase in visible volume would be insignificant and the proposal would provide community facilities that would justify the granting of permission.**

**Condition(s):**

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.  
  
REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.
- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match those used in the existing building.  
  
REASON: To ensure that the development harmonises with its setting.  
  
POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.
- 3 Before the development hereby permitted is commenced, plans showing a parking area to provide for six additional vehicles shall be submitted to and approved in writing by the Local Planning Authority.  
  
REASON: In the interests of amenity and road safety.
- 4 Before the development hereby permitted is occupied, the parking area shall be surfaced in accordance with details which shall first have been submitted to and approved in writing by the Local Planning Authority, and constructed to their satisfaction. This area shall not be used other than for the parking of vehicles in connection with the development hereby permitted.  
  
REASON: In the interests of amenity and road safety.
- 5 During the construction phase of this development, no plant, machinery or equipment shall be operated or repaired so as to be audible at the site boundary outside the hours of 0730 to 1800 Mondays to Fridays, and 0800 to 1300 hours Saturdays, or at any time on Sundays or Bank Holidays.  
  
REASON: In order to safeguard the amenities of the area in which the development is located.  
  
POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C36 & C38.
- 6 Prior to the commencement of development and during the course of the development, the building shall be carefully surveyed to determine whether bats or barn owls are present. If any sign of bats or barn owls is discovered during the development, work shall cease immediately and Natural England shall be consulted further.  
  
REASON: In the interests of natural species which have statutory protection.  
  
POLICY: West Wiltshire District Plan - 1st Alteration - Policy C7.

- 7 The accommodation hereby permitted shall be used within the definition of Class C2 Residential Institutions as defined in the Town & Country Planning (Use Classes) Order 1987 (or any Order revoking and re-enacting that Order, with or without modification) and the complex as a whole shall be used as one unit with no part severed therefrom.

REASON: To accord with the terms of the application and ensure that the development remains as an appropriate use within the Green Belt

Note(s) to Applicant:

- 1 The applicant is advised to consult with Wessex Water to agree a point of connection onto Wessex infrastructure for the satisfactory disposal of foul flows and to seek alternative methods for the satisfactory disposal of surface water from the site.

**06/01273/FUL  
Winsley  
12.06.06  
Full Plan**

**New vehicular access**

**Canal Cottage 64 Murhill Limpley Stoke Wiltshire BA2 7FG**

**Applicant:**

**Mr And Mrs Steadman**

**Decision:**

**THE APPLICATION BE REFERRED TO THE FIRST SECRETARY OF STATE AS A DEPARTURE FROM THE DEVELOPMENT PLAN AND PLANNING PERMISSION BE GRANTED AT A FUTURE DATE IN THE EVENT OF THE DEVELOPMENT CONTROL MANAGER BEING SATISFIED THAT THE APPLICATION IS REMITTED BACK TO THE COUNCIL FOR A DECISION.**

**JUSTIFICATION REASON(S):**

**The proposal represents a departure from the Development Plan but there are very special circumstances would which justifies the granting of permission, which are that the access track would allow the applicant private and safer access to their dwelling in a manner that would cause no harm to the openness of the Green Belt in this wooded setting.**

Condition(s):

- 1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2 There shall be no lighting of the access track.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration - Policies C1, C2, GB2 and C35.

- 3 No development shall take place until samples of the finished surface materials to be used in the construction of the access track 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 C1, C2 and C31a.

- 4 No development shall take place until a detailed landscaping scheme of the whole site including, but not limited to, the return of the existing track between points D and E on the submitted plans has been submitted to and approved in writing by the local planning authority.

REASON: In the interests of amenity.

POLICY: West Wiltshire District Plan 1st Alteration (2004) - Policies GB2, C1 and C2.

Note(s) to Applicant:

- 1 Disturbance of wildlife: It is an offence under the Wildlife & Countryside Act 1981 to disturb protected wildlife. Wildlife and habitat controls are administered by English Nature who can be contacted on 01929 556688.

**06/02152/FUL**  
**Hilperton**  
**13.07.06**  
**Full Plan**

**Two storey extension**  
**28 Horse Road Hilperton Wiltshire BA14 7PF**

**Applicant:** **Mr K Whelan And Mrs S Escott**

**Decision:** **REFUSAL**

Reason(s):

- 1 The proposals would detract from the amenities enjoyed by the occupiers of the neighbouring properties contrary to Policy C38 of the West Wiltshire District Plan - 1st Alteration 2004.

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**06/01776/FUL**  
**Trowbridge**  
**08.06.06**  
**Full Plan**

**Formation of vehicular access**  
**41 And 42 Hilperton Road Trowbridge Wiltshire**

**Applicant:** **Mr And Mrs N Purnell & Mr And Mrs K Wheeler**

**Decision:** **REFUSAL**

Reason(s):

- 1 The frontage wall makes a significant contribution to the historic form and sense of enclosure within this part of the conservation area. The formation of a wider access punctuating this historic wall in a prominent position within the conservation area would neither conserve nor enhance its special character and as such would be contrary to Policies C17 and C18 of the West Wiltshire District Plan - 1st Alteration 2004.
- 2 The formation of a wide vehicular access within the boundary wall to this listed building would, by reason of the more open appearance and loss of an historic feature together with the intrusion of parked vehicles, adversely affect the character and setting of the listed building and as such would be contrary to Policy C27 of the West Wiltshire District Plan - 1st Alteration 2004.

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**06/01775/LBC**  
**Trowbridge**  
**08.06.06**  
**Listed building**

**Formation of vehicular access including partial demolition of frontage boundary wall**  
**41 And 42 Hilperton Road Trowbridge Wiltshire**

**Applicant:** **Mr And Mrs N Purnell & Mr And Mrs K Wheeler**

**Decision:** **REFUSAL**

Reason(s):

- 1 The formation of a wide vehicular access within the boundary wall to this listed building would, by reason of the more open appearance and loss of an historic feature together with the intrusion of parked vehicles, adversely affect the character and setting of the listed building and as such would be contrary to Policy C27 of the West Wiltshire District Plan - 1st Alteration 2004.
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**06/00438/FUL  
Trowbridge  
12.06.06  
Full Plan**

**Resident managers dwelling**

**Land North East Of Fieldways Hilperton Road Trowbridge  
Wiltshire**

**Applicant: Paul Waring**

**Decision: REFUSAL**

Reason(s):

- 1 Policies C17 and C18 of the West Wiltshire District Plan - 1st Alteration state that the special character or appearance of Conservation Areas will be preserved or enhanced. Proposals for new development should be characteristic of the area, retain important open spaces and views, and use traditional local materials. Policy C27 states that planning permission will not be granted for any development that would adversely affect the setting of a Listed Building. The proposal, by reason of its location, form, design and use of materials is considered detrimental to the character and appearance of the Conservation Area and to the setting of the Grade II\* Listed Building. The proposal is, therefore, considered contrary to these policies.
  - 2 Policy H1 states that development within the built-up areas of the towns will be permitted provided that it is in keeping with the character of the surrounding area, and does not result in a loss of an open area important for amenity reasons. Policy C31a states that new development should respect or enhance the townscape, the area's historic layout and spatial characteristics, and pay particular attention to design and materials. The Residential Design Guide states that development in the historic environment should respect the fundamental principles of the area and positively relate to its surroundings. The proposal, by reason of its location, form, design and use of materials is considered out of character with this part of the town. The proposal is therefore considered contrary to these policies and the Residential Design Guide.
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