

## WESTERN AREA PLANNING

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON WEDNESDAY, 22 APRIL 2009 AT BRADLEY ROAD, TROWBRIDGE.

#### **Present:**

Mr D. Binding, Mr D. Bolwell, Ms V. Burden, Mr T. Carbin, Mr E. Clark,  
Mrs G. Denison-Pender, Mrs V. Fortescue, Mr P. Fuller, Mr D. Halik,  
Mr T. James MBE, Mr C. March, Ms I. Martindale, Mr M. Mounde,  
Mr C. Newbury, Mr A.G. Phillips OBE and Mrs J. Repton.

#### **Also Present:**

Mr P. Batchelor,  
Mr T. Chivers  
Cllr K. Humphries (Warminster Town Councillor)

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#### **1. Election of Chairman**

The Democratic Services Officer called for nominations for the position of Chairman of the Western Area Planning Committee for the ensuing interim period. On being proposed and seconded and there being no other nominations, it was

#### **Resolved:**

**That Mr P. Fuller be elected Chairman of the Western Area Planning Committee until the first meeting of the Committee after the Council elections on 4<sup>th</sup> June 2009.**

**Mr P. Fuller in the Chair.**

#### **2. Appointment of Vice Chairman**

The Chairman called for nominations for the position of Vice-Chairman of the Western Area Planning Committee for the ensuing interim period. On being proposed and seconded and there being no other nominations, it was

**Resolved:**

**That Mrs G. Denison-Pender be appointed Vice-Chairman of the Western Area Planning Committee until the first meeting of the Committee after the Council elections on 4<sup>th</sup> June 2009.**

**3. Apologies for Absence**

There were no apologies for absence.

**4. Chairman's Announcements**

The Chairman welcomed everyone to the meeting and advised the committee that Mr W. Parks would not be sitting on the interim Committee as he was no longer eligible to serve as a co-opted member of Wiltshire Council as he was now an employee of the authority.

**5. Members' Interests**

Mr P. Fuller, Mr T. James MBE and Mr D. Halik declared personal interests in the following applications:

08/00255/OUT - Former Peter Black Toiletries, Mortimer Street, Trowbridge.

W/09/00251/FUL - 17 Chilmark Road, Trowbridge.

W/09/00627/FUL - Court Lodge, 17 Westwood Road, Trowbridge.

All are Trowbridge Town Councillors who attended meetings that discussed the original applications. All undertook to consider the applications with an open mind.

**6. Public Participation**

The Chairman advised the committee of the new rules on public participation and the manner in which the meeting would proceed, he then advised the committee that Mr F. Morland would be permitted to address the committee on the Planning Code of Good Practice for Members of Wiltshire Council with particular reference to the public participation arrangements contained within the Code.

**7. Planning Code of Good Practice**

Members were asked to note the Planning Code of Good Practice for Members of Wiltshire Council circulated with the agenda, a debate ensued.

Members raised concerns over the new interim public participation arrangements and the impact this could have on the way the public perceived the new council's fairness with regard to public participation at future planning meetings.

**Resolved:**

- That the Planning Code of Good Practice for Members of Wiltshire Council be noted.
- That paragraph 9.5 of the Planning Code of Good Practice for Members of Wiltshire Council – “Public speaking at meetings” is referred back to the Implementation Executive and to the new council to reconsider at the earliest opportunity after the 4<sup>th</sup> June 2009.

**Planning Applications**

**8. 08/00255/OUT - Former Peter Black Toiletries, Mortimer Street, Trowbridge, Wiltshire.**

The Committee then considered the officer's report and debated the application. The Committee was minded to agree the officer recommendation subject to minor amendments to conditions as set out below.

**The Area development manager be authorised to grant permission on completion of a legal agreement within 3 months of the date of this resolution to secure:-**

- That the occupier of the foodstore shall not already be present in the town of Trowbridge;
- A 30% Affordable housing contribution provided, with 83% of this percentage to be provided on site for rented accommodation and 17% to be provided as a commuted sum for off site provision (the mix of the units shall be subject to further negotiation involving the Council's affordable housing enabler).
- An education contribution towards the provision of 8 primary places (currently costed at £11,356 each) and 6 secondary places (currently costed at £17,351 each), totalling £194,954, as required by the Council;

- **A financial contribution towards the enhancement and maintenance of a local children's play area to make up for the public open space shortfall;**
- **A financial contribution, a transport phasing plan and provision of accessibility improvements generated by the proposal. These shall include public transport improvements, enhanced linkages between the site and the town centre, the future provision of a foot bridge over the river Biss, variable message signing to the car park, a servicing management plan, and a car park management plan.**
- **A financial contribution of £100,000 (index linked) for the provision of a foot bridge crossing over the river Biss, following further negotiations with the Council, the Environmental Agency and the owners of the St Stephen's place site.**

**Upon completion of the agreement permission be granted for the following reason**

**Reason(s):**

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

**Subject to:**

**Condition(s):**

1 The development hereby permitted shall begin either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters, whichever is the later.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2 Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990.

3 Approval of the details of the design and the external appearance; ("the reserved matters") shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: In accordance with Section 92 of the Town & Country Planning Act 1990.

4 The gross internal area of the food store hereby permitted shall not exceed 2712 metres square. The net sales and display areas (defined as all areas used for the display and sale of goods, including floor spaces used for checkouts, customer circulation and customer services, but excluding entrance/exit lobbies, customer toilets, any cafe and automated teller machines) shall not exceed 1657 metres square, of which not more than 75% of the net sales and display area shall be used for the sale of convenience goods.

REASON: In order to protect the vitality and viability of the town centre.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policies SP1 and SP3.

5 No part of the net sales and display area (defined as all areas used for the display and sale of goods, including floor spaces used for checkouts, customer circulation and customer services but excluding entrance/exit lobbies, customer toilets, cafe and Automated Teller Machines (ATMs)) of the foodstore hereby permitted shall be given over to any dry cleaning services, key cutting, shoe repair, photographic, or pharmacy services dispensing medicines by prescription or post office counter services.

REASON: In order to protect the vitality and viability of the town centre.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policies SP1 and SP3.

6 That prior to the commencement of any development on the site, the developer shall undertake the following:-

1. A site investigation and risk assessment for chemical contamination;
2. Provide a remediation plan and report where applicable upon the discovery of any chemical contamination on the site;
3. Remediation validation works setting out the measures for maintenance, further monitoring and reporting to the satisfaction of the Council as planning authority.

The site investigation works shall be carried out in line with the main procedural requirements of BS 10175:2001 - Investigation of Potentially Contaminated Sites - Code of Practice. 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.

For the avoidance of any doubt, should the applicant/developer make changes to the above listed assessments, remediation plan and/or the remediation report following its acceptance, further written approval would be required before the development hereby approved is brought into use.

REASON: In order to safeguard human health.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policy C38

7 Deliveries and servicing to the foodstore hereby permitted shall be limited to the hours of 0700 - 2300 hours Monday to Saturdays, and 0900 - 1800 hours on Sundays and Bank Holidays.

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

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policy C38.

8 Whilst in the servicing and delivery yard, any delivery vehicle's engine, including lorry and van engines, shall be switched off during loading and unloading.

REASON: In order to safeguard the amenity of the area.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policy C38.

9 That during the construction phase, no plant machinery or equipment shall be operated or repaired so as to be audible at the site boundary outside the hours of 07:30 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays, or at any time on Sundays or Bank Holidays

REASON: In order to safeguard the amenity of the area.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policies C36 and C38.

10 The design of all the residential units shall minimise the exposure of habitable rooms to levels of road traffic noise in or above NEC B, as defined in Planning Policy Guidance Note 24 - Planning & Noise. Where habitable rooms are exposed to noise levels in category B or above, a scheme shall be submitted to and approved by the Local Planning Authority before the commencement of any works on site, to ensure that internal noise levels comply with the guidance given in BS8233:1999. The works shall be undertaken in accordance with these approved details.

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

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policy C38.

11 An arboricultural method statement prepared by an arboricultural consultant holding a nationally recognised arboricultural qualification providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of demolition/development. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following: -

A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2005 and a plan indicating the alignment of the protective fencing;

A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005;

A schedule of tree works conforming to BS3998;

Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;

Plans and particulars showing the sitting of the service and piping infrastructure;

A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas to be constructed using a no-dig specification;

Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and

Details of all other activities, which have implications for trees on or adjacent to the site.

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 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 June 2004 - Policy C32.

12 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.

13 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.

14 Prior to the commencement of any work on the site, details of all security measures including CCTV proposed for the development shall be submitted to and approved in writing by the Council, as planning authority, and the works shall be carried out in full accordance with the approved details.

REASON: To the interests of public safety.

15 Details of the hours of operation for all proposed uses on the site shall be submitted to and approved in writing by the Council as Planning Authority prior to development commencing on the site.

REASON: In the interests of protecting the amenity of the area

16 The developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow the archaeologist to observe the excavations and record items of interest and finds.

REASON: To protect the archaeological heritage of the area.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C16.

17 No development, hereby permitted, shall take place until the applicants, or their agents or successors in title, have secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Local Planning Authority.



REASON: To protect the archaeological heritage of the area.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C14 & C15.

18 Prior to the commencement of the development hereby permitted, further ecological surveys, 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 (following consultation with the Environment Agency). 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 2004 - Policies C7 & C9.

19 Details of lighting for the site (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 relevant phase 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 2004 - Policy C35.

20 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 any 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.

For the avoidance of any doubt, any oil storage facility of 200 litres or more must include a bund and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001").

[Site occupiers intending to purchase or install pollutant secondary containment (bundling) should ensure that the materials are not vulnerable to premature structural failure in the event of a fire in the vicinity. Pollution Prevention Guidance 2 (PPG2) provides advice on ground storage of oil].

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U4.

21 All surface water drainage from impermeable parking areas and hardstanding for all vehicles shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

For the avoidance of any doubt, detergents entering oil interceptors may render them ineffective. A closure valve is therefore necessary to be installed at the oil separator outlet so as to contain any pollution material (in the event of an emergency).

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U4.

22 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. Such a scheme shall utilise Sustainable Drainage Principles and shall not result in an increase in the rate and / or volume of surface water discharge to the local land drainage system. 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 2004 - Policy U2.

23 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 2004 - Policies C7, C9 & U4.

24 No part of the development hereby permitted shall take place until a construction stage plans have been submitted to and approved in writing by the Local Planning Authority. The plans will need to agree the routing and timing of construction traffic, together with identifying the need for any temporary traffic orders that may be necessary. These works shall be undertaken in accordance with these approved details.

REASON: in the interests of highway safety.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policies H4 and SP3.

25 A Travel Plan shall be submitted to and approved by the Local Planning Authority prior to the commencement of the retail phase of the development. The Travel Plan shall include measures to minimise vehicle movements to the foodstore and a timetable for implementation, and shall be implemented in accordance with the approved scheme.

REASON: In pursuit of sustainable transport objectives.

26 Details of public art features shall be submitted to and approved in writing by the Council as planning authority and be implemented prior to the completion of the built development.

REASON: In order to promote public art within the development.

27 No development shall take place until a schedule of the materials and 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 C17 and C31A.

28 Details, including samples where appropriate, of the materials for the surface of all roads, footways and pedestrian areas, cycleways and all other hard surfaced areas for each phase of the development shall be submitted to and approved by the Local Planning Authority prior to the commencement of 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 approved details.

REASON: To ensure that the development harmonises with its setting and provides clearly defined linkages to and from Trowbridge Town Centre.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A and Planning Policy Statement Planning Policy Statement 6 - Planning for Town Centres.

29 Details of the existing and the 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.

30 Details of all the associated storage areas for wheeled refuse bins for all the on-site uses shall be designed so as to minimise their impact on the appearance of the street scene, which shall be submitted to and approved in writing by the Council as planning authority. The approved storage area shall be provided prior to the buildings on the relevant phase of the development being first occupied and shall be maintained as such thereafter.

REASON: In the interests of the appearance of the street scene.

POLICY: West Wiltshire District Plan - First Alteration 2004 – Policy C31A.

31 Suitable ventilation and filtration equipment shall be installed to suppress and disperse any fumes and/or smell created from the cooking operations associated to the hot food take-away outlet hereby granted outline permission.

Prior to any commencement of work on site, details of the equipment to be used to provide acceptable levels of ventilation and filtration and at the same time limit noise and air pollution, shall be submitted in writing and be approved in writing by the Local Planning Authority. All equipment shall be installed in accordance with the approved details and in full working order to the satisfaction of the Local Planning Authority for the lifetime of the development.

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.

32 Details of pollution prevention shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the relevant phase of the development. The scheme shall only be carried out in accordance with the approved details which should cover the following:-

1. Site security
2. Fuel oil storage, bunding, delivery and use
3. How both minor and major spillage events will be dealt with
4. Containment of silt/soil contaminated run off
5. Disposal of contaminated drainage, including water pumped from excavations
6. Site induction for workforce highlighting pollution prevention and awareness

For the avoidance of any doubt, any invitation for tenders for sub-contracted works must include a requirement for details of how the above listed elements will be implemented.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C7, C38 & U4.

33 The development hereby permitted shall not be commenced until foul 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 (following consultation with Wessex Water). The works shall be undertaken 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 - Policy U1a.

34 That no building or land use shall be brought into use unless and until adequate sewerage infrastructure is in place to receive foul water discharges to the satisfaction of the Local Planning

Authority (following consultation with Wessex Water regarding the availability, location and adequacy of the treatment facilities).

For the avoidance of any doubt, contaminated drainage or trade effluent should be directed to the public foul sewer provided that adequate capacity is available for additional flows.

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 - Policy U1a.

35 Details of inspection manholes shall be provided and clearly identified on the foul and surface water drainage systems in accordance with a scheme to be submitted to and approved by the Local Planning Authority (following consultation with Wessex Water and the Environment Agency).

REASON: In enable discharges from individual premises or buildings to be appropriately inspected and sampled.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policy U1A

36 That prior to the commencement of works of site, a flood plan (including a suitable warning and emergency/evacuation procedures) with a flood resilience scheme showing details on flood risk handling, flood water conveyance and compensatory flood storage shall be submitted to and approved in writing by the Local Planning Authority (following consultation with the Environment Agency)

REASON: To ensure that there is appropriate level of flood risk handling

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policy U3

37 That prior to the commencement of works of site, a scheme providing vehicular access to and along the left bank of the River Biss (at any and at all times throughout the year) shall be submitted to and approved in writing by the Local Planning Authority (following consultation with the Environment Agency)

REASON: To ensure that there is adequate access provided to to enable the Environment Agency to maintain the River Biss and implement works to reduce flood risk in the locality.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policies C9 & U3

38 That prior to the commencement of works of site, a revised landscape strategy clarifying the proposed treatment of the riverbank shall be submitted to and approved in writing by the Local Planning Authority (following consultation with the Environment Agency)

REASON: To rectify the irregularities shown within the revised FRA which states that the existing riverbank habitat would be retained despite it being re-profiled to accommodate the walkway.

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policies C7, C9 & C32.

39 That for the avoidance of any doubt, the finished ground floor levels shall be set no lower than 36.7 metres above ordnance datum level to provide 300mm freeboard on the 1 in 100 year (after predicted climate change) flood level to the satisfaction of the Local Planning Authority (following consultation with the Environment Agency)

REASON: To ensure that there is appropriate level of flood risk handling

POLICY: West Wiltshire District Plan - First Alteration 2004 - Policy U3

40 A plan and schedule indicating the proposed phasing of the development of the site shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed phasing. The works comprised in each phase of the development shall be completed before the works comprised in the next phase are commenced.

REASON: In the interests of proper planning of the area.

Informative(s):

1 The developer is advised that should any protected species or habitats be found following the required additional ecological survey work, Natural England and the Wiltshire Wildlife Trust should be contacted so as to accord with the Wildlife and Countryside Act 1981.

2 The developer is advised to contact Wessex Water to arrange points of contact onto the public water and sewerage system/apparatus.

3 The applicant/developer is advised to adopt a trolley management system to restrict the removal of trolleys from the site (and in particular prevent access for trolleys to the River Biss) which should be submitted to and approved by the Local Planning Authority.

4 The applicant/developer is advised that all wastes must be stored in the designated areas, which are isolated from surface drains.

If storing or treating waste from a contaminated area of the site, a waste management licence may be required. Skips should be covered to prevent dust and litter being blown out and rainwater accumulation should be regularly inspected and replaced when full.

If controlled wastes are to be utilised for construction purposes, the developer must register the activity with the Environment Agency. Waste from the development must be re-used, re-cycled or otherwise disposed of in accordance with waste management legislation and in particular the Duty of Care. Further guidance can be obtained from <http://www.environment-agency.gov.uk>

Any movements of hazardous waste from the site must be accompanied by hazardous waste consignment notes.

The Environment Agency must be notified immediately following any incident likely to cause pollution.

All waste oils must be collected and contained prior to disposal in an approved manner. All drums and small containers used for oil and other chemicals shall be stored in bunded areas which do not drain to any watercourse, surface water sewer or soakaway.

Vehicle loading or unloading bays and storage areas involving chemicals, refuse or other polluting matter must not be connected to the surface water drainage system.

All wash down and disinfectant waters must be discharged to the foul sewer with the prior approval of the sewerage undertaker.

Areas designated for the storage of food waste skips must be sited in areas draining to the foul sewer, particularly if a compactor is to be used on the site.

The site must be drained by a separate foul and surface water drainage system, with all clean roof and surface water being kept separate from the foul water. Only clean uncontaminated surface water from roofs and un-trafficked paved areas should be discharged to any controlled watercourse.

All foul drainage, including contaminated surface water run-off, must be disposed of in such a way as to prevent any discharge to any borehole, well, spring, soakaway or watercourse including dry ditches with a connection to a watercourse.

**9. W/09/00377/FUL - 19 Church Lane, Limpley Stoke, Wiltshire.**

Public Participation:

Mr James Feghali – applicant's son.

Mr Chris Mackenzie – agent.

Mr Terry Chivers – local member.

The Committee then considered the officer's report and debated the application. The officer's recommendation was refusal of the application. The Committee resolved to make a split decision with conditions detailed in the under mentioned resolution.

**Resolved:**

**That in respect of application number W/09/00377/FUL planning permission be GRANTED with the following conditions.**

**PART PERMISSION:**

The design, scale and appearance of the rear extension would not significantly affect the openness of the Green Belt

**Subject to:**

Condition(s) for Part Permission:

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 - Policy C31A.

**DECISION B (PART REFUSAL):**

REFUSAL of front extension.

Reason(s) for Part Refusal:

1 The proposed extension to the front of the property with its blank frontage would have a detrimental impact on the character and external appearance of the building contrary to Policy C31A of the West Wiltshire District Plan 1st Alteration 2004.

**10. W/09/00298/FUL - Broadway Parade, Broxburn Road, Warminster, Wiltshire.**

Public Participation:

Mrs Nancy Bartlett – objector  
Mr Paul Burt – objector  
Mr Fred Stone – objector  
Mrs Sylvia Smith – objector

Cllr Keith Humphries – Town Council member.  
Mr Paul Batchelor – local member.

Mr Richard Waple - applicant

The Committee then considered the officer's report and debated the application. The officer's recommendation was permission of the application. The Committee was minded to refuse the application detailed in the under mentioned resolution.

**Resolved:**

**That in respect of application number W/09/00298/FUL planning permission be REFUSED with the following reasons.**



**Reason(s):**

1 The proposed development by reason of its design, scale, mass, height on 3 storeys and orientation would appear overly prominent in this location and would be harmful to the character and spatial form of the area contrary to Policy C31A of the West Wiltshire District Plan 1st Alteration 2004.

2 The proposals make inadequate provision for parking to the detriment of convenience and safety of users of the site and nearby roads contrary to Policy T10 of the West Wiltshire District Plan 1st Alteration 2004.

**11. W/09/00251/FUL - 17 Chilmark Road, Trowbridge, Wiltshire.**

Public Participation:

Mr Patrick Treanor - applicant

The Committee then considered the officer's report and debated the application. The officer's recommendation was refusal of the application. The Committee was minded to permit the application detailed in the under mentioned resolution.

**Resolved:**

**That in respect of application number W/09/00251/FUL planning permission be GRANTED with the following conditions.**

**Reason(s):**

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

**Subject to:**

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.

**12. W/09/00627/FUL - Court Lodge, 17 Westwood Road, Trowbridge, Wiltshire.**

The Committee considered the officer's report and debated the application.  
The Committee was minded to grant planning permission as recommended.

**Resolved:**

**That in respect of application number W/09/00627/FUL planning permission be GRANTED with the following conditions.**

**Reason(s):**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds as the proposed replacement dwelling would not have an adverse impact on the street scene or neighbouring amenity therefore permission has been recommended subject to conditions.**

**Subject to:**

**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 The velux window in the south western elevation on the plans hereby approved shall be obscure glazed prior to the first occupation of the development and shall be maintained as such at all times thereafter.

REASON: In the interests of amenity and privacy

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - C38

4 Notwithstanding the provisions of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking and re-enacting that Order with or without modification, no windows or rooflights, other than those hereby approved, shall be added to the first floor or in the roof of the South West elevation of the development hereby permitted.

REASON: In the interests of amenity and privacy

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

5 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 2004 - Policy U2.

Informative(s):

1 You are advised to contact Wessex Water to agree a point of connection onto the sewage and water system and a connection onto Wessex Water infrastructure.

Please also note the note below from Wessex Water: -

'The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.'

**13. W/09/00636/FUL - 10C Church Road, Heywood, Wiltshire.**

Public Participation:

Miss Cheryl Knight - applicant  
Mr Mark Giles – applicant

Mr Mike Hill - objector

The Committee considered the officer's report and debated the application.  
The Committee was minded to grant planning permission as recommended.

**Resolved:**

**That in respect of application number W/09/00636/FUL planning permission be GRANTED with the following conditions.**

**Reason(s):**

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

**Subject to:**

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.

(Duration of meeting: 19.00pm – 21.35pm)

The Officer who has produced these minutes is Kevin Fielding, Democratic Services, direct line (01225) 776655 xtn 115 or e-mail [kevin.fielding@wiltshire.gov.uk](mailto:kevin.fielding@wiltshire.gov.uk)  
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