

## WESTERN AREA PLANNING

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON WEDNESDAY 24<sup>TH</sup> JUNE 2009 AT 6.00 PM AT BRADLEY ROAD, TROWBRIDGE

#### Present:

Mr. E. Clark, Mr. R. Eaton, Mr. P. Fuller (Chairman), Mr. M. Hewson,  
Mr. J. Knight, Mr. C. Newbury, Mr. S. Petty, Mrs. P. Ridout, Mr. J. Seed,  
Mr. R. While.

#### Apologies:

Mr. M. Griffiths

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#### 1. MINUTES

The minutes of the meeting held on 13<sup>th</sup> May 2009 were confirmed as a correct record and signed by the Chairman.

#### 2. CHAIRMANS ANNOUNCEMENTS

The Chairman paid tribute to Cllr. Tony Phillips OBE, who passed away this week. The meeting observed a minute's silence in memory of Cllr. Phillips.

The Chairman welcomed everyone present to the first meeting of the new Western Area Planning Committee and introduced the officers to the committee and members of the public.

#### 3. DECLARATIONS OF INTEREST

Mr. E. Clark declared a personal interest in applications W/09/01022/FUL and W/09/01009/FUL as a member of Hilperton Parish Council.

Mr. P. Fuller declared a prejudicial interest in application 08/02692/OUT

Mr. R. Eaton declared a personal interest in applications 08/03471/REM and W/09/00579/REM as a member of Melksham Town Council.

Mr. J. Knight declared a personal interest in application 08/02692/OUT as a member of Trowbridge Town Council.

Mr. S. Petty declared a personal interest in applications 08/03471/REM and W/09/00579/REM as a member of Melksham Town Council.

**4. 08/03471/REM – Construction of 114 dwellings, access and associated landscaping - Land North East Of Snowberry Lane And South Of Sandridge Road Melksham Wiltshire**

Public Participation: None

**Resolved:**

**That the reserved matters are APPROVED**

**For the following reason(s):**

**That the submitted details accord with the provisions of the West Wiltshire District Plan First Alteration June 2004 and the adopted Land East of Melksham Urban Design Strategy and the proposed development would not materially affect the amenities of the neighbours or result in any detrimental impact on the street scene and would not significantly harm any interests of acknowledged importance.**

**Subject to the following condition(s):**

- 1 That no works shall be undertaken on site until such time as details of the access details of the footpath onto Snarlton Lane have first been submitted to and approved in writing; and implemented in accordance with such approved details prior to the occupation of the first dwelling on the site unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of pedestrian safety and the safe and free flow of traffic on the neighbouring highway.

- 2 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 doors, other than those hereby approved, shall be added to the flank elevations of the development hereby permitted.

REASON: In the interests of amenity and privacy.

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

- 3 The window serving toilets and bathrooms, as shown on the submitted plans, shall be obscure glazed and of a non-opening design and shall be installed prior to the first occupation of the development hereby permitted 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 - Policy C38.

- 4 Prior to the commencement of the development, full details of the road layout and construction details shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include longitudinal sections, typical cross sections including surface materials, street lighting and road drainage. The development shall thereafter be carried out in accordance with approved details and no dwelling shall be occupied until that part of the access road which serves it, including that part of the access road leading from the existing maintained public highway, has been constructed up to and including bindercourse (basecourse) surfacing in accordance with the approved details.

REASON: In the interests of the safe and free flow of traffic within the site and on the neighbouring highway and the residential amenity of the future occupiers of the site.

- 5 The first floor window in the south facing elevation of Units 66 and 67, hereby approved shall be obscure glazed prior to the first occupation of the development hereby permitted 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 - Policy C38.

**5. W/09/00579/REM – Submission of reserved matters application pursuant to outline permission 04/01895/OUT for 116 units relating to access, appearance, landscaping, layout and scale - Land North East Of Snowberry Lane And South Of Sandridge Road Melksham Wiltshire**

Public Participation:

1. The committee received details of a late consultation response received from the Council's Landscape and Arboricultural Officer and late plans submitted by the developer in response.

**Resolved:**

**That the reserved matters are APPROVED**

**For the following reason(s):**

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

**Subject to the following conditions:**

- 1 The window serving toilets and bathrooms, as shown on the submitted plans, shall be obscure glazed and shall be installed prior to the first occupation of the development hereby permitted and shall be maintained as such at all times thereafter.

REASON: In the interests of amenity and privacy.

- 2 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 doors, other than those hereby approved, shall be added to the flank elevations of the development hereby permitted.

REASON: In the interests of amenity and privacy.

- 3 The areas allocated for parking on the approved plans shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted. (subject to satisfactory parking levels)

REASON: In the interests of highway safety.

- 4 No works on site shall be undertaken on site until such time as details of the estate road crossing of the linear Public Open Space feature, shall have first been submitted to and approved in writing by the Local Planning Authority, such details to include details of the treatment the principal pedestrian link crossing of the estate road along with details of the junction between the two routes to preclude motor vehicles from entering the pedestrian link; and implemented in accordance with such approved details before the first occupation of any dwelling on the site unless otherwise agreed in writing by the Local planning Authority.

REASON: In the interests of safe and free flow of traffic and pedestrian safety.

- 5 The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfalls, 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 and approved by the Local Planning Authority in writing before 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 the Local Planning Authority.

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

- 6 The proposed roads, including footpaths and turning spaces where applicable, shall be constructed in such a manner as to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footpath 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.

- 7 A full schedule of tree planting (including root protection) that are to be located within / effecting the highway to be adopted shall be submitted and approved in writing by the local planning authority prior to being planted.

REASON: In the interests of highway safety.

- 8 The areas allocated for parking on the approved plans shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted (Site Layout Drawing 975/01D and Parking Schedule Rev B.

REASON: In the interests of highway safety.

- 9 No properties shall be occupied (between plots 8 and 21) until the visibility splay towards the roundabout has been provided between the edge of the carriageway and a line extending from a point 2.4m back from the carriageway edge along the centre line, to a point on the tangent of the roundabout in accordance with submitted plans. Such splay shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the adjacent carriageway.

REASON: In the interests of highway safety.

- 10 The development hereby permitted shall not be occupied until the junction visibility splays (2.4m x 25m junction visibility) shown on the submitted plans have been provided with no obstruction to visibility at or above a

height of 600mm above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times. The forward visibility splay adjacent to plot 83 shall also be provided at and maintained at and above 600mm and maintained free of obstruction at all times thereafter as demonstrated on the submitted plans.

REASON: In the interests of highway safety.

- 11 No works on this phase of development shall take place until such time as detailed plans of the location and specification of tree root barriers have first been submitted to and approved in writing by the Local Planning Authority. Such details to relate to where trees are located in close proximity to any structure, services or location within or adjacent to the highway; and shall be implemented in accordance with the first available planting season as per the timeframes for delivery of the approved landscaping details.

REASON. In the interests of the future structural integrity of buildings and services.

**6. W/09/01022/FUL – Application to discharge clauses within section 106 agreement dated 6 February 2004 - Land Adjacent Hackett Place Hilperton Wiltshire**

Public Participation:

1. Mr. Andrew Fox spoke in support of the application.

**Resolved:**

**That, contrary to officer recommendation, clauses 1.5.1, 5.2 and 5.3 of the Section 106 Agreement dated 6<sup>th</sup> February 2004 are NOT DISCHARGED**

**For the following reason(s):**

**The clauses still serve a useful purpose, seeking to find a medical use for the site. The applicant has not used all reasonable endeavours to procure the establishment of a medical practice at the site as required by the Section 106 Agreement.**

Mr. C. Newbury requested that it be noted in the Minutes that the motion was carried unanimously.

**7. W/09/01126/FUL – Formation of revised parking provision and formation of private amenity space for existing residential units (plots 1-8) - Land Adjoining 1 And 8 The Spa Holt Wiltshire**

Public Participation:

1. The committee received details of two late letters of representation from the occupants of neighbouring properties.
2. Ms. M. Doggett spoke in objection to the application.
3. Mr. J. Gooding commented on the application on behalf of Holt Parish Council.
4. The Division Member spoke in support of the application.

**Resolved:**

**That planning permission is GRANTED**

**For the following reason(s):**

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

**Subject to the following 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 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.

- 3 Details of lighting to 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 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.

- 4 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 landscape setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 5 The proposals for the landscaping of the site, as shown on the approved plans (including 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) shall be carried out as follows:

- \* 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 - 1st Alteration 2004 - Policy C32.

- 6 Notwithstanding the details submitted, no development shall take place until there has been submitted to and approved in writing by the Local Planning Authority detailed plans indicating the positions, design, materials and type of boundary treatment to be erected, to include a brick boundary wall opposite Unit 4 to enclose the amenity area to the rear. The boundary treatment shall



be completed in accordance with the approved plans prior to the use of the land being brought into use unless otherwise agreed in writing by the Local Planning Authority

REASON: To ensure the appearance of the development is satisfactory.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

- 7 The development hereby permitted shall not begin until a noise impact assessment and scheme for protecting the existing dwellings and their curtilage from vehicle noise within the proposed parking area to the south of Unit 21 and the area opposite Unit 4 The Spa, has first been submitted to and approved by the Local Planning Authority. Any works which form part of the scheme approved by the Local Planning Authority shall be completed before the parking area is brought into use, unless an alternative period is agreed in writing by the Local Planning Authority.

REASON: In order to safeguard the amenities of the area in which the

- 8 The parking area, which is the subject of this application, hereby permitted shall not be brought into use until the parking area shown on the approved plan has been consolidated and surfaced (not loose stone or gravel). This area shall be maintained and remain available for this use at all times thereafter.

REASON: In the interests of highway safety.

- 9 No part of the parking area, which is the subject of this application, shall be first brought into use until the visibility splays shown on the approved plan (number CP01 Rev A) have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

**8. 08/02692/OUT – New primary care centre and extension to existing surgery - Land North West Of Cricket Ground Seymour Road Trowbridge Wiltshire**

Mr. P. Fuller, having previously declared a prejudicial interest, left the meeting for the duration of this item.

**Mr. R. While in the Chair**

Public Participation:

1. The committee received details of a late letter submitted by the Agent for the Primary Care Trust.
2. The committee received details of a late letter in support of the application from Miss. M. Howard on behalf of the Trowbridge Community Area Future Steering Group.
3. Mr. C. Poplett spoke in objection to the application.
4. Mr J. James, Chief Executive of the Wiltshire Primary Care Trust, spoke in support of the application.
5. Dr. S. Rowlands, Senior Partner, Bradford Road Surgery, Spoke in support of the application.
6. Dr. S. Locke spoke in support of the application.
7. Mr. C. Beaver spoke in support of the application on behalf of Trowbridge Town Council.
8. Mr. J. Osborne, a local Member, spoke in objection to the application.

A motion was tabled to accept the recommendations of the Planning Officer's report. A recorded vote was requested. The results of the vote were as follows:

NAME	FOR	AGAINST	ABSTAIN
Mr. E. Clark		X	
Mr. R. Eaton			X
Mr. M. Hewson		X	
Mr. J. Knight		X	
Mr. C. Newbury		X	
Mr. S. Petty		X	
Mrs. P. Ridout		X	
Mr. J. Seed		X	
Mr. R. While			X

The motion having been defeated it was

**Resolved:**

**That determination of the application is DEFERRED**

**For the following reason(s):**

1. **To seek clarification of how the proposed contribution of £140,000, towards the provision of alternative cricket and recreational facilities, was arrived at and details of how and where it would be used.**

2. To seek clarification of the applicant's intentions with respect to the use of the existing hospital site.
3. To seek clarification from the Spatial Plans team on the interpretation or relevant policies for the site.
4. In light of the responses to the above points to consider whether there might be grounds for refusing the application.

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

**9. 08/03470/REM – 197 new dwellings (application for reserved matters together with public open space, estate roads and parking spaces) - Land North Of Victoria Road Warminster Wiltshire**

Public participation:

1. The committee received details of a late consultation response from the Council's Highways Department.
2. The committee received details of a late consultation response from the Environment Agency.
3. The committee received details of a late report on ecological issues related to the proposed development.
4. Ms. G. Tibbs (Agent) spoke in support of the application.

**Resolved:**

**That the reserved matters are APPROVED**

**For the following reason(s):**

**That the submitted details accord with the provisions of the West Wiltshire District Plan First Alteration June 2004 and the adopted Land East of Melksham Urban Design Strategy and the proposed development would not materially affect the amenities of the neighbours or result in any detrimental impact on the street scene and would not significantly harm any interests of acknowledged importance.**

**Subject to the following condition(s):**

- 1 That no works shall be undertaken on site until such time as details of the access details of the footpath onto Snarilton Lane have first been submitted to and approved in writing; and implemented in accordance with such approved details prior to the occupation of the first dwelling on the site unless otherwise agreed in writing by the Local Planning Authority.

REASON: In the interests of pedestrian safety and the safe and free flow of traffic on the neighbouring highway.

- 2 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 doors, other than those hereby approved, shall be added to the flank elevations of the development hereby permitted.

REASON: In the interests of amenity and privacy.

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

- 3 The window serving toilets and bathrooms, as shown on the submitted plans, shall be obscure glazed and of a non-opening design and shall be installed prior to the first occupation of the development hereby permitted 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 - Policy C38.

- 4 Prior to the commencement of the development, full details of the road layout and construction details shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include longitudinal sections, typical cross sections including surface materials, street lighting and road drainage. The development shall thereafter be carried out in accordance with approved details and no dwelling shall be occupied until that part of the access road which serves it, including that part of the access road leading from the existing maintained public highway, has been constructed up to and including bindercourse (basecourse) surfacing in accordance with the approved details.

REASON: In the interests of the safe and free flow of traffic within the site and on the neighbouring highway and the residential amenity of the future occupiers of the site.

- 5 The first floor window in the south facing elevation of Units 66 and 67, hereby approved shall be obscure glazed prior to the first occupation of the development hereby permitted 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 - Policy C38.

**10. W/09/01009/FUL – Proposed detached garage - Land Adjoining 3 Ashton Rise Hilperton Wiltshire**

**Public Participation:**

1. The committee received details of late representations from two neighbours to the proposed development.

A motion to refuse planning permission against officer recommendation was tabled and subsequently defeated and it was

**Resolved:**

**That planning permission is GRANTED**

**For the following reason(s):**

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

**Subject to the following 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 - Policy C31A.

**11. W/09/00941/FUL – Agricultural workers dwelling and revised access - Land East Of Clivey Barn Farm Clivey Dilton Marsh Wiltshire**

Public Participation:

1. The committee was informed of a correction to the Planning Officer's report.
2. Mr. F. Moorland spoke in support of the application.
3. Mr. A. Brine (Applicant) spoke in support of the application.
4. Mr. T. Killen (Agent) spoke in support of the application.

A motion to grant planning permission against officer recommendation was tabled and subsequently defeated and it was

**Resolved:**

**That determination of the application is DEFERRED**

**For the following reason(s):**

**In order to obtain a second independent agricultural adviser's report.**

**12. W/09/01271/FUL – Two storey extension to house - Kings Farm 6 Little Common North Bradley Wiltshire BA14 0TX**

Public Participation:

1. Mr. P. Grist (Agent) spoke in support of the application.

A motion to grant planning permission against officer recommendation was tabled and subsequently defeated and it was

**Resolved:**

**That planning permission is REFUSED**

**For the following reason(s):**

1. **The proposed substantial extension on one and two storeys to this modest and well proportioned farmhouse together with linkage to one of its curtilage buildings, would by reason of its design, scale, form, size, mass and location fail to respect the form, layout and proportions of the original buildings. This would alter the balance and relationship between the farmhouse and its curtilage structures and would be detrimental to the character of this group of listed buildings contrary to Policies C28 and C31A of the West Wiltshire District Plan - 1st Alteration 2004.**
2. **Notwithstanding the gap retained between the small barn and the red brick storage building, the proposals would result in a group of buildings with greater visual prominence in the landscape which would cause harm to the character and setting of this important group of listed buildings contrary to Policy C28 and C31A of the West Wiltshire District Plan - 1st Alteration 2004.**

### **13. Time and Date of Next Meeting**

The time and date of the next meeting were confirmed as follows:

Time: 6.00pm

Date: 15<sup>th</sup> July 2009

Location: Council Chamber, Bradley Road

Mr. C. Newbury noted that the start times of future meetings were displayed in the Council's diary as 7.00pm. A motion was tabled that the committee should continue to meet at 6.00pm. The motion carried.

### **PART 2**

**Items considered whilst the public were not entitled to be present**

**None.**

24<sup>th</sup> June 2009

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