

## WESTERN AREA PLANNING

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON WEDNESDAY 15<sup>TH</sup> JULY 2009 AT 6.00PM AT BRADLEY ROAD, TROWBRIDGE

#### **Present:**

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

#### **Apologies:**

None

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#### **14. MINUTES**

The minutes of the meeting held on 24<sup>th</sup> June 2009 were confirmed as a correct record and signed by the Chairman subject to the following amendments:

##### **Minute No. 3**

That Mr. E. Clark's declaration of interest is amended to read as follows:

Mr. E. Clark declared a personal interest in applications W/09/01022/FUL and W/09/01009/FUL as he chaired the meeting of Hilperton Parish Council at which these applications were considered. Mr. Clark gave his assurance that he would consider the application with an open mind.

That Mr S. Petty's declaration of interest is amended to read as follows:

Mr. S. Petty declared a personal interest in applications 08/03471/REM and W/09/0579/REM as a member of Melksham Without Parish Council.

##### **Minute No. 4**

That the following additional wording is inserted after the final paragraph:

**Informative(s):**

- 1 Your attention is drawn to the fact that, whilst the details have been approved in relation to this reserved matters application for 62 dwellings, there are other conditions attached to the outline planning permission 04/01895/OUT which relate to the site which will need to be discharged prior to the commencement of works as well a requirements contained within the associated S106 agreement which will need to be met.
- 2 With regard to the Rights of Way (42, 23 and 18) comments from Allan Francis (forwarded on 24 March but you may have received directly), The rights of way must be stopped up and diverted (Footpath 42/ 23) under Section 257 of the Town and Country Planning Act, prior to any development commencing.

**Minute No. 5**

That the following additional wording is inserted after the final paragraph:

**Informative(s):**

- 1 Please be aware that under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Clackers Brook, designated the 'main river'
- 2 Your attention is drawn to the fact that, whilst the details have been approved in relation to this reserved matters application for 116 dwellings, there are other conditions attached to the outline planning permission 04/01895/OUT which relate to the site which will need to be discharged prior to the commencement of works as well a requirements contained within the associated S106 agreement which will need to be met.
- 3 (Informative) With regard to the Rights of Way (42, 23 and 18) comments from Allan Francis forwarded on 24 March but you may have received directly), The rights of way must be stopped up and diverted (Footpath 42/ 23) under Section 257 of the Town and Country Planning Act, prior to any development commencing.

**Minute No. 9**

That the minute is amended to read as follows:

**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):**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds. It would ensure an appropriate form of development for the site and its context. The proposal would not materially affect the amenities of neighbours.**

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

- 1 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.

- 2 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.

- 3 This permission shall relate to the revised plans received by Wiltshire Council on 20 May 2009 and to the site layout plan received by Wiltshire Council on 19 June 2009 and the layout of the development shall be

constructed in accordance with the approved layout drawing number PL-04 AA plan.

REASON: In order to define the terms of this permission. The development shall be constructed in accordance with the approved site layout drawing.

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

REASON: In the interests of highway safety.

- 5 Before development begins, full details of the proposed mini roundabout main access junction, signalised pedestrian crossing and traffic management scheme on Grovelands Way shall be submitted to, and approved in writing, by the Local Planning Authority; and these works shall be completed in accordance with the approved details before the first residential occupation of this development.

REASON: In the interests of highway safety.

- 6 Before development begins, details of the visibility splays to be provided at each individual access point shall be submitted to, and approved in writing, by the local Planning Authority; and the splays shall be provided in accordance with the approved details before occupation of each dwelling.

REASON: In the interests of highway safety.

- 7 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from all vehicular access points onto the proposed internal public highway serving the site), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: In the interests of highway safety.

- 8 No dwelling shall be occupied until the parking space(s) together with the access thereto and turning area where appropriate, have been provided in accordance with the approved drawing.

REASON: In the interests of highway safety.

- 9 Private access drives shall not exceed a gradient of 1 in 8 when graded down to the internal access road and 1 in 6 when graded up to the internal access road.

REASON: In the interests of highway safety.

- 10 Before works commence on site a Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority. This shall include details of the demolition of roofs of outbuildings in accordance with section 7.0 of the bat report prepared by ACD June 2009 and checking buildings for nesting birds together with the mitigation strategy contained within section 7.0 of the reptile report prepared by ACD June 2009 which involves translocating reptiles to the public open space near the balancing pond together with details of the long term management of the site. All works shall be carried out in accordance with the approved strategies.

REASON: In the interests of protected species and nature conservation.

**Informative(s):**

- 1 The requirements for the construction of the main access mini roundabout, signalised pedestrian crossing and traffic calming to Grovelands Way are subject to an existing Section 106 Agreement and must be constructed in accordance with details which must be approved by the Highway Authority via an appropriate Section 278 Agreement.
- 2 The Highway Authority will seek a road adoption Agreement under Section 38 for the internal roads and, as part of this Agreement, improvements to the existing right of way adjacent to the site will be sought to provide safe pedestrian and cycle access to the site from Victoria Road, which will include street lighting and the provision of a suitable 3m wide path surface.
- 3 Any surface water discharges to Were Brook South should terminate in a properly constructed outfall for which the consent of the Environment Agency maybe required under the terms of the Land Drainage Act 1991. The need for this consent is over and above the need for planning consent, early consideration of this obligation is recommended it may take up to two months to determine consent. The applicant is advised to contact Daniel Griffin on 012584 83351 to discuss the scope of our controls and to obtain an application form.
- 4 There must be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must

be made to ensure that all existing drainage systems continue to operate effectively and that riparian owners upstream and downstream of site are not adversely affected.

## **15. CHAIRMAN'S ANNOUNCEMENTS**

The Chairman expressed the committee's best wishes for Dave Hubbard, Development Control Manager, who was unwell and unable to attend the meeting.

## **16. DECLARATIONS OF INTEREST**

Mr. P. Fuller declared a personal interest in application W/09/01411/FUL as he had considered the application previously as a member of the Town Development Committee, Trowbridge Town Council.

Mr. E. Clark declared a personal interest in application W/09/01361/FUL as a member of the board of Selwood Housing Society.

Mr. J. Knight declared a personal interest in application W/09/01411/FUL as he had considered the application previously as a member of the Town Development Committee, Trowbridge Town Council.

Mr. S. Petty declared a personal interest in application W/09/00150/FUL as a member of Melksham Without Parish Council.

Each member gave their assurance that they would consider with an open mind the items in which they had declared an interest.

## **17. W/09/00150/FUL - Proposed erection of 27 residential dwellings and their associated roads, sewers and parking - Land North Of Junction With Dakota Close And Hornchurch Road Bowerhill Wiltshire**

Public participation:

1. Mr. P. Stokes spoke in objection to the application.
2. Mr. N. Galloway spoke in objection to the application.
3. Ms. G. Offord spoke in support of the application on behalf of Sarsen Housing Association.
4. Mr. C. Trowell, PFI Project Manager, Wiltshire Council, spoke in support of the application.
5. Mr. M. Mills, Chairman of Melksham Without Parish Council, spoke in objection to the application.

Mr. P. Taylor, solicitor for Wiltshire Council, presented a report on legal issues surrounding the application.

**Resolved:**

**That determination of the application is DEFERRED with the Council's position on all issues being reserved**

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

- 1. To seek Planning Policy guidance on the correct interpretation of WWDP policy CF7**
- 2. To obtain full details of the marketing exercise undertaken in respect of the land**

Mr. E. Clark requested that it was recorded in the minutes that the votes cast were 10-0 in favour of the motion.

- 18. W/09/01407/REG3 - Erection of new detached single storey pre school facility and provision of external play area - Winsley Church Of England Primary School Tyning Road Winsley Wiltshire BA15 2JN**

Public participation:

1. Mr. S. Langsford spoke in objection to the application.
2. Ms. L. Wharton spoke in objection to the application.
3. Mrs. R. Wood spoke on behalf of the applicant in support of the application.
4. Ms. A. Rhodes spoke in support of the application.
5. Mr. M. Johns spoke in support of the application on behalf of Winsley Parish Council.

The committee received details of additional comments from Sport England.

The committee received details of additional comments from two local residents, objecting to the application.

**Resolved:**

**That the secretary of state be informed that this is a local authority application for planning permission and that this council raises no objection to the proposal and recommends that planning permission be 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 be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

POLICY: West Wiltshire District Plan - 1st Alteration policies C31a and CF1.

- 3 No development shall commence on site until a Green Travel Plan for the pre-school facility has been submitted to and approved in writing by the Local Planning Authority, through consultation with the Highways Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

POLICY: West Wiltshire District Plan 1st Alteration policy CF1, C38 and T10.

- 4 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 siting 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 of the driveway 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.

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

- 5 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 monthly 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.

- 6 No development shall commence until details, including the exact location of the dedicated parking spaces for the development hereby approved have been submitted to and approved in writing by the Local Planning

Authority. No part of the development shall be occupied until that spaces have been completed in accordance with the approved details. Such spaces shall thereafter be retained and kept clear of obstruction at all times.

REASON: To ensure that the facility has adequate parking provision and to enable vehicles to enter and leave the site in forward gear in the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration policy CF1, C31a and C38.

- 7 The development hereby approved shall be used as a pre-school facility and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

- 8 The use hereby permitted shall only take place between the hours of 08:00 and 18:00 from Mondays to Fridays. The use shall not take place at any time at the weekend or at Bank or Public Holidays unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

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

- 9 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

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

- 10 There shall be no raising of existing ground levels on site.

REASON: In the interests of visual amenity.

POLICY: West Wiltshire District Plan - 1st Alteration policy C31a and C38.

- 11 No development shall commence on site until samples of the boundary treatment to be used on the development 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: In the interests of visual amenity and the character and appearance of the area.

POLICY: West Wiltshire District Plan - 1st Alteration Policy C31A, C38 and CF1.

- 12 No development shall commence on site until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Statement shall include the following:-

the parking of all vehicles at the school site including provision for site operatives and visitors;  
loading and unloading of plant and materials  
storage of any plant and materials on site  
the erection and maintenance of security hoarding including any decorative displays and facilities for public viewing, where appropriate;  
wheel washing facilities;  
measures to control dust and dirt pollution during construction;  
a scheme for recycling/disposal of waste resulting from the construction works;  
measures for the protection of the natural environment; and,  
hours of construction, including delivery times.

Development shall be carried out in accordance with the approved details.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phases.

POLICY: West Wiltshire District Plan - 1st Alteration Policies C38 and CF1.

- 13 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the

Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

POLICY: West Wiltshire District Plan - 1st Alteration policies C32 and C40.

- 14 No development shall commence on site until details of the tree replanting scheme and monitoring has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Should the replanting prove unsuccessful, details of the necessary tree replacement shall be submitted in writing for the approval of the Local Planning Authority.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY: West Wiltshire District Plan - 1st Alteration Policies C32 and C40.

**Informative(s):**

- 1 The applicants are encouraged to formulate a wildlife management plan for the school grounds, which could be drawn up and linked to the

curriculum so that ecology benefits firstly, from the area being managed for wildlife and secondly, that pupils are encouraged to be aware of wildlife issues and ecological processes. A wild area which is marked on a plan could be brought within the management plan. Should the school be keen to adopt such a plan, the Council's ecologist Fiona Elphick would be happy to provide further advice. Fiona can be contacted on ext. no. 3241 or by email at [fionaelpick@wiltshire.gov.uk](mailto:fionaelpick@wiltshire.gov.uk)

**19. W/09/01013/FUL - Erection of double garage, new conservatory, installation of windows in north elevation - Maidens Cottage Watermeadow Lane Bapton Wiltshire BA12 0SB**

Public participation:

1. Mr. B. Woodcock (Agent) spoke in support of the application.
2. Mr. G. Robins spoke in objection to the application on behalf of Stockton Parish Council.

The committee received details of additional comments from the applicant's agent.

The committee received details of the planning officer's response to an additional letter from a neighbour regarding issues with notification of the application.

A motion to defer determination of the application was tabled and subsequently defeated and it was

**Resolved:**

**That planning permission is GRANTED as recommended**

**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 The Willow tree located adjacent to the proposed garage should be removed. 1no. Extra Heavy Standard Betula utilis 'Jacquemontii' shall then be planted within 5 metres of the felled tree and in accordance with BS.3936 (Parts 1 and 4), BS.4043 and BS.4428 in the earliest planting season following implementation of this permission. The tree shall be thereafter maintained for a period of five years including the replacement of the tree, 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: To provide a satisfactory landscape setting for the development.

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

**20. W/09/01411/FUL Conversion of semi-detached dwelling to two 1 bed units and erection of two 2 bed dwellings with parking - Land Adjoining 36 Summerleaze Trowbridge Wiltshire**

Public participation:

1. The Division Member spoke in objection to the application.
2. Mr. J. Osborn, a local member, spoke in objection to the application.

**Resolved:**

**That planning permission is GRANTED as recommended**

**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 be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

POLICY: West Wiltshire District Plan - 1st Alteration (2004) - C31a

- 3 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), has been submitted to and approved in writing by the Local Planning Authority. The development shall not be commenced until surface water drainage has been constructed in accordance with the approved scheme.

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

- 4 No part of the development hereby approved shall be occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration (2004) - T10.

**Informative(s):**

- 1 The applicant is advised to contact Wessex Water (01225 526000) with regard to connection to and protection of water-related infrastructure.
- 2 The applicant is advised to contact Selwood Housing (01225 715846) with regard to sewerage issues and covenants.

**21. W/09/01519/FUL - Conversion of barn complex to domestic annexe - Dairy House Farm Lambourn Lane Edington Wiltshire BA13 4NP**

Public participation:

1. Mr. A. Howard (Agent) spoke in support of the application.

2. Mrs. S. Geddes spoke in support of the application.
3. The Division Member spoke in support of the application.

The committee received details of additional comments from Edington Parish Council.

A motion to refuse planning permission in accordance with officer recommendation was tabled and subsequently defeated, and it was

**Resolved:**

**That planning permission is GRANTED, contrary to officer recommendation**

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

**The proposed conversion safeguards and/or enhances the essential form, structure, character and important additional features of the building and the countryside in accordance with policy.**

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

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

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

- 3 No works shall commence on site until details of all external doors, windows and glazed screens have been submitted to and approved in writing by the Local Planning Authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.



REASON: In the interests of preserving the agricultural character of the building.

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

- 4 No works shall commence on site until details of all new or replacement external chimneys, flues, extract ducts, vents, grilles and meter housings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the agricultural character of the building.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 – Policies C1 and C31A.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to the building forming the development hereby permitted.

REASON: To safeguard the character and appearance of the area, maintain the agricultural character of the building and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 – Policies C1 and C31A.

- 6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere within the domestic curtilage of Dairy House Farm and the annexe hereby approved without the prior approval of the Local Planning Authority.

REASON: To safeguard the character and appearance of this rural area.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C1.

- 7 The domestic annexe hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling known as Dairy House Farm.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the planning policies pertaining to this rural area, would not permit a wholly separate dwelling.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C1 and H19.

- 8 No development shall commence on site until a scheme for the discharge of surface water from the development hereby permitted, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies U2 and U4.

- 9 No development shall commence on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 – Policy U1A.

**22. W/09/01361/FUL Erection of two storey dwelling house and parking provision - Land Rear Of 103 Forest Road Melksham Wiltshire**

Public participation:

1. Mr. A. Harlow (Agent) spoke in support of the application.
2. Mr. R. McCoombe spoke in support of the application.

Mr. R. Eaton withdrew his call-in, being satisfied that that the concerns that had prompted the call-in had been addressed, and it was

**Resolved:**

**That planning permission is GRANTED as recommended**

**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 be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the external finishes to be used on the development 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: In the interests of visual amenity and the character and appearance of the area.

POLICY: West Wiltshire District Plan - 1st Alteration policy C31a and H1

- 3 No development shall commence on site until details of the design and the external appearance of the means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY: West Wiltshire District Plan - 1st Alteration policies C31a, C38 and H1.

- 4 One extra heavy standard tree of species and 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 therefore maintained for a period of 5 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 permission 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 provide a satisfactory landscape setting for the development

POLICY: West Wiltshire District Plan - 1st Alteration policies C32 and C40.

- 5 The development hereby permitted shall not be brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan - 1st Alteration policy C31a and C38.

- 6 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

POLICY: West Wiltshire District Plan - 1st Alteration policy U2

- 7 Prior to the construction of the dwellinghouse hereby approved, all the existing buildings on site which are identified for demolition shall be permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area [and neighbouring amenities].

POLICY: West Wiltshire District Plan - 1st Alteration policies C31a, C38 and H1.

**Informative(s):**

- 1 The attention of the applicant is drawn to the contents of the attached letter from Wessex Water dated 1 June 2009.

## **MEMBER ATTENDANCE**

Mr. M. Hewson joined the meeting during the planning officer's report on application number W/09/00150/FUL.

Mr. C. Newbury joined the meeting during the planning officer's report on application number W/09/00150/FUL.

Mr. R. Eaton joined the meeting during public speaking on application number W/09/00150/FUL.

Mr. R. Eaton left the meeting after the vote on application number W/09/01407/REG3 and re-joined the meeting during the planning officer's report on application number W/09/01013/FUL.

Mr. J. Knight left and re-joined the meeting during the planning officer's report on application number W/09/01013/FUL.

## **PART 2**

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

**None.**

15<sup>th</sup> July 2009

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