

Western Area Planning Committee

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 7 JULY 2021 AT COUNCIL CHAMBER, COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Bill Parks (Vice-Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Edward Kirk, Cllr Stewart Palmen, Cllr Antonio Piazza, Cllr Pip Ridout, Cllr David Vigar and Cllr Suzanne Wickham

Also Present:

Cllr Mike Sankey

28 **Apologies**

There were no apologies for absence.

29 **Minutes of the Previous Meeting**

The minutes of the meeting held on 9 June 2021 were presented for consideration, and it was,

Resolved:

To approve and sign as a true and correct record of the minutes of the meeting held on 9 June 2021. With an agreed amendment to remove the sentence within Minute 24 regarding the intention to lock a gate.

30 **Declarations of Interest**

There were no declarations of interest.

31 **Chairman's Announcements**

The Chairman made those in attendance aware of the Covid regulations that were in place for the meeting.

32 **Public Participation**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

33 **Planning Appeals and Updates**

The update report on planning appeals was received with details provided that three appeals had been received with officers now tasked with completing the necessary statements to defend the refusal decisions.

Resolved:

To note the Planning Appeals Update Report for 7 July 2021.

34 **Rights of Way Applications**

The Committee considered the following Rights of Way application:

35 **Highways Act 1980 Section 119 The Wiltshire Council Bratton 42 Diversion and Definitive Map and Statement Modification Order 2021**

Public Participation

Alan Brook spoke in objection of the application.

Nick Jones spoke in support of the application.

Definitive Map Officer, Ali Roberts presented a report which had the purpose to consider the 20 objections and 66 representations relating to The Wiltshire Council Parish of Bratton Path No.42 Definitive Map and Statement Modification Order 2021. The report recommended that the Order be forwarded to the Secretary of State for Environment, Food and Rural Affairs (**SoSEFRA**) with a recommendation from Wiltshire Council that the Order be confirmed without modification.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on the maintenance of the two routes in question as well as the accessibility for both walkers and those with dogs.

Members of the public then had the opportunity to present their views to the Committee as detailed above.

The local Unitary Member, Councillor Suzanne Wickham, then spoke in support to the application.

A debate then followed where the following issues were discussed, including the aesthetic of both the routes and the current level of privacy provided for the owner. It was also acknowledged that the applicant would be prepared to put a fence up, which would potentially be more detrimental to the original route. The accessibility of the proposed diversion was discussed as well as observations from those who had visited the site.

A motion to move and accept the proposal was moved by Councillor Suzanne Wickham and seconded by Councillor Pip Ridout.

At the conclusion, it was,

Resolved:

That the Wiltshire Council Footpath Bratton 42 Diversion Order 2021 and Definitive Map Modification Order 2021 be forwarded to the Secretary of State for the Environment, Food and Rural Affairs with the recommendation that it be confirmed as made.

Councillor Ernie Clark requested his vote against the motion be recorded.

36 **Planning Applications**

To consider and determine the following planning applications:

37 **20/11601/REM - Land East of Spa Road, Melksham**

Public Participation

Mareile Feldman spoke in objection of the application.

Joe Ayoubkhani spoke in support of the application.

Senior Conservation and Planning Officer, Jemma Foster, presented the report and recommended that the Committee approves the application for Reserved Matters for 25 homes forming Phase 1A associated to outline planning permission originally granted under 14/10461/OUT and varied by consented application 17/09248/VAR. Reserved Matters approval was sought for all outstanding matters relating to this phase, comprising the Scale, Layout, External Appearance, Landscaping, Internal Access Arrangements and the Mix and Type of Housing.

Details were provided of the site, the principle of development, the impacts upon the area and wider landscape; drainage impacts including the remedial land drainage works to resolve recent off site surface water flooding issues, setting impacts to nearby heritage assets as well as highway and neighbouring impacts.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on the number of conditions being recommended by officers noting a typographical error within the agenda. Additional clarity was sought on the number of the two bed homes within the application and the allocation/implications for affordable housing. The allocation of parking and inclusion of garages was also queried.

Members of the public then had the opportunity to present their views to the Committee as detailed above.

The local Unitary Member, Councillor Mike Sankey, then spoke regarding the application, which had been called in by the previous ward member (Cllr Holder) prior to the May 2021 election and noted the off-site surface water flooding reasoning for the call-in. Councillor Sankey informed the Committee that he and Councillor Holder had attended a recent virtual and on-site meeting with the developers and had been reassured that the flooding issues had been addressed.

A debate then followed with the following issue being a central point of discussion, the deletion of (2) 2bed and (5) 3bed dwellings from this phase was of some concern as it would reduce the number of the entry level of smaller house types within this part of the scheme (and be replaced by (5) 4bed dwellings, which would not likely be within the budget range for many households. The concern was noted by officers and the remaining spread of 2bed and 3bed homes was explained which officers considered was within acceptable parameters.

A motion to move and accept the officer recommendation was moved by Councillor Ernie Clark and seconded by Councillor Andrew Davis.

At the conclusion of the debate, it was,

Resolved:

Recommendation – Approve subject to the following conditions:

Conditions: (6)

1- The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing RP1-PL: 01A (site location plan); Drawing 02-A (context plan); Drawing 03-A (coloured site plan layout); Drawing 03-E (planning layout replan 1); Drawing 04-B (materials plan); Drawing RP1-SS-01A (street scene plan); Drawing 4769-L: 209R (strategic landscape drawing 1 of 5); Drawing 218-O (landscape hedgerow corridor drawing 1 of 1); Drawing 219-K (landscape boundary 1 of 1); Drawing 22-P (landscape proposal 1 of 4); Drawing RP1-HT: GAR 01 (garage) and GAR-02 (garage); Drawing AVO-18023-CIV-5000 A; Drawing of House Types: RP1-HT: HADLEY-01, ARCHFORD-01A, INGLEBY-01, KIRKDALE-01, AVONDALE-01, AVONDALE-02, HOLDEN-01, CORNELL-01

REASON: For the avoidance of doubt and in the interests of proper planning

2- The development hereby approved shall be carried out in strict accordance with the Construction Environmental Management Plan (CEMP) approved by the Local Planning Authority under application reference number 19/01795/DOC.

REASON: To ensure the development is undertaken in an acceptable manner, in the interests of preventing pollution of the water environment

3- The materials to be used for the external walls and roofs shall be carried out in accordance with the details approved by the Local Planning Authority under application reference number 19/05715/DOC.

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

4- The area of hardstanding adjacent to the Grade II Listed Building that is to be removed shall be carried out in accordance with the method statement that was approved by the Local Planning Authority under application reference 19/01795/DOC.

REASON: In the interest of preserving the Grade II Listed Wall.

5- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

6- The development hereby permitted shall be carried out in accordance with the drainage scheme for the southern area of the site including the associated attenuation pond, landscaping and infrastructure works that was approved by the Local Planning Authority under application reference 19/04603/DOC

REASON: To ensure suitable drainage for the site.

38 21/01111/REM - Land East of Spa Road, Melksham

Public Participation

Joe Ayoubkhani spoke in support of the application.

Senior Conservation and Planning Officer, Jemma Foster, presented a report, and recommended that the Committee approves the application for Reserved Matters for 50 homes forming part of Phases 4A and 5A of outline planning permission originally granted under 14/10461/OUT and varied by consented application 17/09248/VAR. Reserved Matters approval was sought for all outstanding matters relating to this phase, comprising the Scale, Layout, External Appearance, Landscaping, Internal Access Arrangements and the Mix and Type of Housing.

Details were provided of the site, the principle of development, the impacts upon the area and wider landscape; drainage impacts, heritage asset setting impacts as well as highways impacts and neighbouring impacts.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on the phasing of the scheme and the trigger provision for affordable housing.

Members of the public then had the opportunity to present their views to the Committee as detailed above.

The local Unitary Member, Councillor Mike Sankey, then spoke regarding the application and reiterated his previous statement relating to Item 8a.

A debate then followed which centred on the policy position pursuant to securing and retaining a good mix and range of housing within new developments.

A motion to move and accept the proposal was moved by Councillor Bill Parks and seconded by Councillor Pip Ridout.

At the conclusion of the debate, it was,

Resolved:

Recommendation – Approve subject to the following conditions:

1- The development hereby permitted shall be carried out in accordance with the following approved plans: Drawing PL-01 (site location plan); Drawing PL-02 (context plan); Drawing PL-03C (coloured layout), Drawing PL-03C (planning layout); Drawing PL-04A (materials layout), Drawing SA-01 (sales area); Drawing 4769-L: 211-R (soft works drawing 3 of 5); Drawing 214-M (structural landscape road drawing 1 of 4); Drawing 215-N (structural landscape proposal road drawing 2 of 4); Drawing 218-O (structural landscape drawing 1 of 1); Drawing 219-K (structural landscape north west boundary 1 of 1); Drawing 222-P (hard landscape proposal 2 of 4); Drawing RP2: SS- 01 (street scene); Drawing HT-GAR-01 (garage); Drawing HT-GAR-02 (garage); Drawing AVO- 18023-CIV-5000 Rev A (engineering levels); Drawing House Types RP2-HT: AL-01, ALD-02, ALD-03, ALV-01A, ELLERTON-01, KINGSLEY-01, KINGLSEY-02, KINGSVILLE-01, KINGSVILLE-03A, MORESBY-01, MORSEBY-02, MORSEBY-03, RADLEIGH-01, RADLEIGH- 02, WOOD-01, WOOD-02.

REASON: For the avoidance of doubt and in the interests of proper planning.

2- The development hereby approved shall be carried out in strict accordance with the Construction Environmental Management Plan (CEMP) approved by the Local Planning Authority under application reference number 19/01795/DOC.

REASON: To ensure the development is undertaken in an acceptable manner, in the interests of preventing pollution of the water environment

3- The materials to be used for the external walls and roofs shall be carried out in accordance with the details approved by the Local Planning Authority under application reference number 19/05715/DOC.

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

4- Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

5- The development hereby permitted shall be carried out in accordance with the drainage scheme for the southern area of the site including the associated attenuation pond, landscaping and infrastructure works that was approved by the Local Planning Authority under application reference 19/04603/DOC.

REASON: To ensure suitable drainage for the site

39 Urgent Items

There were no Urgent Items.

(Duration of meeting: 3:00pm – 4:36pm)

The Officer who has produced these minutes is Ben Fielding of Democratic Services, direct line 01225 718656, e-mail Benjamin.fielding@wiltshire.gov.uk
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