

## WESTERN AREA PLANNING COMMITTEE

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 14 NOVEMBER 2012 IN THE THE COTSWOLD SPACE - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### **Present:**

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr Mark Griffiths, Cllr John Knight, Cllr Christopher Newbury, Cllr Stephen Petty, Cllr Pip Ridout and Cllr Roy While (Vice Chairman)

#### **Also Present:**

Cllr Francis Morland

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#### 95 **Apologies for Absence**

An apology for absence was received from Cllr Jonathon Seed.

#### 96 **Minutes of the Previous Meeting**

The minutes of the meeting held on **24 October 2012** were presented. It was,

#### **Resolved:**

**That subject to the addition of Cllr Andrew Davis among the list of attendees as a substitute, and the substitution of 'closest' for 'closet' in Paragraph 3 of Minute 93.d, to APPROVE as a correct record and sign the minutes.**

#### 97 **Chairman's Announcements**

There were no announcements.

#### 98 **Declarations of Interest**

Cllr Peter Fuller declared a non-pecuniary interest in application W/12/01544/FUL - *14 Newtown, Trowbridge, Wiltshire, BA14 0BA* - as a member of Trowbridge Town Council, which had previously considered the item. He stated he would consider the application on its merits and debate and vote with an open mind.

Cllr John Knight declared a non-pecuniary interest in application W/12/01544/FUL - 14 Newtown, Trowbridge, Wiltshire, BA14 0BA - as a member of Trowbridge Town Council, which had previously considered the item. He stated he would consider the application on its merits and debate and vote with an open mind.

99 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

No questions were received for the attention of the Committee.

100 **Planning Applications**

Attention is drawn to the documents attached to Items 6b and 6c as listed in report (Minutes 100b and 100c), which were circulated to the Committee at the meeting with the permission of the Chairman.

**100.a W/12/01544/FUL: 14 Newtown, Trowbridge, Wiltshire, BA14 0BA**

**Public Participation**

Mr Brent Hodges, agent, spoke in support of the application.

The Area Development Manager introduced a report which recommended the application be refused. Details were provided of late representations, with 5 letters raising no objection from two nearby business and three nearby residents, and a letter of objection from the owners of 4a Newtown. It was highlighted that the key issue for the application was the impact of amenity on 4a Newtown. A site visit took place prior to the meeting, as requested at the meeting on 24 October 2012.

The Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr John Knight, thanked Members for attending the site visit, and sought the views of the Committee.

A discussion followed, where the dimensions of the building and its dominance of the neighbouring site was debated, and the level of objection raised.

It was,

**Resolved:**

**That Planning Permission be REFUSED for the following reason:**

**The proposed first floor extension by reason of its length, size, height and location in close proximity to the boundary of number 4A Newtown, would result in a loss of light and appear overly dominant. It would have an adverse impact on the amenities enjoyed by the occupiers of 4A Newtown, contrary to policies C31A and C38 of the West Wiltshire District Plan 1st Alteration 2004.**

**100.b W/12/01412/FUL: Land South of Four Winds, 81 Yarnbrook Road, West Ashton, Wiltshire**

Public Participation

Mrs Pauline Hume spoke in objection to the application.

Dr Angus Murdoch, agent, spoke in support of the application.

Mr Richard Covington, Chairman of West Ashton Parish Council, spoke in objection to the application.

The Area Development Manager introduced a report which recommended planning permission be granted. The exact location and details of the site in relation to West Ashton and the nearby crossroads were highlighted, and it was noted the site was served by pavement in both directions and that Highways officers considered the visibility at the access acceptable.

It was also noted that as the Council had, in its view, permitted the legally required number of Gypsy and Traveller pitches, the application did not need to be considered in the light of urgent need, but only by criteria set out in council policies as detailed in the report, and which officers felt the application abided by.

The Committee then had the opportunity to ask technical questions of the officer.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Francis Morland, then spoke in objection to the application.

A debate followed, during which the highway safety at the site was queried, and to what extent the application would impact on the highways in the area. Details of the pedestrian access and locally served bus services were also sought, along with specifics as to occupancy of the site.

It was,

**Resolved:**

**That the application be DEFERRED until a site visit could take place, with an officer from Highways to be in attendance and additional details of traffic incidents on the A350 adjacent to the site to be provided.**

**100.c W/12/01649/FUL: Land Rear of 12 and 12A Westbury Road,  
Warminster, Wiltshire**

Public Participation

Mr Gary Bourne spoke in objection to the application.

Mrs Jennifer Chaundy spoke in objection to the application.

Mr Ray Taylor spoke in objection to the application.

Mr Richard Robins, agent, spoke in support of the application.

The Area Development Manager introduced a report which recommended approval. It was noted that permission for two houses on the site had already been granted, and therefore the only issue related to the proposed new design.

The Committee then had the opportunity to ask technical questions of the officer, where the extent of consideration to be given to the impact of the specific design was queried.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

The Local Member, Cllr Pip Ridout, then spoke in objection to the application.

A debate followed, where the context of the application's design next to properties in the surrounding area was raised, as well as the scale and material of the proposal.

At the conclusion of debate it was,

**Resolved:**

**That the application be REFUSED for the following reasons:**

**The proposed development, by reason of its design and external appearance, would be alien to its surroundings and out of keeping with the character of the surrounding area, which has an existing built and under construction context of more traditional building forms utilising pitched roofs and shorter eaves heights. The proposal therefore conflicts with policies H1A and C31a C of the West Wiltshire District Plan.**

**The proposed development on plot 1, by reason of its siting and the consequent scale and proximity to the adjacent house on plot 12b of the proposed external wall facing 12b, would have an overbearing and unacceptable impact on the amenity of the occupiers of the dwelling on plot 12b. This would conflict with policy C38 of the West Wiltshire District Plan.**

101 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.05 - 7.55 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services,  
direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115

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**Re: Planning application W/12/01412/FUL Land South of Four Winds, 81 Yarnbrook Road, West Ashton. Change of use for one Romany family.**

**I want to make four points:**

1. Concerns about Wiltshire Council Highways
  2. How the applicant has conducted himself
  3. Core Strategy – Policy 47
  4. What the Secretary of State for Communities and Local Government has stated
1. West Ashton Parish Council submitted its comments, reasons and subsequent objection to this planning application for the predominant reason of Highway Safety..... A copy of the complete letter has been sent to committee members, which has **NOT** been included in its entirety in the Officer's Committee Report.

The key and most surprising aspect of Wiltshire Council's Highways Department submission is that they have raised no objections to this development on any issue of road safety despite it being situated on the busiest part of the A350 in Wiltshire, namely between West Ashton and Yarnbrook. They suggest there is a bus stop and footpath, true there is a bus stop BUT buses have not stopped there for many years and there is no likelihood of them doing so in the foreseeable future. As for the footpath, it is quite narrow and ['two feet wide' (600mm)] adjacent to this busy 50mph road where articulated lorries create daunting air disturbance and throw up grit and dust that makes it an unsafe and unpleasant walking experience.

The site was at one time used for Quad-Bike riding but this was stopped by 'enforcement' because of its access point and Highway safety. Indeed whenever a request has been made by the Parish Council for the 'Parish Steward' to trim/cut the hedges along this stretch of the A350, we have been informed that it cannot be done because temporary traffic lights would be necessary for the safety of the Parish Steward.

If we look further afield, Highways objected to a number planning applications on the basis of road conditions and speed limit, for example in the case of Trowbridge Rugby Club wanting to relocate, the A361 being described as a busy road with a 50mph - YET no such concern for the A350 has been highlighted for this application or indeed a plausible explanation given.

I attached other examples:

- W\_12\_00832\_FUL-HIGHWAYS\_131346 **Dilton Marsh**
- W\_12\_00860\_FUL-HIGHWAYS\_129377 **C49 Holiday Let to Nursery**
- W\_12\_01169\_FUL-HIGHWAYS\_136873 **RUGBY CLUB**
- W\_12\_01412\_FUL-HIGHWAYS\_139891 **West Ashton**
- W\_12\_01412\_FUL-HIGHWAYS\_140153 **West Ashton**

The site in question has been the subject of previous attempted planning development, all of which have been objected to by Highways before they reached the formal planning application stage - one such proposed development was to build a bungalow on the site. The other was to build a 'granny annex' on land opposite the site, as an annex to the existing house. The Ashford Homes housing development (Planning ref. 01/01085/FUL) is now accessed through Orchard Close in West Ashton, and was refused direct access onto the A350.

West Ashton Parish Council has questioned the Planning Officer(s) whether Wiltshire Police Road Traffic Unit has been asked for their views on the planning application given there have been 9 fatalities and numerous minor accidents on this part of the A350 in the past 10 years. We were informed that the Police were not a statutory consultee, but that further enquiries would be made with the Highways department raising our concerns. We understand that at the time the agenda went to print a response had not yet been received. The Parish Council consider that without the backing of the Police supporting this application, the safety of the family moving onto the site could be seriously at risk.

2. The applicant submitted an email to the planning department in which he made a number of accusations. This email, whilst not removed from the website was amended at the direction of the planning officer. This was as a result of our letter to Ms J Scott. Procedures have been changed and therefore it would/should not have been posted in the first place without vetting.

It is worth noting that the original email (referring to the applicant) "*I consider myself an outstanding pillar of the community*". A perfectly reasonable claim, but why has the applicant then gone onto clear some of the site, import gravel and now move a mobile home on to it. The planning department has been making confusing statements on this application vis-a- vis the two attached emails that were sent to the committee. It would also appear the police were not informed or present when the low-loader(s) arrived and blocked the busy A350 for some time. So it does seem rather implausible that the applicant won't occupy the mobile home at a time of his choosing.

Despite the applicant stating that he does not intend to occupy the mobile home although is the situation not already a breach of planning rules.

3. The Core Strategy, whilst not approved by an Inspector, is the intended outcome that Wiltshire Council wishes to achieve. Therefore Policy 47, which deals with Gypsy/Traveller sites, is relevant to this application and the fact that the targets for sites up to 2016 have already been exceeded by 6 makes permission for this site totally unnecessary if Policy 47 has any meaningful resonance with the 'Strategy'.
4. At this point it is perhaps worth reminding the committee members of the announcements made by Mr Pickles, Secretary of State for Communities and Local Government regarding 'illegal gypsy/traveller encampments'. The paper – 'Dealing with illegal and unauthorised encampments' published on 28th August 2012 gives clear guidance and summarises the powers available to local authorities to remove illegal and unauthorised encampments on both public and private land.

**I suggest the behaviour of the applicant as already mentioned in moving a mobile home on to site already falls into this category.**

**And the 10<sup>th</sup> October a further statement made indicates that *Councils would be given greater freedom to stop unauthorised traveller sites being set up and prevent long, drawn-out stalemates like Dale Farm, under proposals announced by Communities Secretary Eric Pickles.***

Before a final decision on the planning application is taken by the Committee, West Ashton Parish Council would urge you to make a site visit. This would demonstrate just how busy this stretch of the A350 is, and how inconsistent Wiltshire Council's Highways Department are being when considering this application - the only realistic conclusion is that the site is unsuitable for the proposed development. **Thank you**



**1 TANGIER CLOSE**



**PROPOSED DESIGN OF 3 AND 4 TANGIER CLOSE**



## CORTEN STEEL PANELS



## CORTEN STEEL BLEEDING



# CROSS SECTION OF HOUSES IN WESTBURY ROAD



# DEVELOPMENTS OFF WESTBURY ROAD



# Residents Fight For Traditional Homes

Angry residents are to appeal to Wiltshire's planning councillors to go against their officer's recommendation and throw out a controversial application.

They have already explained to Warminster Town Council why new plans submitted for two detached houses on land to the rear of 12 and 12a Westbury Road are totally unacceptable to them. Unlike the two conventional gabled homes, which had been given permission a year ago and were in keeping with the existing properties, the new scheme is for contemporary homes.

The re-designed four bedroom homes of two to three storeys have a flat roofed modular design and use a mixture of pre-rusted Corten steel and render finishes.

Town councillors agreed and unanimously recommended refusal to Wiltshire Council saying the design was completely alien to the surroundings and looked out of place.

It came as a shock to resident Ray Taylor when he discovered that Wednesday's Western Area Planning Committee had been recommended to give the homes permission.

The officer's view is that it would be difficult to justify a refusal because of the design, as the National Planning Policy Framework 'favours innovation and originality' and the homes are in a modern development outside any protected area and largely hidden from public view.

Ray, who lives in Westbury

Road said: "It beggars belief that the councillors have been recommended to accept this and it has incensed everyone involved.

"It's outrageous that because they will not affect the main street scene everyone's views about the design are being ignored."

He is also concerned about the resiting of the houses meaning that an eight metre concrete wall would be just four metres from his glass garden room.

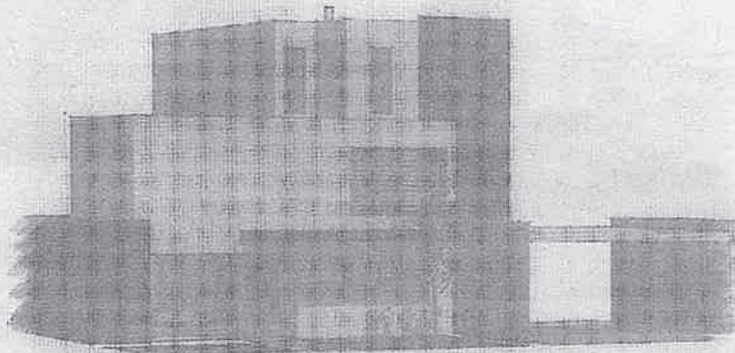
Warminster Town and Wiltshire Councillor Pip Ridout had requested that the committee consider the application rather than a decision being made by the officer and Ray is going to go to the meeting to explain again why he thinks the application is unacceptable.

He added: "I hope as many people as possible will come to the meeting to show the strength of feeling against this application."

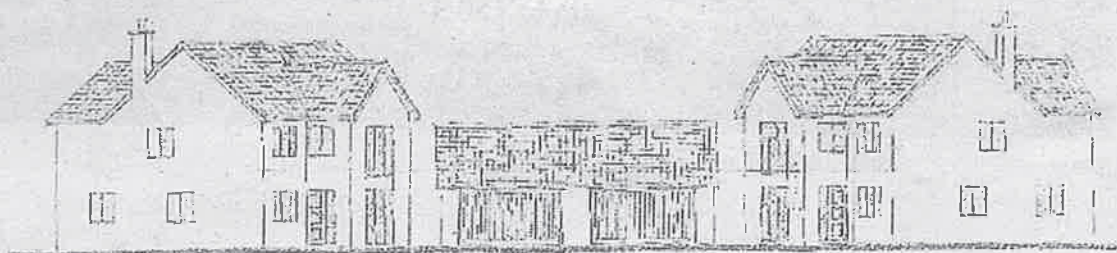
Pip Ridout who will be addressing the meeting said, "I will be vigorously fighting the proposals and want to see the houses designed and positioned as in the original planning permission. This is far more sympathetic to the area.

"I hope that councillors will be willing to go out on a site visit to see why people are so concerned before making any decision."

She added: "Another option would be to re-site the house which is so near to Mr. Taylor's house and ask for the design for both homes to be revised to make them more in keeping."



One of the proposed flat roofed modular houses



The original design for the gabled homes

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**2 Tangier Close  
WARMINSTER  
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BA12 0FA**

**Tel: 01985 214762**

Contrary to the opinion of the architect for the scheme now being considered by the committee, the entire community who are directly affected by this application, are as one, in being totally opposed to this current application as it is entirely different to the previous, approved plans for the site, as is Warminster Town Council.

When we purchased our house, we did so, in the full knowledge of the the existing plans currently in place for this site being content that, when built, they would form an attractive homogenous picture with the existing two houses of which, ours is one.

The design of the two houses proposed is totally radical and is in direct conflict with the planning criteria for Warminster, as prescribed by Wiltshire County Council.

The use of concrete panels combined with Corten steel sheeting, which is designed to rust for protection, is known to "run off" and leave unsightly staining on concrete finishes.

Should these houses ever be built, most of the existing greenery will disappear during the build, and they will present an unhappy eyesore upon which to gaze. We remain totally opposed to this new planning application.

Pat and David Laycock.

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