

## WESTERN AREA PLANNING COMMITTEE

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 25 FEBRUARY 2015 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice-Chair), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While

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#### 23 **Apologies for Absence**

There were no apologies for absence.

#### 24 **Minutes of the Previous Meeting**

The minutes of the meeting held on the 4 February 2015 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 4 February 2015.**

#### 25 **Chairman's Announcements**

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

#### 26 **Declarations of Interest**

Councillor Ernie Clark stated that when application 14/1180/FUL was considered by Hilperton Parish Council, he had not taken part in the debate and abstained from a vote. He confirmed that he would be considering the matter at this meeting with an open mind.

Councillor Jonathon Seed stated that he was acquainted with members of the extended family involved in application 14/1180/FUL, but that as they were not close friends and that he had no pecuniary interest in the matter, he would be considering the matter at this meeting with an open mind.

#### 27 **Public Participation and Councillors' Questions**

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.

28 **14/11880/FUL - Whaddon Grove Farm, Whaddon Lane, Hilperton, Trowbridge, BA14 6NR**

Public participation:

Mr Tucker and Mr Pearce spoke in support of the application.

The Senior Planning Officer outlined the report which recommended that the application for approval subject to conditions – including a recommended amendment to the condition in the report restricting hours of operation so that they corresponded with those in the original application. Therefore it was recommended that the wording of condition 6 should read as follows:

*The use hereby approved shall only take place during the hours of 08:00 and 18:00 Monday to Friday, 08:00 and 13:00 Saturdays and not at all on Sundays, bank or public holidays.*

Councillor Ernie Clark, as the local member, spoke in relation to the application.

Members of the public were invited to speak on the application as listed above.

Issues discussed in the course of the debate included: the impact on amenity of neighbours, the operation of the business, the access to the site, the position of the business, the previous use of the building, the proximity to other buildings, the relevance of planning policies supporting rural life, the times of use, the impact of noise, the storage of materials, that character of the area and the appropriateness of the location of the business.

Councillor Ernie Clark proposed, and Councillor Dennis Drewett seconded, that the application be refused as the proposed development would result in an adverse impact on the amenity and character of the area, contrary to core policy 48.

The proposal, being put to vote, was lost. Councillor Ernie Clark's vote for the motion to refuse was recorded.

In the subsequent debate it was noted that, as the application was retrospective, condition one did not apply and should be removed.

Councillor Jonathon Seed proposed and Councillor Pip Ridout seconded that the permission should be granted in line with the officers amended recommendations.

At the end of the debate the meeting;

**Resolved to approve permission subject to the following conditions:**

1. The development hereby permitted shall be carried out in accordance with the following approved plans: LDC.1873\_002, LDC.1873\_001, LDC.1873\_003 and LDC.1873\_004 received the 16th December 2014.

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

2. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions / extensions/external alterations to any building forming part of the development hereby permitted and no plant or machinery shall be installed outside any such building on the site on the approved plans.

**REASON:** In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations, or the installation of any outdoor plant/machinery.

3. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site.

**REASON:** In the interests of the appearance of the site and the amenities of the area.

4. No industrial processes, plant or machinery shall be carried out/installed outside any building on the site.

**REASON:** In the interests of the appearance of the site and the amenities of the area.

5. The use hereby approved shall only take place during the hours of 08:0 and 18:00 Monday to Friday, 08:00 and 13:00 Saturdays and not at all on Sundays, bank or public holidays.

**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.

6. All external windows and doors as detailed on Drawing Number LDC.1873\_004 shall be kept closed at all times apart from when allowing access and egress.

**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.

7. All building services and machinery shall be so sited, designed and maintained so that the noise does not exceed 5dB below the existing background level as measured at the nearest noise-sensitive dwelling and assessed in accordance with BS4142 2014

**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.

8. No sound-amplifying equipment, loudspeaker, or public address system shall be installed/operated or music played within the premises hereby approved or its curtilage.

**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.

9. The occupation of the site hereby permitted shall only be by the following persons Benjamin Tucker and Harry Tucker in association with the business known as Fallen Furniture. When the site ceases to be occupied by Benjamin Tucker or Harry Tucker for the use of the building in association with the business known as Fallen Furniture, the use hereby permitted shall cease [and all materials and equipment brought on to the premises in connection with the use shall be removed and the land/building restored to its former condition in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

**REASON:** Permission would not normally be granted for this development, but regard has been paid to the personal circumstances of the applicant which are considered, exceptionally in this case, to be sufficient to outweigh the normal planning policy considerations which would normally lead to a refusal of planning permission.

**INFORMATIVE:** The applicant is advised to seek professional advice with regard to the provision of suitable dust extraction equipment in order to further protect the health and safety of employees.

*Admin Note: Councillor Ernie Clark's vote was recorded against the permission.*

29 **14/12030/DP3 - Holt Primary School, The Gravel, Holt, BA14 6RA**

Public participation:

Mr Hepworth and Mr Nelson spoke in objection to the application.

The Senior Planning Officer outlined the report which recommended that the application for approval subject to conditions.

Members of the public were invited to speak on the application as listed above.

Issues discussed in the course of the debate included: the location of the application, the position within the conservation area, the layout of the site, the removal of existing temporary buildings and a tree, the access to site for construction vehicles, the traffic implications, that the construction should take place over the holiday period, that the construction works access would be temporary and that the removal of the hedge would not need permission.

Following confirmation from the officer that the school could not be compelled by condition to build the solar panels, it was agreed that an informative could be included to encourage the school to build the solar panels as indicated in the plan drawings.

At the end of the debate the meeting;

**Resolved to approve permission subject to the following conditions:**

- 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. The extension hereby approved shall be carried out in accordance with the materials detailed on the planning application form validated by the Local Planning Authority on 6th January 2015**

**REASON:** In the interest of the character and appearance of the area.

- 3. The mobile classroom to be removed as shown on drawing number 16975 G0 S1 1001 A received by the Local Planning Authority on 5th January 2015 shall be removed within 8 months of occupation of the extension hereby approved.**

**REASON:** To improve the quality of the area

4. The extension hereby approved shall achieve BREAAAM 'Very Good' standards and shall not be occupied until a post construction stage certificate has been issued for it certifying that the 'Very Good' standard has been achieved.

**REASON:** To ensure that the objectives of sustainable development set out policy CP41 of the Wiltshire Core Strategy are achieved.

5. Demolition or construction works shall only take place between 08:00 hours to 18:00 hours Mondays to Fridays and between 08:30 hours to 13:00 hours on Saturdays and no works shall be undertaken at any time on Sundays or Bank Holidays.

**REASON:** In the interest of neighbouring amenity

6. The construction works shall be carried out in accordance with Drawing Number 16975 G0 SI 1002 received by the Local Planning Authority on 16<sup>th</sup> February 2015. Once the extension has been completed, the construction works access shall be stopped up, the hedge shall be replanted and the area highlighted in Green on Drawing Number 16975 G0 SI 1002 received by the Local Planning Authority on 16<sup>th</sup> February 2015 shall be made good.

**REASON:** In the interest of neighbouring amenity and impact upon the character and appearance of the area.

7. The development hereby permitted shall be carried out in accordance with the following approved plans:
  - 1697-G0-S1-: 1000, 1001-A received on 5th January 2015
  - LG1666-D-: 001,002,003 received on 5th January 2015
  - 1697-G2-GA-: 100-A, 101-A, 200, 201-A received on 5th January 2015
  - 16975 G0 SI 1002 received on 16<sup>th</sup> February 2015.

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

**INFORMATIVE:** The attention of the applicant is drawn to the requirements of the Western Area Planning Committee for a timetable to be submitted to the Local Planning Authority detailing when the installation of the solar panels detailed on the approved plans will take place.

30      **14/11269/REM - Garden of 27 Forest Road, Melksham, SN12 7AA**

Public participation:

Mr Webb spoke in objection to the application, and Mr Harlow spoke in support of the application.

The Senior Planning Officer outlined the report which recommended that the application for approval subject to conditions.

Members of the public were invited to speak on the application as listed above.

Issues discussed in the course of the debate included: that outline permission had already been granted, that reserved matters were requested to come back to Committee, the access to the site, the location in relationship to existing buildings, the height of the proposal in relation to other dwellings and that the proposal is lower than that previously refused, the layout of the proposals and the impact of the existing permission for access, how conditions from the original application could deal with some of the concerns of the neighbours including seeking a badger survey.

In the course of the debate, attention was drawn to the fact that condition 13 in the original permission should be referred to in the informative.

At the end of the debate the meeting;

**Resolved to approve permission subject to the following conditions:**

**1. The development hereby permitted shall be carried out in accordance with the following approved plans:**

**Revised All Plans – Received 9 February 2015**

**Design and Access Statement – Received 27 November 2014**

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

**INFORMATIVE: The applicant is advised that all conditions and informative appended to W/11/03043/OUT (see attached decision notice) still apply and conditions 4, 5, 6, 7, 8, 12 and 13 will be required to be discharged before the commencement of any development on site.**

## 31 Urgent Items

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.17 pm)

The Officer who has produced these minutes is Will Oulton, of Democratic Services, direct line 01225 713935, e-mail [william.oulton@wiltshire.gov.uk](mailto:william.oulton@wiltshire.gov.uk)  
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