

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 31 MAY 2017 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Phil Alford, Cllr Trevor Carbin, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Stewart Palmen, Cllr Deborah Halik (Substitute), Cllr Russell Hawker (Substitute), Cllr Gordon King (Substitute), Cllr Roy While (Substitute) and Cllr Jerry Wickham (Substitute)

31 Apologies

Members of the WAPC were introduced and the Chairman welcomed new members to their first planning committee.

Apologies for absence were received from: Cllr Jonathon Seed who was substituted for by Cllr Jerry Wickham; Cllr Ernie Clark who was substituted for by Cllr Russell Hawker; Cllr Pip Ridout who was substituted for by Cllr Roy While; Cllr Edward Kirk who was substituted for by Cllr Deborah Halik; and Cllr Sarah Gibson who was substituted for by Cllr Gordon King.

32 Minutes of the Previous Meeting

The minutes of the meeting held on 5 April 2017 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting of the Western Area Planning Committee held on 5 April 2017.

33 Declarations of Interest

Cllr Sarah Gibson declared a pecuniary interest in application 17/02807/FUL and explained that she was in attendance as the applicant's agent and not in her capacity as a councillor.

34 Chairman's Announcements

The Chairman had no announcements to make.

35 **Public Participation**

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

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

36 **Planning Appeals and Updates**

The Planning Appeals Update Report for the period between 24/03/2017 and 19/05/2017 was received.

It was noted that Wiltshire Council continues to have a good track record for defending appeals.

Members were reminded of the period in which they or interested third parties could submit comments to the inspectorate for upcoming appeals.

37 **Planning Applications**

The Committee considered the following applications:

37a 16/07872/FUL - Greenacre House, Cleveland Gardens, Trowbridge

Public Participation

Mr P. Sorisi, resident, spoke in objection to the application

Mrs G. Curtis, resident, spoke in objection to the application

Mr A. Howard, agent, spoke in support of the application

Matthew Perks, as senior planning officer, presented the report which comprised the extension of an existing building to provide three single bedroom ground-floor flats and three two bedroom flats above; and the demolition of the existing attached cottage. Members were reminded that this application was a revision of an earlier submission deferred by members at the 14 December 2016 meeting, which confirmed the removal of the previously proposed semi-detached dwellings to the rear of the site. It was recommended that the application be approved with conditions in accordance with the officer's report but with the removal of condition 11.

The key planning issues identified in the officer's presentation were outlined to include: highway safety and parking; design issues and the effects on the neighbouring amenity. The officer reported the concerns of neighbours, including a late representation relating to bin storage but that he was satisfied the revised plans were now acceptable.

Members of the Committee then had the opportunity to ask technical questions of the officer. In response to questions it was confirmed that: suitable bin storage would be included within the required landscaping plan; and that the provision for parking met the approved standards but an informative to the

applicant could be included to address the need for visitor parking, should members be minded to approve the application;

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

Cllr Deborah Halik, read a statement in support of the application, on behalf of Cllr Edward Kirk, the unitary division member for Trowbridge Adcroft.

In response to issues raised during public participation, it was clarified: that building work had started on the property and that the plans included in the application were a true reflection of what had been built; that the distance between the properties met the required privacy regulations; that measures to reduce the disruption caused by the building work would be included within the construction management plan, which would be secured by a planning condition.

Cllr Deborah Halik, seconded by Cllr Trevor Carbin, moved that the application be approved for the reasons presented in the officer's report, with the removal of condition 11 and the addition of a requirement for the provision of visitor parking.

In the debate that followed, issues discussed included: an acknowledgement that the applicant(s) had made the requested amendments which justified the deferral and that the application had been improved by the removal of the detached two dwellings in the rear of the site and the provision for on-site parking.

At the conclusion of the debate, it was:

Resolved

To approve planning permission subject to the following conditions and informatives.

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 development hereby permitted shall be carried out in accordance with the following approved plans:

Location and Block Plan – Dwg No. 2326/1 Rev C received on 13 February 2017; Existing Site Plan – Dwg No. 2326/2 received on 10 August 2016; Existing Ground Floor Plan – Dwg No. 2326/3 received on 10 August 2016; Existing Front Elevation Plan – Dwg No. 2326/4 received on 10 August 2016; Existing Rear Elevation Plan – Dwg No. 2326/5 received on 10 August 2016; Existing End Elevation Plan - Dwg No. 2326/6 received on 10 August 2016;

August 2016; Existing Floor Plans – Dwg No. 2326/7 received on 28 October 2016; Proposed Ground Floor Plan - Dwg No. 2326/8 C received on 1 February 2017; Proposed First Floor Plan – Dwg No. 2326/9 C received on 12 May 2017; Proposed Second Floor Plan – Dwg No. 2326/10 E received on 12 May 2017; Proposed Front Elevation Plan – Dwg No. 2326/11 C received on 12 May 2017; Proposed Rear Elevation Plan – Dwg No. 23126/12 D received on 12 May 2017; Proposed End Elevation Plan – Dwg No. 23126/13 B received on 1 February 2017; Proposed Site Plan – Dwg No. 2326/SP Rev G received on 12 May 2017.

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

3. Notwithstanding the description in the application form, the materials to be used in the construction of the external surfaces of the extension to the existing building hereby permitted shall match in material, colour and texture those used in the existing building, including the use of matching stone.

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

4. 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 first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: In the interests of highway safety and the amenity of future occupants.

5. No development shall commence on site (including any works of demolition), until a Construction Management Plan, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;**
- b) the loading and unloading of plant and materials;**
- c) the storage of plant and materials used in constructing the development;**
- d) the measures to control the emission of dust and dirt during construction;**
- e) the hours of construction, including deliveries;**

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

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 phase.

6. No development above slab level shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- the location and current canopy spread of all existing trees and hedgerows on the land;**
- full details of trees to be retained, together with measures for their protection, as well as the protection of any other tree on neighbouring property that may be affected, in the course of development;**
- finished levels;**
- the means of enclosure(s);**
- car park layout including allocation of spaces; and**
- all hard and soft surfacing materials.**

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

7. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building or the completion of the development whichever is the sooner; Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

8. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety and the amenity of future occupants

9. The development hereby permitted shall not be first 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 and the amenity of future occupants.

10. The new dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. The dwellings shall not be occupied until evidence has been

issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

INFORMATIVES TO APPLICANT:

1. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect.

2. The applicant is advised to contact Wessex Water with regard to new connections and in respect of any agreement that may be required with regard to the protection of existing infrastructure.

3. There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website

4. The applicant is reminded that, under the Wildlife and Countryside Act 1981, as amended (Section 1), it is an offence to remove, damage and destroy a nest of any wild bird while that nest is in use or being built. Planning permission for a development does not provide a defence against prosecution under this Act. Trees, scrub and other vegetation, such as dense ivy, are likely to contain nesting birds between 1st March and 31st August. This type of vegetation is present on the application site and should be assumed to contain nesting birds between the above dates,

unless a recent survey has been undertaken by a competent ecologist to assess the nesting bird activity on site during this period and has shown it is absolutely certain that nesting birds are not present.

5. The applicant is advised to contact the highway officer prior to the finalisation of the parking allocations with specific regard to annotation of visitor spaces.

37b 17/02807/FUL - 172 Bradford Road, Winsley

Public participation

Mr Paul Hammond, resident, spoke in objection to the application

Mr Edward Gilby, applicant, spoke in support of the application

Ms Sarah Gibson, agent, spoke in support of the application

Kate Sullivan, as planning officer, presented the report which comprised a two-storey side extension, with two single-storey front and rear extensions as well as the proposed conversion of an existing garage into ancillary habitable accommodation with the added provision of a car port. Members were informed that a late representation had been received earlier in the day but that it did not raise additional representations to alter the report's conclusion. Members were further advised that the late submission was shared with the applicant's agent who was asked to comment on the accuracy of the submitted mock-up 3-d imagery. Members were also informed that additional detail had been shared with officers relative to property titles, but following a discussion held with the applicant's agent earlier in the day, it was confirmed that the applicant had no intention to build on land beyond the submitted red lined application site boundary which was entirely within the applicant's ownership and control, and any discrepancies identified with the blue lined property title plans were not material to this application proposal. It was recommended that the application be approved subject to conditions.

The key planning issues identified in the officer's presentation were outlined, and included: the design of the existing property and the proposed extensions; the considered impacts on the immediate surroundings and neighbouring amenity; the impacts on highway safety; and provisions made for on-site parking.

Members of the Committee then had the opportunity to ask technical questions of the officer. In response to questions it was confirmed: that under Core Policy 57, new development proposals should fit in with the local context but that CP57 did not prevent the principle of a front extension projecting beyond an established or perceived building line.

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

In response to issues raised during the public participation, the legal officer confirmed that the question of adjoining land ownership was not of relevance to the application under consideration.

Cllr Gordon King, seconded by Cllr Stewart Palmen, moved that the application be approved in line with the officer's recommendations.

In the debate that followed, key issues included: that the proposal was in keeping with the local area and that it made good use of the available space.

At the conclusion of the debate it was:

Resolved:

To grant planning permission subject to the following conditions and informatives:

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 above slab level shall commence on site until the exact colour and texture details of the Cotswold stone render 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

3. The extensions hereby approved shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as 172 Bradford Road, and shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

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

Location plan received 17 March 2017; Existing Site Plan received 17 March 2017; Existing Block Plan Dwg No. E1 received 17 March 2017; Existing Floor Plan Dwg No. E2 received 17 March 2017; Existing Roof Plan Dwg No. E3 received 17 March 2017; Existing Elevation 1 Dwg No. E4 received 17 March 2017; Existing Elevation 2 Dwg No. E5 received 17

March 2017; Proposed Site Analysis Plan Dwg No. P0 received 17 March 2017; Proposed Ground Floor Plan Dwg No. P2 received 17 March 2017; Proposed First Floor Plan received 17 March 2017; Proposed Roof Plan Dwg No. P4 received 17 March 2017; Proposed Facades Dwg No. P05 received 9 May 2017; Proposed Elevation Dwg No. P5 received 17 March 2017; Annexe facades Dwg No. P06 received 9 May 2017;
REASON: For the avoidance of doubt and in the interests of proper planning.

INFORMATIVES TO APPLICANT

1. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect.

2. The applicant is advised to contact Wessex Water with regard to any new connections and in respect of any agreements that may be required with regard to the protection of existing infrastructure.

38 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.17 pm)

The Officer who has produced these minutes is Becky Holloway of Democratic Services, direct line 01225 718063, e-mail becky.holloway@wiltshire.gov.uk

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