

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 5 DECEMBER 2012 IN THE RIDGEWAY SPACE - COUNTY HALL, TROWBRIDGE.

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, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Francis Morland, Cllr Helen Osborn and Cllr Fleur de Rhé-Philippe

102 Apologies for Absence

There were no apologies for absence.

103 Minutes of the Previous Meeting

The minutes of the meeting held on 14 November 2012 were presented.

Resolved:

**To approve as a correct record and sign the minutes of the meeting held
on 14 November 2012.**

104 Chairman's Announcements

The Chairman welcomed Jemma Boustead, Senior Planning Officer to her first Western Area Planning Committee meeting and explained that Jemma would be presenting a number of reports.

The Chairman also welcomed Rob Hannis, Senior Highways Engineer to the meeting and informed the Members that Rob would be leaving the Council shortly. The Chairman thanked Rob for all his hard work and especially for his services to the Committee.

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

105 **Declarations of Interest**

Cllr Peter Fuller and Cllr John Knight declared non-pecuniary interests in the following items as members of Trowbridge Town Council, where the application had been previously considered by its Development Control Committee. They both declared that they would consider the application on its merits and debate and vote with an open mind.

- 6c – Land West of Biss Farm, West Ashton Road, West Ashton; and
- 6g – Land Adjoining 51 Summerleaze, Trowbridge

Cllr Mark Griffiths declared a non-pecuniary interest in the following Items. He declared that he would consider the application on its merits and debate and vote with an open mind.

- 6d – Staverton Church of England Primary School, School Lane, Staverton as Cllr Griffiths knew one of the Governors at the school
- 6f – Land rear of 25 and 26 Union Street, Melksham as Cllr Griffiths and the agent were Melksham Town Councillor's and that the application was previously discussed by the Town Council. Cllr Griffiths did not vote at the Town Council meeting.

106 **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.

107 **Planning Applications**

The Committee considered the following applications:

107.a W/12/01412/FUL - Land South Of Four Winds 81 Yarnbrook Road West Ashton Wiltshire

Public Participation

- Dr Angus Murdoch, agent, spoke in support of the application.
- Margaret Workman, representing West Ashton Parish Council, spoke in objection to the application.

The Planning Officer introduced the report which recommended approval, and detailed how the application had been deferred from the last meeting to arrange

a site visit, which had now taken place. The planning application was for a change of use to provide a single private gypsy pitch to include the siting of a mobile home and touring caravan and hardstanding for the parking and turning of vehicles.

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 a pavement from Yarnbrook 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. The Committee then considered the application and debating a number of issues, in particular, the highway safety at the site, to what extent the application would impact on the highways in the area, making the permission personal to the applicant and his mother and occupancy of the site.

Resolved:

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 The use hereby permitted shall be carried on only by Mr Willam Shered (the applicant), his mother and his resident dependants and shall only be occupied by them whilst they meet the definition of gypsies and travellers as defined in

Annex 1 to the Department for Communities and Local Government document 'Planning Policy for Traveller sites' published in March 2012.

REASON: The personal circumstances of the applicant and his mother have been a significant material consideration that has been taken into account in the decision to grant planning permission for this use on this site.

3 No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, of which no more than 1 shall be a static caravan, shall be stationed on the site at any time.

REASON: In the interests of the amenity of the area and in order to define the terms of this permission. West Wiltshire District Plan 1st Alteration (2004) POLICY CF12.

4 The use hereby permitted shall not be first commenced until works have been completed in accordance with details to be submitted to and approved in writing by the Local Planning Authority for:

- Any entrance gates to be provided at the access shall be set back a minimum of 15m from the carriageway edge of Yarnbrook Road and shall open inwards only;
- The on-site provision of the space shown on the submitted plans for the parking and turning of vehicles; and
- the installation of an ACO drain, on or immediately adjacent to the highway boundary to avoid surface water entering the highway.
- The parking and turning facility, and visibility splays of 160 metres in either direction measured from a point 2.4 metres back from the carriageway edge at the centre of the access shall thereafter be retained.

REASON: In the interests of highway safety West Wiltshire District Plan 1st Alteration 2004 - POLICY: CF12

5 No commercial activities shall take place on the land, including the storage of materials.

REASON: In the interests of the amenity of the area and in the interests of highway safety. West Wiltshire District Plan 1st Alteration (2004) POLICY CF12.

6 There shall be no occupation of any caravan, including a static caravan, on site until details of the works for the disposal of sewage have been submitted to and approved in writing by the Local Planning Authority and 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. West Wiltshire District Plan 1st Alteration 2004 - POLICY: U1a

7 The development hereby permitted shall not be first occupied until the access up to the gates, 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. West Wiltshire District Plan 1st Alteration (2004) POLICY CF12.

8 No materials shall be burnt on site.

REASON: In order to minimise nuisance. West Wiltshire District Plan - 1st Alteration -POLICY: C38.

9 Notwithstanding the approved plans no caravan shall be occupied on the site until a detailed landscaping scheme has been submitted to and approved in writing by the Local Planning Authority. This shall include details of existing and proposed planting, including the protection of existing hedgerows and woodland, any new boundary treatments and the surfacing materials to the hardstanding. The landscaping scheme shall be implemented in accordance with the approved details.

REASON: In the interests of protecting the rural character of the area. West Wiltshire District Plan 1st Alteration (2004): POLICY CF12.

10 The development hereby permitted shall be carried out in accordance with the details shown on the following plans:

- Site Location Plan : Received on 25 July 2012; and
- Site Layout Plan : Received on 25 July 2012.

REASON : In order to define the terms of this permission.

Informative(s):

1 The applicant is advised to contact Wessex Water (01225 526000) with regard to connection to, and protection of, water infrastructure.

107.b W/11/02440/FUL - Land South Of Farm Bungalow Deverill Road Sutton Veny Wiltshire

Public Participation

- Mike Keen representing Spitting Feathers – Sutton Veny and Longbridge Deverill Action Group spoke in objection to the application.
- William Owen representing Spitting Feathers – Sutton Veny and Longbridge Deverill Action Group spoke in objection to the application.
- Eamonn Wilmott representing Spitting Feathers – Sutton Veny and Longbridge Deverill Action Group spoke in objection to the application.
- Mr Rafferty representing the applicant spoke in support of the application.
- Ian Bell representing Longbridge Deverill Parish Council spoke in objection to the application.

- William Owen representing Sutton Veny Parish Council spoke in objection to the application.

The Planning Officer introduced the report which recommended approval be granted subject to appropriate planning conditions. He explained that the application was for the demolition of four existing poultry buildings and their replacement with five new structures along with the provision of associated infrastructure including feed bins and hardstanding.

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 Fluer de Rhe Philipe, then spoke in objection to the application.

The Committee then considered the application and a number of issues were raised, in particular distances from the farm buildings to various local properties in Sutton Veny and buildings in the adjacent industrial estate, increase in traffic and the effect on the local amenity, highway issues. It was noted that odour, dust and noise issues were dealt with by the Environment Agency rather than the Wiltshire Council. It was also reported that the applicant would have to apply for a permit from the Environment Agency as it was proposed the farm would have a capacity exceeding 40,000 poultry birds.

Resolved:

That consideration of the application be deferred until:

- 1) The applicants submit their application to the Environment Agency for the permit required by the EA for the operation of the proposed facility;**
- 2) A site visit by members of the Western Area Planning Committee has taken place;**
- 3) Officers prepare a report on potential reasons for refusal on traffic and amenity grounds for further consideration by the Western Area Planning Committee following the site visit Committee.**

107.c W/11/01663/REM - Land West Of Biss Farm West Ashton Road West Ashton Wiltshire

Public Participation

- David Hutchinson, agent, spoke in support of the application.

The Planning Officer introduced the report which recommended that reserved matters be approved subject to appropriate planning conditions. He explained that the application was for the approval of reserved matters for employment development comprising B1, B2 and B8 uses and associated access and landscaping pursuant to outline permission ref 05/00744/OUT.

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 to the application.

The Committee then considered the application and a number of issues were raised, in particular highway issues in relation to the West Ashton Traffic lights and some minor road alterations to the Yarnbrook crossroads and County Way roundabout in Trowbridge.

Resolved:

That planning permission be granted for the following reasons:

The principle of developing this site as a strategic employment site has been fully established (following the approval of the extant outline application 05/00744/FUL, and most recently on appeal: application W/10/03031/FUL). The reserved matters hereby approved are considered wholly compliant with the adopted development plan and emerging Council policies.

Subject to the following condition(s):

1 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- (a) the parking of vehicles of site operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials used in constructing the development;
- (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (e) wheel washing facilities;
- (f) measures to control the emission of dust and dirt during construction;
- (g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- (h) measures for the protection of the natural environment.
- (i) hours of construction, including deliveries; has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

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.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - POLICY: C38, as well as the NPPF and NPSE.

2 The developed shall be carried out fully in accordance with the recommendations contained within the Ecological Assessment published by Aspect Ecology Ltd dated May 2011.

REASON: In order to protect protected species and their associated habitats.

POLICY: The National Planning Policy Framework (NPPF)

3 No phased development shall commence on site until external lighting details for the site have been submitted to the local planning authority for its written approval. The development shall be carried out in accordance with the approved details.

REASONS: In order to protect against inappropriate levels of lighting detrimentally impacting upon local, neighbouring properties and nature conservation interests.

POLICY: The National Planning Policy Framework (NPPF) and West Wiltshire District Plan – 1st Alteration – Policy C35 and C38.

Note: The applicant is expected to carefully consider any lighting scheme and to have due cognisance of its impact upon neighbouring properties and occupiers as well as to nature conservation interests; and especially have regard to the recommendations contained with the Habitat Creation Management and Monitoring Plan, dated May 2006.

4 For the avoidance of any doubt, and excepting those sections where the existing hedgerow fronting West Ashton Road shall be cut back and opened up pursuant to highway improvements and providing pedestrian linkages, the remainder of the hedgerow and identified tree shall not be cut down, uprooted or destroyed, other than in accordance with the approved plans, without the prior written approval of the Local Planning Authority. Any topping or lopping approval shall be carried out in accordance BS3998: 1989 British Standard for Tree Work or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise. If any tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority. No equipment, machinery or materials shall be brought on to site for the purpose of development, until a scheme showing the exact

position of protective fencing to enclose all retained trees and hedgerows beyond the outer edge of overhang of their branches in accordance with British Standard 5837: 2005: Tree in Relation to Construction, has been submitted and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations without prior written approval by the Local Planning Authority.

In this condition "retained tree" means an existing tree / section of hedgerow which is to be retained in accordance with the approved plans and particulars; and the paragraphs above shall have effect until the expiration of five years after the completion of the development. No fires shall be lit within 15 metres of the furthest extent of the canopy of any tree or group of trees to be retained on the site or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land].

REASON: To prevent trees being retained on or adjacent to the site from being damaged during the construction works and in the interest of visual amenity.

5 Notwithstanding the details shown in respect to the landscaping treatment, no phased development shall commence on site until the following details have been submitted to the local planning authority for its written approval:-

- Full details and measures of protecting the retained section of hedgerow during the course of the phased development;
- A detailed planting specification showing all plant species, supply and planting sizes and planting densities,
- Finished levels and contours;
- Proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- Large specimen trees shall be supplied and planted at a ratio of 25% Semi mature and 75% extra heavy standard (consisting of Oak, Lime and Hornbeam) within the northern landscape buffer. The remainder shall be a mix of standards, and feathered standards in locations to be agreed in writing with the Local Planning Authority; and to be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428.
- Enhanced marginal planting around the balancing pond;

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

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

6 All soft landscaping comprised in the approved details of landscaping (Drawing no. P.0678-10-A sheets 1 & 2), shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

7 No development shall commence on site until full construction details of the internal road layout have been submitted to and approved in writing by the Local Planning Authority; and the internal roads shall thereafter be constructed in accordance with the approved details so that each new building, when occupied, is connected to the existing public highway by a completed road.

Reason: In the interests of road safety

8 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

SITE LOCATION PLAN – Drawing No P.0678_05 received on 31.05.2011
SITE LAYOUT PLAN – Drawing No. P.0678_01-1 received on 31.05.2011
PLANS & ELEVATIONS B2 UNIT D – Drawing No. P.0678_02A
PLANS & ELEVATIONS B2 UNIT I – Drawing No. P.0678_02A
PLANS & ELEVATIONS B8 UNIT G – Drawing No. P.0678_03A
PLANS & ELEVATIONS B2 UNIT H – Drawing No. P.0678_03A
PLANS & ELEVATIONS B1 UNIT TYPE T1 – Drawing No. P.0678_09 (T1)
received on 31.05.2011
PLANS & ELEVATIONS B1 UNIT TYPE T2 – Drawing No. P.0678_09 (T2)
received on 31.05.2011
PLANS & ELEVATIONS B1 UNIT TYPE T2 (HANDED) – Drawing No.
P.0678_09 (T2) received on 31.05.2011
PLANS & ELEVATIONS B1 UNIT TYPE T3 – Drawing No. P.0678_09 (T3)
received on 31.05.2011
PLANS & ELEVATIONS B1 UNIT TYPE T4 – Drawing No. P.0678_09 (T4)
received on 31.05.2011
PLANS & ELEVATIONS B1 UNIT TYPE T5 – Drawing No. P.0678_09 (T5)
received on 31.05.2011

PLANTING PLAN SHEET 1 OF 2 – Drawing No. P.0678_10-A received on 31.05.2011
PLANTING PLAN SHEET 2 OF 2 – Drawing No. P.0678_10-A received on 31.05.2011
BIN STORES AND SERVICE YARD FENCING – Drawing No. P.0678_11 received on 31.05.2011
PHASING PLAN – Drawing No. P.0678_12 – received on 31.05.2011
MATERIALS PLAN – Drawing No. P.0678_13 – received on 31.05.2011
FOOTPATH LINKS – Drawing No. P.0678_14 – received on 31.05.2011
TOPOGRAPHIC SURVEY AND EXISTING VEGETATION – Drawing No. P.0678_15 – received on 31.05.2011
EXTENT OF DEVELOPABLE AREA – Drawing No. P.0678_16 – received on 31.05.2011
ROOF PLAN – Drawing No. P.0678_17 – received on 31.05.2011
CROSS SECTIONS – Drawing No. P.0678_18 – received on 31.05.2011
HORIZONTAL GEOMETRY & SETTING OUT SHEET – Drawing No. P291/100 Rev C – received on 31.05.2011
HORIZONTAL GEOMETRY & SETTING OUT SHEET – Drawing No. P291/101 Rev C – received on 31.05.2011
HORIZONTAL GEOMETRY & SETTING OUT SHEET – Drawing No. P291/102 Rev C – received on 31.05.2011
HORIZONTAL GEOMETRY & SETTING OUT SHEET – Drawing No. P291/103 Rev C – received on 31.05.2011
VEHICLE SWEEP PATH ANALYSIS – Drawing No. P549/106 – received on 31.05.2011
PROPOSED FINISHED FLOOR LEVELS – Drawing No. P549/07 – received on 31.05.2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

Informative(s):

1 The developer is reminded that this development is still subject to those remaining extant conditions attached to the decision notice for application 05/00744/FUL which remain necessary and applicable and shall require formal discharge as per the requirements of each condition.

2 The developer is advised to contact Wessex Water's Developer Services to agree either means of diverting an existing public water main or means by which it shall be protected during the construction stages, to ensure that no development takes place until the aforesaid infrastructure has been properly protected. The developer shall also need to reach an agreement with Wessex Water over connecting the development to a public sewer.

**107.d W/12/01890/REG3 - Staverton Church Of England Primary School
School Lane Staverton Wiltshire BA14 6NZ**

The Planning Officer introduced the report which recommended approval be granted subject to appropriate planning conditions. She explained that the application was for an extension to the existing school building.

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

The Local Member, Cllr Trevor Carbin, then spoke about his concerns in relation to traffic congestion during drop off and pick up times in the local roads and the schools proposed Travel Plan.

The Committee then considered the application and in general expressed its support for the work of the school.

Resolved:

That planning permission be granted for the following reasons:

The proposal by reason of its location, siting and design would not have an adverse impact upon neighbouring amenity or the street scene and complies with Saved Policies C31a, C38 and CF1 of the West Wiltshire District Plan 1st Alteration 2004, the Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy and advice contained in the National Planning Policy Framework

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 The development hereby permitted shall be carried out in accordance with drawing numbers 120483 P(0): 07, 08, 09A, 10A, 11A, 12A, 13, 14 received on 18th October 2012.

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

3 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 having regard to Saved Policy C31a of the West Wiltshire District Plan 1st Alteration 2004.

4 No development shall commence on site until a School Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with the approved 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 interest of highway safety and reducing traffic development to the site having regard to the Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy and advice contained in the National Planning Policy Framework.

5 The development hereby approved shall be carried out in strict accordance with the Phase 1 Habitat Survey written by Clarke Webb Ecology Limited received by the Local Planning Authority on 12th October 2012 unless otherwise agreed in writing.

Reason: In the interest of ecology having regard to advice contained in the National Planning Policy Framework

Note: The Committee requested that Staverton Parish Council should be consulted on the School Travel Plan required by condition 4 before the condition was discharged by Wiltshire Council

107.e W/12/01720/FUL - Land North West Of 2 The Uplands Warminster Wiltshire

Public Participation

- Mr Oyetunde, local resident spoke in objection to the application.
- Mr Melling, local resident spoke in objection to the application.
- Peter Grist, Agent, spoke in support of the application.
- Malcolm Sharp, the applicant spoke in support of the application.

The Planning Officer introduced the report which recommended refusal. She explained that the application was for a proposed dwelling on land north west of 2 The Uplands, Warminster.

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 Christopher Newbury, then spoke in objection to the application.

The Committee then considered the application noted that the proposal site was outside of the Town Centre Policy Limit.

Resolved:

That planning permission be refused for the following reasons:

1 The proposed development is located outside of the town policy limits defined for Warminster in the West Wiltshire District Plan 1st alteration and by reason of its size, location, design and relationship with adjoining properties would result in a cramped form of overdevelopment which would be out of keeping with the character of the area contrary to the requirements of Saved Policies H1 and C31a of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the National Planning Policy

Informative(s):

1 This decision relates to drawing numbers MS/01 MS/02, MS/03, MS/04 and drawing annotated as Site and Location Plans received on 12th September 2012.

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

107.f W/11/02320/FUL - Land Rear Of 25 And 26 Union Street Melksham Wiltshire

Public Participation

- Tarnia Ruan, local resident spoke in objection to the application.
- Richard Wiltshire, representing the applicant

The Planning Officer introduced the report which recommended approval be granted subject to appropriate planning conditions. He explained that the application was for the erection of 2 dwellings with garages; reinstatement of railings and gate piers across the site frontage; new tree planting; demolition of garden sheds and brick boundary walls.

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 Stephen Petty, then spoke in objection to the application.

The Committee then considered the application and a number of issues were raised, in particular concerns about flooding, and the impact on neighbouring properties.

Resolved:

That planning permission be granted for the following reasons:

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. West Wiltshire District Plan 1st Alteration 2004 - POLICIES: C17, C18, C19, C31a and H1.

3 No development 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

- indications of all existing trees and hedgerows on the land;
- details of any to be retained, together with measures for their protection in the course of development;
- all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features. West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32.

4 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(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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. West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32 5 Notwithstanding the hereby approved plans no development shall commence until final details of a flood mitigation strategy have been submitted to and approved in writing by the Local Planning Authority. This shall include:

- i) Provision of compensatory flood storage on the site to a 1:100 year standard;
- ii) Finished floor levels set no lower than 35.40 metres above Ordnance Datum (AOD);
- iii) Only open boarded fencing used to mark boundaries within 8 metres from the top of bank of the watercourse;
- iv) Method statement, including timetable, for the demolition and clearance of all existing buildings in the application site; and
- v) Details of how the scheme shall be maintained and managed after completion.
- vi) A Protection Scheme for the individual properties

The strategy shall subsequently be implemented in accordance with the approved details before the development is completed and maintained in perpetuity.

REASON: To reduce the risk of flooding to the proposed development and future occupants. To reduce the likelihood of flood flows being impeded.

POLICY: National Planning Policy Framework and its associated Technical Guidance.

6 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed and maintained in perpetuity.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policy U2 and the National Planning Policy Framework and its associated Technical Guidance.

7 Notwithstanding the hereby approved plans no development including flood compensation works shall be carried out within 5 metres from the top of bank of the watercourse.

REASON: As a precaution in order to avoid any harm to water voles and their burrows (both are protected under the Wildlife and Countryside Act 1981, as amended).

POLICY: National Planning Policy Framework.

8 No part of the development hereby permitted shall be first occupied 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. West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and H1.

9 No development shall commence within the application site until:

- (a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- (b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

POLICY: National Planning Policy Framework.

10. Before the development hereby permitted is first occupied the first floor window in the west elevation of unit H1 and first floor window in the east elevation of unit H2 shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - POLICIES: C38 and H1.

11 The car ports/garages shall be open fronted (i.e. no doors) as detailed on the approved plans and remain so at all times thereafter.

REASON: In order to encourage the use of car ports for car parking.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - POLICY: H1.

12 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 those Orders with or without modification), no development within Part 1, Classes A, B, C, D, E, F, G, and Part 2, Class A shall take place on the dwellinghouses hereby permitted or within their curtilages.

REASON: In the interests of the amenity of the area and to preserve the floodplain in perpetuity.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - POLICIES: C31a and C38; and the National Planning Policy Framework.

13 The development shall be carried out in accordance with the hereby approved plans (other than where amended by details submitted to and approved in writing in any subsequent discharge of planning condition application(s)):

Drawing: USBC1 received on 19 October 2012;
Drawing: USBC2 Revision A received on 19 October 2012;
Drawing: USBC23 received on 19 October 2012;
Drawing: USBC6 received on 19 October 2012;
Drawing: USBC7 received on 19 October 2012;
Drawing: USBC22 Revision A received on 19 October 2012;
Drawing: USBC21 Revision A on 19 October 2012; and
Drawing: USBC5 received on 29 March 2012.

REASON: In order to define the terms of this permission.

Informative(s):

1 The developer is advised that a holistic approach to the issues of flood compensation, surface water drainage, landscaping and nature conservation should be developed in order to address the discharge of the pre-commencement planning conditions. For further advice please contact the planning case officer prior to the submission of any application to discharge the planning conditions.

2 The developer is advised that disposal of surface water to soakaways is the preferred option, providing ground conditions permit and percolation tests demonstrate that they are appropriate. The soakaways may require separate approval under Building Regulations and should be constructed in accordance with the BRE Digest No 365 or CIRIA Report 156 "Infiltration Drainage, Manual of Good Practice". The surface water drainage scheme for the proposed development must meet the following criteria:

- i) Any outflow from the site must be limited to Greenfield run-off rates and discharged incrementally for all return periods up to and including the 1 in 100 year storm.
- ii) The surface water drainage system must incorporate enough attenuation to deal with the surface water run-off from the site up to the critical 1% Annual Probability of Flooding (or 1 in a 100-year flood) event, including an allowance for climate change for the lifetime of the development. Drainage calculations must be included to demonstrate this (e.g. Windes or similar sewer modelling package calculations that include the necessary attenuation volume).
- iii) If there is any surcharge and flooding from the system, overland flood flow routes and "collection" areas on site (e.g. car parks, landscaping) should be shown on a drawing. CIRIA good practice guide for designing for exceedance in urban drainage (C635) should be used. The run-off from the site during a 1 in 100 year storm plus an allowance for climate change must be contained on the site and must not reach unsafe depths on site.
- iv) The adoption and maintenance of the drainage system must be addressed and clearly stated.

3 The developer is advised 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 a 'main river'.

4 The developer is advised that safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use machinery, oils/chemicals and materials, the routing of heavy vehicles, the location of work and storage areas, and the control and removal of spoil and wastes.

It is recommended that the developer refer to the Environment Agency's Pollution Prevention Guidelines, which can be found at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

5 The developer is advised that the site has potential for low numbers of reptiles, such as slow worm and grass snake. Therefore any site clearance should be carried out by hand and grass should be maintained as short-cut until construction work commences and all cuttings should be removed from the site.

6 The developer is advised that Wessex Water's infrastructure is recorded as crossing the application site. No building will be permitted by Wessex Water within the statutory easement of 3 metres from the pipeline without their agreement. For further information you should contact Wessex Water on 01225 526000.

7 The developer is advised that pursuant to condition 9, the work, in the form of an archaeological watching brief, should be conducted by a professional recognised archaeological contractor in accordance with a brief issued by Wiltshire Council and there will be a financial implication for the developer. For further information please contact 01249 705502

107.g W/12/01893/FUL - Land Adjoining 51 Summerleaze Trowbridge Wiltshire

The Planning Officer introduced the report which recommended approval be granted subject to appropriate planning conditions. He explained that the application was for the conversion of 51 Summerleaze into two flats and a two storey extension for two flats.

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

The Local Member, Cllr Helen Osborne, then spoke in objection to the application.

The Committee then considered the application, whilst some Members felt the application was acceptable for the location others had concerns about parking issue, traffic congestion, visual impact and affects on neighbour amenities.

Resolved:

That planning permission be granted for the following reasons:

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

Drawing: 12-45-1 received on 12 October 2012;

Drawing: 12-45-1-1 received on 12 October 2012;

Drawing: 12-45-1 received on 12 October 2012;

Drawing: 12-45-2 received on 12 October 2012;

Drawing: 12-45-3 received on 12 October 2012;

Drawing: 12-45-4 received on 12 October 2012;

Drawing: 12-45-5A received on 12 October 2012;

REASON: In order to define the terms of this permission.

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

REASON: In the interests of visual amenity and the character and appearance of the area. West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

4 The development hereby permitted shall not be first occupied 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. West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

5 No part of the development hereby approved shall be first 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. West Wiltshire District Plan 1st Alteration 2004 - POLICY: T10

6 The development hereby permitted shall not be occupied until the flank boundary features have been reduced to not more than 0.6 metres for 1 metre

back from the adjacent footway. These features shall be maintained at that height at all times thereafter.

REASON: In the interests of highway safety.

7 No development 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. 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 flats or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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. West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

8 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 occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained. West Wiltshire District Plan 1st Alteration 2004 - POLICY: U2

Informative(s):

1 The developer is advised to contact Wessex Water to ensure that any section 105a sewers (formally private sewers and lateral drains) that may be existing on the site are identified and then, as appropriate, suitable action is taken to ensure proper drainage and sewerage to serve residential property is provided. Wessex Water may be contacted on 01225 526000.

2 The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence may be required from Wiltshire's highway authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

3 The developer is advised that any details of landscaping should include frontage planting to compliment the built form and soften the hard landscaping /

parking area. To discuss this further you are advised to contact the planning case officer on 01225 770249.

107.h W/12/01609/S73 - Church Farm Brokerswood Brokerswood Westbury Wiltshire

Public Participation

- Bill Lowe, agent, spoke in support of the application.

The Planning Officer introduced the report which recommended approval be granted subject to appropriate planning conditions. He explained that the application was for the variation of condition 3 of planning permission W/11/02859/FUL to allow the annexe to be occupied by person(s) responsible for the upkeep of Church farm.

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.

The Committee then considered the application and a number of issues were raised, in particular the possibility of a temporary permission.

Resolved:

That the Area Development Manager be authorised to grant planning permission, subject to the conditions set out below, on prior completion of a Section 106 legal agreement to prevent the annexe being sold separately from Church Farm, for the following reasons:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

1 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Site location plan received on 18.09.2012

Reason: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

2 The annexe hereby permitted to be extended shall not be occupied at any time other than for purposes ancillary to the residential use of the dwelling

known as Church Farm, Brokerswood, or by person(s) responsible for the upkeep of the fabric of the dwelling and the surrounding farmland known as Church Farm, Brokerswood.

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

108 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 6.00 - 10.25 pm)

The Officer who has produced these minutes is Stuart Figini, of Democratic Services, direct line 01225 718376, e-mail stuart.figini@wiltshire.gov.uk

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