

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 5 NOVEMBER 2014 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Christopher Newbury (Chairman), Cllr Horace Prickett, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy White

Also Present:

Cllr John Hubbard.

115 **Apologies for Absence**

Apologies for absence were received from Magnus MacDonald.

116 **Minutes of the Previous Meeting**

The minutes of the meeting held on 24 September 2014 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 24 September 2014 with the following amendment: that the start and finish time of the meeting be noted in the minutes.

117 **Chairman's Announcements**

The Chairman gave details of the exits to be used in the event of an emergency, and asked that mobile phones be turned off or set to silent.

118 **Declarations of Interest**

There were no declarations of interest.

119 **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.

Admin Note: Cllr Magnus MacDonald arrived in the chamber.

120 **Right of Way Applications**

121 **West Ashton 1 (Part) Rights of Way Modification Order 2014**

Public participation:

Francis Morland spoke in objection to the application.

Richard Covington spoke on behalf of the West Ashton Parish Council.

The Right of Way Officer presented the report which outlined the need to regularise the definitive map in the light of an issue that had come to the council's attention following a land purchase. There was an objection to the order which means it comes to the Committee. Officers planned to address the issue under powers delegated to officers in the Highways Act.

The Officers thanked Mr Morland for bringing certain issues to the attention of the Council which would allow them to be addressed. Councillors commended the hard work of the officers in trying to resolve the matter. A motion was put forward to move the officer's recommendation as set out in the report.

RESOLVED That the Wiltshire Council West Ashton 1 (Part) Rights of Way Modification Order 2014 be forwarded to the Secretary of State for Environment, Food and Rural Affairs for determination with the recommendation that the Order is not confirmed.

122 **Planning Applications**

The Committee considered the following applications:

123 **14/04399/FUL - Land off Lewington Close and Longford Road, Melksham, Wiltshire**

Public Participation:

Karen Munroe and David Timbrell spoke in objection to the application.

Paul Walsh and Sally Hewins spoke in support of the application.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given. The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

Councillor John Hubbard as the local member, spoke in objection to the application. He also commented that the developers had consulted with the public and had made changes to the original plans, but that there were still a number of objections to the development. The main issues were noted as: impact of changes to landscaping on neighbours and the density and proximity of the development. The debate focused on the impact of the proposed development on the character of the area. A motion was put forward to refuse the defer the application for a site visit. At the end of the debate it was;

Resolved

To defer consideration of the application to allow for a site visit to take place.

Admin Note: Cllr MacDonald having declared an interest in this item did not participate in the meeting for the duration of the item.

124 **14/05120/FUL - Land North of Goose Street, Southwick, Wiltshire**

Public Participation:

Julian Sully spoke in objection to the application.
Peter Grist spoke in support of the application.
Tony Doel spoke on behalf of Southwick Parish Council.

The Planning Officer outlined the report which recommended refusal. The site description and an overview of the proposed development were also given. The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

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

Councillor Horace Prickett, as the local member, spoke in relation to the application. The main issues were noted as: the level of objection in the community, whether the issues given in the previously refused application had been address, and the position of the proposal in relation to the village boundary. A motion was put forward to refuse the application. At the end of the debate it was;

Resolved to refuse the application for the following reasons:

- 1. The proposed residential development is located outside of the defined village policy limits. No rural occupation or other exceptional**

circumstances have been presented which would outweigh the harm associated with the development. The proposals therefore constitute an unwarranted extension of urbanisation into the countryside to the detriment of the visual openness and quality of the countryside contrary to policies C1 and H19 of the West Wiltshire District Plan 1st Alteration (2004), and Core Policies 1 and 2 of the emerging Wiltshire Core Strategy.

2. The proposal, located outside of village policy limits, is contrary to the National Planning Policy Framework (Section 4 paras. 29, 30 & 37) and the emerging Core Strategy for Wiltshire (Policy 60), which seek to reduce the need to travel, influence the rate of traffic growth and reduce the environmental impact of traffic overall in support of sustainable development.

125 **14/07674/FUL - Land at 347 Snarilton Lane, Melksham, Wiltshire, SN12 7QP**

Public Participation:

Peter Steven spoke in support of the application.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given. The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

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

Councillors questioned why the application had been called-in to Committee given that the apparent low level of objection. A motion was put forward to approve the application. At the end of the debate it was;

Resolved

To approve the recommendation 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. 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.

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:-
- a) location and current canopy spread of all existing trees and hedgerows on the land and immediately adjacent;
 - b) full details of any to be retained, together with measures for their protection in the course of development;
 - c) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
 - d) finished levels and contours;
 - e) means of enclosure;
 - f) car park layouts;
 - g) other vehicle and pedestrian access and circulation areas;
 - h) all hard and soft surfacing materials;
 - i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
 - j) 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.

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.

5. 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.

6. 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.

7. 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.

8. No part of the development shall be first occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

9. 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 materials;
- c) Storage of plant and materials used in constructing the development;
- d) The erection and maintenance of security hoarding;
- 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;
- h) 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 demolition/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, detrimental to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

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

Topographic survey received 8 August 2014;
Proposed site plan received on 21 August 2014;
Elevations Plot 1 received on 21 August 2014;
Floorplans Plot 1 received on 21 August 2014;

Elevations Plot 2 received on 21 August 2014;
Floorplans Plot 2 received on 21 August 2014;
Location Plan received on 30 August 2014;
Access visibility plan received 24 September 2014;

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

INFORMATIVES:

1. Further information on connection to Wessex Water infrastructure can be obtained from their New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.
2. There is a low risk that great crested newts / reptiles / badgers could occur on the application site. Great crested newts and all reptiles are legally protected and planning permission does not provide a defence against prosecution. In order to minimise the risk of amphibians/reptiles occurring on the site, the developer is advised to clear the site and vegetation in a sympathetic manner during the autumn (September/October) or spring months (April-May) and to maintain the vegetation at a short height to make it unsuitable for reptiles/amphibians until the construction works commence. If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or a Council Ecologist (01225 713875 / 718182).

Badgers are protected under the Protection of Badgers Act 1992 mainly for welfare purposes. If works are carried out in close proximity to a known badger sett, then a licence may be required. Please see Natural England's website for further information.

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species:

<http://www.naturalengland.org.uk/ourwork/planningdevelopment/spatialplanning/standingadvice/faq.aspx>

126 **14/08400/FUL - Plot adjacent to 'Beechwood', Bratton Road, West Ashton, Trowbridge, BA14 6AZ**

Public Participation:

Paul Pursey spoke in objection to the application.
Howard Walters spoke in support of the application.

Richard Covington spoke on behalf of the West Ashton Parish Council.

The Planning Officer outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given. The Planning Officer outlined the relevant planning policy, consultation and relevant planning considerations.

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

Councillor Horace Prickett, as the local member, spoke in objection to the application. The main issues were noted as: impact of the proposals on neighbours, whether the issues given in the previously refused application had been address, that the Committee had previously visited the site and the position of the proposal in relation to the streetscene. A motion was put forward to refuse the application. At the end of the debate it was;

Resolved to refuse the application for the following reason:

- 1. The proposed dwelling by reason of its siting, size, height and design would have an adverse impact upon the character and appearance of the street scene and neighbouring amenity, contrary to Saved Policies C31a and C38 of West Wiltshire District Local Plan (Adopted 2004).**

127 Urgent Items

There were no Urgent Items.

(Duration of meeting: 3.00 - 5.18 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

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