

WESTBURY TOWN COUNCIL

At a MEETING of the HIGHWAYS, PLANNING & DEVELOPMENT COMMITTEE held at THE LAVERTON, BRATTON ROAD, WESTBURY, on MONDAY 17th OCTOBER 2016 at 7.00 pm.

PRESENT: Cllr: I Cunningham (Chairman)
Cllrs: S Andrews, G King, F Morland and WD Tout

Mrs D Urch (Town Clerk) and Mrs A McCann

Also in attendance: Cllr D Jenkins
Paddy Bradley and Parvis Khansari from Local Enterprise partnership

P.4345 PUBLIC FORUM:

Cllr Tout spoke in the public forum as a member of the public:

- Lakeside View/Slag Lane Development

P.4346 APOLOGIES AND REASONS FOR ABSENCE:

- Cllr D Anderson - Business
- Cllr Mrs S Ezra - Personal
- Cllr Mrs C Mitchell - Personal

- Cllr P Wakeman - No Apologies

P.4347 DISPENSATIONS: Nil.

P.4348 DECLARATIONS OF INTEREST (if any) AND REASONS:

- **Cllr F Morland** - **Planning Application 16/08998/FUL**
Member of Dilton Marsh Parish Council who will probably be responding to this application as well

- **Cllr I Cunningham** - **Agenda Item 10 Melksham Bypass**
Brother is Alastair Cunningham who works for Wiltshire Council

P.4349 MINUTES.

RESOLVED: *That the minutes of the Committee Meeting held on 19th September 2016 were confirmed and signed by the Chairman after the following amendment was made:*

The time Cllr Tout left the last meeting had been recorded incorrectly on the first page and was amended to read 7.12pm.

P.4350 MATTERS ARISING (if any) FROM THESE MINUTES:

The following updates were given by the Clerk and noted by the Committee:

- a) **Minute Point P.4338i – Update on streetlamps by Aldi** – The Clerk as written to Aldi as requested, both the store manager and head office, but no response has been received.

- **Members' Matters Arising.:** Nil

P.4351 REPORT BY WILTSHIRE COUNCILLORS (if any). **Wiltshire Council matters only.**

Cllr King:

Members will remember that Wiltshire has experience of significant flooding particularly during the winter of 2014 when more than 500 houses were flooded including at Chalford and several roads were closed. The risk of future flooding remains a significant risk.

Environmental Services Committee will consider a paper on 25th October and is expected to note:

** The success of Operational Flood working Groups*

** To encourage local communities to prepare flood plans and appoint flood wardens (currently 82 Communities have plans and 177 wardens have been appointed).*

** To note that 97 parishes/communities participate in the Parish Emergency Assistance Programme that provides equipment and sand bags.*

** That the council will roll out a large programme of flood alleviation and drainage schemes that will be coordinated through the Operational Flood Working Groups*

Wiltshire Councils Cabinet considered and approved minor amendments to its CIL 123 list on 13th September. This included responses to its prior consultation including those by WTC. I will circulate to the committee a copy of the agreed amendments.

The Annual General Meeting of Wiltshire CCG will take place on 22nd November at Salisbury City Hall between 9:30 and 10:30 am.

Cllr Jenkins:

- *Fracking – Wiltshire Council are aware the four licenced areas have recently been abandoned by the potential developer and handed back to the oil and gas authority. These licenses will now not be issued and any new developer will have to re-apply.*

P.4352 CHAIRMAN'S COMMUNICATIONS:

The Chairman informed the Committee that The Lopes Arms in the Market Place has a guide rent of £45,000 per annum.

P.4353 PLANNING DECISIONS. The Committee noted Planning Decisions up to 17th October 2016.

Cllr Morland informed the Committee the appeal decision has been made for Shernhold at Melksham and has it has been dismissed.

The Clerk to circulate the decision to all Councillors.

P.4354 PLANNING APPLICATIONS. The Committee considered Planning Applications received from Wiltshire Council and the decisions reached are as follows:

Planning Application:	Address & Applicant:	Proposal:	Westbury Town Council Decision:	Unitary Council asked to call-in?
16/08722/FUL 22.09.16 Full Plan	Railway Inn, Station Road, Westbury, BA13 4HW Applicant: Mr Kevin Phipps	Proposed new ductwork and intake fan	NO OBJECTIONS	NO
16/08767/FUL 22.09.16 Full Plan	Linden House, 144B Westbury Leigh, Westbury, BA13 3SH Applicant: Mr Roger Morris	Proposed Front Extension	NO OBJECTIONS	NO
16/09093/TCA 03.10.16 Tree(s) in Conservation Area	46 Bratton Road, Westbury, BA13 3EP Applicant: Ms Fiona Thorogood	T1 – 25% Crown reduction to apple tree	NO OBJECTIONS	NO
16/08998/FUL 03.10.16 Full Plan	Land West of Dartmoor Road, Westbury, BA13 3UT Applicant: Persimmon Homes (Wessex)	A residential development comprising 50 dwellings and associated landscaping.	OBJECT SEE REASONS BELOW	YES
<p>Westbury Town Council objected to the planning application 16/08998/FUL on the following grounds:</p> <ul style="list-style-type: none"> Westbury has excess development without supporting infrastructure and we are concerned about our services. Wiltshire Core Strategy Adopted January 2015, paragraph 5.160 states: <i>Westbury is an historic market town located in the west of Wiltshire between Trowbridge and Warminster. Although the town is smaller than other nearby</i> 				

settlements - including Frome, it has a significant employment base of strategic value and enjoys excellent rail connectivity, with direct links to Bristol, London, Portsmouth and Exeter. The town has seen significant housing development in the past which has not been matched by an appropriate provision of services, facilities and new jobs. The town has a good representation of independent retailers, which should be enhanced.

- **Wiltshire Core Strategy Adopted January 2015, paragraph 5.161 states:**
Westbury has been identified as a location for new strategic employment growth. The town's location between Warminster and Trowbridge allied with its position as a junction for rail travel makes it an accessible location and enhances its catchment. Furthermore, the employment base in Westbury should be relatively resilient to change. However, recent growth in housing has not as yet been matched by employment growth. The town has potential to be a key location for delivering economic development in Wiltshire and new employment development in Westbury supports the overall strategy of concentrating on accessible locations within the A350 corridor.
- **Wiltshire Core Strategy Adopted January 2015, paragraph 5.162 states:**
The strategy for Westbury will deliver a reduction in housing growth compared to historic trends, with a focus on improving facilities, services and job creation. Existing employment in Westbury will be protected and expanded to reflect the wider strategic needs of west Wiltshire. Overall, the town should not seek to compete with the larger nearby centres, including Frome, but rather consolidate and enhance its existing role and improve linkages with neighbouring settlements.
- **Westbury is a small Market Town, not a principal settlement, as defined in the Wiltshire Core Strategy and has already received an excessive amount of windfall development. This distorts the hierarchy as in Core Policy 1.**
- **Westbury is already suffering from over development and all local services are under pressure from this development and is in need of help. Further development is not sustainable.**
- **Westbury has greatly exceeded its indicative house building targets to 2026**
- **This development is outside the current settlement boundary. Previous development in the area (also outside the draft proposed boundaries) was declined for this reason, see planning application 14/07665/FUL.**
- **We would like to maintain the physical separation between Westbury and Dilton Marsh, which was recognized on the inspector's report in the West Wiltshire District Plan First Alteration (2004), paragraph 2.2.52:**
New housing (in areas R7 and R8 on the draft revisions to the Master Plan) abuts the eastern side of the road at its northern end. The road defines the western edge of the expanded settlement of Westbury Leigh and I agree that distance (and occasional hedges and trees) provide a reasonable separation of this area from the cottages and houses just east of the railway. However, as the road curves south-westwards it comes closer to some of these houses and cottages and the minimum planned distance between the houses in Fairways/Fairwood Road and those already permitted (in area R1) is about 270m. If housing was permitted up to the eastern side of the new road as suggested by an objector, this distance would reduce to only about 180m (allowing for proposed mounding/landscaping). The road would be passing through a narrow gap, and drivers (of higher vehicles at least) would probably be able to see housing on both sides at close quarters. I also consider that

<p><i>it would be possible to see readily across this gap and this would contribute to a feeling of merging between Westbury Leigh and these houses, which could be regarded as part of Dilton Marsh.</i></p> <ul style="list-style-type: none"> • We do not accept that traffic will not affect Oldfield Park and Dilton Marsh • This development is an incremental addition to Leigh Park and we would want to see a contribution to the bridge across the railway line, as it was required for the original development. • We are concerned that the development is adjacent to Mane Way which is a free flowing road and if permitted, it may encourage parking on this area. We would like double yellow lines on both sides of Mane Way should this development be permitted. • The local school is already oversubscribed in many of the lower school classes • If permitted we would like the developer to provide litterbins, broadband and contributions to schools and the bridge. 				
16/09426/FUL 06.10.16 Full Plan	45 Studland Park, Westbury, BA13 3HL Applicant: Mr Punton	Proposed first floor side extension over existing garage	NO OBJECTIONS	NO
16/09294/FUL 05.10.16 Full Plan	30 Station Road, Westbury BA13 3JH Applicant: Mr Frank Tinsley	Proposed single storey extension and roof dormer window	OBJECT FOR REASONS BELOW	NO
<p>Westbury Town Council object to the skylight on the front roof and suggest a light tunnel be used instead.</p>				
16/09745/PNCOU 04.10.16 Prior Notice of Change of Use	13 High Street, Westbury, BA13 3BN Applicant: Conrad Burrows	Notification for Prior Approval under Class C – Proposed change of use of existing retail unit (Class A1) to café (Class A3)	NO OBJECTIONS	NO
16/08653/FUL 10.10.16 Full Plan	9 Maristow Street, Westbury, BA13 3DN Applicant: Miss Linda Austin	Retention of small timber framed workshop	OBJECT	YES
<p>Westbury Town Council objects to planning application 16/08653/FUL on the following grounds:</p> <ul style="list-style-type: none"> • Adverse impact on Conservation Area 				

<ul style="list-style-type: none"> • Damage to visual amenity, as located close to Grade 1 listed building All Saints Church • Wooden building of combustible material adjacent to highway • Concerned other residents could do the same 				
16/05168/FUL AMENDED 10.10.16 Full Plan	1 White Horse Way, Westbury, BA13 3AH Applicant: Mr P Jenkins	Amendment to scheme for the development of a pair of 2 bedroom semi-detached houses as approved under Planning Reference 16/01593/FUL in order to provide for an enlargement of Unit 2	OBJECT	NO
<p>Westbury Town Council objected to the planning application 16/05168/FUL, amended plans, on the following grounds:</p> <ul style="list-style-type: none"> • Overdevelopment of site • Parking is now a problem in this area. Recent developments have acerbated the problem. • If permitted, it should be a condition that double yellow lines are placed on both sides of the road from the corner to a reasonable distance. 				

P.4355 MELKSHAM BYPASS

A question and answer session was held and completed at 20.36hrs.

P.4356 NETWORK RAIL AGGREGATES RECYCLING DEPOT AND THE BLOCKED CINDER PATH (Minute Point P.4343 refers)

- Network Rail Recycling Depot
A response has been received from Wiltshire Council stating:
Railway operators have extensive permitted development rights pursuant to Class A, Part 8, Schedule 2 of the General Permitted Development Order 2015 to undertake works required in connection with the movement of traffic by rail on their land. The use by Network Rail to store rail infrastructure materials on their land for the repair, maintenance and renewal of the railway network would be consistent with the lawful use and as such would not result in material change of use of the land.

It was agreed to respond to Wiltshire on the grounds that we do not object to movement by rail, but are objecting to the movement of aggregate by significant lorry movements, as this is a new use, which we don't believe has been permitted.

The Clerk to respond

- Blocked Cinder Path
The response we have received from the Wiltshire Council Rights of

Way Officer states:

"This "path" is not recorded as a Public Right of Way."

It was agreed to make an application for it be added to the Definitive Map of Public Rights of Way for Wiltshire. The path will be from the corner of the kissing gate through to give access to taxi rank, bus stop and railway station.

The Clerk to make application

P.4357 FINANCE COMMITTEE – To appoint a member to the Finance Committee
No-one came forward at the meeting to fill the vacancy.

P.4358 HIGHWAYS CORRESPONDENCE / MATTERS:
The pothole at Chalford has now been repaired

P.4359 CLERK'S CORRESPONDENCE: None

P.4360 MONTHLY STATEMENT:

The monthly statement for August 2016 (Month 5) was noted

P.4361 BUDGET BIDS:
To note: £20k for Neighbourhood Plan for recommendation to Town Council in November

P.4362 WORKING GROUPS' REPORTS:

- a) **Play and Leisure Facilities Working Group**
No meeting held
- b) **Street Scene Working Group:**
The group met today and discussed:
Colour of town flower displays for 2017
Historic debt from 15/16 to be reported to Town Council
Consider Towns in Bloom Competition
Budget Bid increase of 25%
Future meetings to be held quarterly
- c) **Town Improvement Group:**
The group met today and discussed:
Neighbourhood Plan
Benchmarking/Training
High Street/Maristow Street

10.36pm

**Signed on behalf of the Meeting
this twenty-first day of November 2016**

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Chairman