

WESTBURY TOWN COUNCIL

At a MEETING of the HIGHWAYS, PLANNING & DEVELOPMENT COMMITTEE held at THE LAVERTON, BRATTON ROAD, WESTBURY, on 21st May 2018 at 7pm

PRESENT: Cllr: M Sutton (Chairman), I Cunningham, J Russ, M Kettleby, N Pyne, S Kimmins, B Pyne, S Hendry, G King, R Hawker
Staff: Mrs J Dyer and Miss S Harris

Also in attendance: Cllr D Jenkins
Residents x12

P.4707 – PUBLIC FORUM:

2 Residents Planning Application 18/02603/FUL
4 Residents Planning Applications 18/03366/WCM and 18/03816/WCM

P.4708 – ELECT A CHAIRMAN:

Cllr M Sutton was elected as Chairman

P.4709 – TO APPOINT A VICE-CHAIRMAN:

Cllr G King was appointed as Vice Chairman

P.4710 – APOLOGIES FOR ABSENCE:

Cllr F Morland No apologies received

P.4711 – DECLARATION OF INTEREST and DISPENSATIONS:

Cllrs Cunningham, Russ, B.Pyne – Planning Application 18/03366/WCM and 18/03816/WCM – Personal - Member of Westbury Festival Committee, partially sponsored by Hills
Cllr Hawker – Business – Member of Westbury Area Board / CATG.

P.4712 – MINUTES:

RESOLVED: *That the minutes of the Committee Meeting held on 16th April 2018, confirmed and signed by the Chairman.*

MATTERS ARISING FROM THESE MINUTES (if any)

MEMBERS MATTERS ARISING FROM THESE PREVIOUS MINUTES

Minute ref	Subject	Action	Update
P.4680 P.4660	Play Area, Paxmans Road, The Ham	19.02.18 – The Committee agreed that a letter is sent to Wiltshire Council to ask if play area is in a fit state for them to adopt? Is the	The Town Clerk has contacted Gabrielle Crump for further information and we are still awaiting a

		<p>play equipment still faulty? Will they look to release some of the money to fix the equipment or could the developers help with funding.</p> <p>Response from Gabrielle Crump for 19.03.18 – The play area is the current ownership of Persimmon and Wiltshire Council would complete a lease to Westbury Town Council at the same time as it transfers to Wiltshire Council from Persimmon. The safety inspection report for the play area was available for review at the meeting.</p> <p>19.03.18 – The Committee requested the Play Areas Working Group look at this report and resubmit to HP&D with their response.</p>	<p>response.</p>
P.4683	Government UK Consultations	<p>The Committee noted the three consultations and agreed to setting up smaller groups made up of Committee members to review and prepare answers to the consultation:</p> <ul style="list-style-type: none"> • Supporting housing delivery through developer contributions – ends 10th May • Draft revised National Planning Policy Framework – ends 10th May • Cycling and Walking Investment Strategy (CWIS) safety – ends 1st June and will be available for review at this HP&D meeting. 	<p>On 09.05.18 the following consultations were submitted:</p> <ul style="list-style-type: none"> • Supporting housing delivery through developer contributions – ends 10th May • Draft revised National Planning Policy Framework – ends 10th May <p>On 30.05.18 the following consultation was submitted:</p> <ul style="list-style-type: none"> • Cycling and Walking Investment Strategy – ends 1st June
P.4698	Motion from Cllr Cunningham dated 09.04.18:	<p>The Committee requested the Rights of Way Officer is contacted to ask if the notice</p>	<p>Pending a reply from the ROW officer.</p>

	The footpath from Edward Street, through Morrisons to Haynes Road	Morrisons is displaying suggesting there is no public right of access is legal and request a notice is issued to Morrisons to modify their sign.	
P.4699	Recommendation from TIG/Tourism dated 09.04.18: The Neighbourhood Plan to become a Sub-Committee	The Committee agreed that the Neighbourhood Plan should become a Sub-Committee, reporting to the Highways, Planning and Development Committee. The Terms of Reference will need updating and the Town Clerk to follow up with our Specialist. The Highways, Planning and Development Committee recommend to Town Council.	The Town Clerk has sent the Terms of Reference to Cllr Cunningham.

P.4713 – WILTSHIRE COUNCILLORS' REPORTS:

Cllr Hawker – as a Wiltshire Councillor Cllr Hawker will submit his own comments regarding planning applications 18/03366/WCM and 18/03816/WCM. Cllr Hawker objected to the original application and his objections still stand. He intends to add to these objections.

Cllr Jenkins – Sits on the Strategic Planning Committee and following research there is interesting information concerning the gasification process and how these plants work. There is still public concern for the increase in traffic, odour, dust, noise and visual intrusion.

P.4714 – CHAIRMAN'S COMMUNICATIONS:

The Committee noted:

A. Briefing Note 349 – changes to Planning Legislation – Permission in Principle – a decision was made at Town Council on 14.05.18 for HP&D to create a Sub-Committee to review urgent applications. See P.4715 for additional information.

B. Briefing Note 355 – Housing Site Allocation – deferred to Clerks Correspondence.

C. Email from Trowbridge Town Council regarding the Housing Site Allocation and requesting Westbury receive further allocation. The following reply was issued:

Thank you for contacting us regarding Wiltshire Councils proposed Housing Sites Allocation Plan.

After discussions with our Highways, Planning & Development Committee, we would like to make the following comments.

Westbury Town Council sympathises with your views that development in your area is unsustainable and additional allocations are in unacceptable locations. You are correct in that Westbury has met its' requirement and has no further allocations in the HSAP however we are continuing to see significant development without the necessary infrastructure to support this growth. Since reaching our target in the HSAP, an additional 326 dwellings have been agreed on two sites with a further 87 currently going through the planning process.

Whilst we have every sympathy for the pressure the latest HSAP proposals put onto the infrastructure of the town of Trowbridge, we feel we have been put in a similar position ourselves and do not feel it appropriate to inflict further large-scale development on a town that is already struggling to cope.

**P.4715 – RECOMMENDATION FROM THE TOWN COUNCIL dated 14th May 2018
PLANNING IN PRINCIPLE (PIP) SUB-COMMITTEE:**

The Committee noted the recommendation and request from the Town Council and will develop a press release to explain to the public why the Town Council is introducing this additional Sub-Committee. The workings of this Committee will be reviewed after 12 months.

**P.4716 – SEPARATE THE NEIGHBOURHOOD PLAN FROM TIG/TOURISM
WORKING GROUP:**

The Committee noted that the recommendation to create a Sub-Committee was approved at Town Council on 14th May 2018. The Committee also requested it was noted that the 21st May 2018 HP&D agenda recommended a standalone Working Group and that should actually be a standalone Sub-Committee.

P.4717 – PLANNING DECISIONS:

The Committee noted Planning Decisions made up to 21st May 2018.

**P.4718 – CERTIFICATE OF LAWFULNESS – 18/03269/CLE, COURTLEIGH
HOUSE, WETBURY LEIGH:**

The Committee noted the letter and have no objections.

P.4719 – PLANNING APPLICATIONS:

The Committee considered the following Planning Applications received from Wiltshire Council up to 21st May 2018.

18/03269/CLE	<p>Courtleigh House, Westbury Leigh, Westbury, Wiltshire, BA13 3TA</p> <p>Certificate of lawfulness for the use of the building for B1 business use, C3 residential use comprising private apartment dwelling and Sui Generis comprising archive storage and private museum artefact collection.</p> <p>WTC No Objections</p>
18/03212/FUL	<p>70 Sandalwood Road, Westbury, Wiltshire, BA13 3UP</p> <p>Alterations to garden to include car parking area and boundary treatment.</p> <p>WTC Object</p> <p>Westbury Town Council objects to this application on the following grounds:</p> <p>There is already difficulty parking in this area and this will only add to the problems. The applicant comments that the parking is very limited around this address. Sacrificing 2 spaces to provide 1 space does not make sense.</p>
18/03784/TCA	<p>29 Bitham Mill, Alfred Street, Westbury, Wiltshire</p> <p>T1 - Coppice to ground level - Sycamore T2 - Coppice Sycamore T3/T4 - Sycamores - reduce by 4 - 6m height & balance</p> <p>WTC Object</p> <p>Westbury Town Council objects to this application on the following grounds:</p> <p>There is insufficient information provided as part of the scanned documents are unreadable. However, there appears to be nothing wrong with the trees, this is a conservation area and the serenity of the area should be protected, as well as protecting the screening of Bitham Mill and Chantry Court.</p> <p>Westbury Town Council are aware that this response is after the consultation expiry. An extension was requested and declined and therefore we invited our Councillors to provide individual responses and agreed a group response would still be submitted</p>

	after our meeting on 21.05.18.
18/02603/FUL	<p>Grassacres Day Centre, Eden Vale Road, Westbury, Wiltshire, BA13 3NZ Installation of portacabin</p> <p>WTC Object</p> <p>Westbury Town Council objects to this application on the following grounds:</p> <p>Westbury Town Council support the work that the Westbury Welfare for the Elderly and the Westbury Shed do at the Day Centre, however they object to the installation of a portacabin.</p> <p>A portacabin is not in keeping with the setting and has an adverse impact on the amenity of the site from the park.</p> <p>Access to the site is inadequate and no access plans have been presented. We also understand that no discussions have been held with the neighbours, in particular the Methodist Church especially as the access is likely to be required through their car park.</p>
18/03489/FUL	<p>53 The Butts, Westbury, BA13 3EY Raise height of roof to accommodate additional accommodation in the roofspace, construction of dormer windows and single storey extension.</p> <p>WTC No Objection</p>
18/02377/FUL	<p>3 Maristow Street, Westbury, Wiltshire, BA13 3DN Erection 1.5m feather edge fence</p> <p>WTC Support subject to conditions</p> <p>Westbury Town Council request that this is subject to confirmation from the land registry regarding the ownership of this section of land.</p>

18/03399/FUL	<p>1 Fatts Passage, Westbury, Wilts, BA13 3JB Single storey dwelling and demolition of redundant outbuilding</p> <p>WTC No Objections</p>
18/03840/FUL	<p>Unit 20 Woodland Industrial Estate, Eden Vale Road, Westbury, BA13 3QS Change of use of Unit 20 from Class B1/B8 to dual Class B1/B8 and D2 use</p> <p>WTC No Objections</p>
18/01561/FUL	<p>3 Shoreland Close, Westbury, Wiltshire, BA13 3QY Single Storey Side Extension</p> <p>WTC No Objections</p>
18/04023/FUL	<p>Woodland Industrial Estate, Eden Vale Road, Westbury, BA13 3QS Change of Use of Unit 16 from Class B1/B8 to dual Class B1/B8 and sui generis use (vehicle repair workshop)</p> <p>WTC No Objections</p>
18/04379/LBC	<p>Westbury Leigh Baptist Church, Westbury Leigh, Westbury, BA13 3SU Change of Use from D1 to C3. Conversion of the rear of the site (Sunday School) into four 1 Bedroom apartments and the front of the site (Chapel) into a 3 Bedroom house. Associated internal alterations. Also to include alterations to the block work walls at the front of the site between the listed gate piers to create additional parking.</p> <p>WTC Object</p> <p>Westbury Town Council objects to this application on the following grounds:</p>

	<p>This is an historical listed building, and nothing should be done to alter the fabric and interior. The owners have a duty of care to protect the building and seek an alternative use.</p>
18/04008/FUL	<p>Westbury Leigh Baptist Church, Westbury Leigh, Westbury, BA13 3SU Change of Use from D1 to C3. Conversion of the rear of the site (Sunday School) into four 1 Bedroom apartments and the front of the site (Chapel) into a 3 Bedroom house. Associated internal alterations. Also to include alterations to the block work walls at the front of the site between the listed gate piers to create additional parking.</p> <p>WTC Object</p> <p>Westbury Town Council support the idea of a conversion of some kind to keep this historical listed building in use and looked after and they do like some of the sympathetic changes that have been proposed, however they don't feel this is the right design for this building. They also have concerns regarding the lack of parking that will be available in this overdevelopment area where parking is already difficult.</p>
18/03366/WCM	<p>Northacre Resource Recovery Centre, Stephenson Road, Northacre Industrial Estate, Westbury, BA13 4WD Waste Management Facility and Welfare, Office and Workshop Building with ancillary development</p> <p>WTC Object</p> <p>Westbury Town Council objects to this application on the following grounds:</p> <p>18/03366/WCM - Waste Management Facility and Welfare, Office and Workshop Building with ancillary development</p> <ul style="list-style-type: none"> • Volume of traffic – whilst there may be a reduction in traffic across much of Wiltshire, there will still be a significant impact on our town as Westbury does not have appropriate road infrastructure to cope with more vehicle movements - specially large lorries. The location is inappropriate as all vehicles will have to come through some part of our town.

	<ul style="list-style-type: none"> • Although it is not clear if the materials will be clean, there have been significant problems with flies in the neighbouring MTB plant. This has been despite assurances that this will not occur so there are concerns that further waste handling would most likely exacerbate the problem and there are concerns this will increase. • Hazard due to fires – there are reported to be 300 fires per annum in the UK resulting from work of a similar nature. We are familiar with the high rates of fires in the neighbouring facility. The issue seems to relate to the wrong types of items being include in the waste stream and near universal problem for all recycling plants. Fumes from any fire involving plastics would be extremely noxious and hazardous to near by employment sites and residents. Mixed waste plastic recycling should not occur at this location. • Concerns about risk of odour if input materials are dirty. • Air quality is poor along parts of A350 and no doubt traffic in this area will increase. • Risks posed are unacceptable close to residential areas.
18/03816/WCM	<p>Northacre Renewable Energy, Stephenson Road, Northacre Industrial Estate, Westbury, Wiltshire, BA13 4WD Revision of the layout and design of Advanced Thermal Treatment Facility permitted under consent 14/12003/WCM</p> <p>WTC Object</p> <p>Westbury Town Council objects to this application on the following grounds:</p> <p>18/03816/WCM - Revision of the layout and design of Advanced Thermal Treatment Facility permitted under consent 14/12003/WCM</p> <ul style="list-style-type: none"> • The height of the Chimney is obtrusive. • These plans contradict the Government's Environmental aims [e.g. Air quality plan for nitrogen dioxide (NO2) in UK (2017) which increased traffic will make the air quality worse in an area already suffering from poor air quality: and the 25 year environment plan (DEFRA Feb 2018) which sets out to eliminate all avoidable plastic waste by 2042 - using it for fuel works against this aim) • Public health risk – there has been no public health assessment undertaken and Wiltshire Council should consider local residents when considering this application.

	<ul style="list-style-type: none"> • Emissions from the site – not all particulates will be collected during the process. We are concerned about the proximity to residential areas and our town. Emissions may conform to current standards but standards regularly change to be more restrictive e.g. there are none for particles PM 1 which will not be filtered. The principle of precaution applies to a site which is close to town centre and whose emissions will regularly cover parts of local residential areas. • There has been no production of a plume grounding diagram, which we were promised and have still not received. • Concerns regarding the practicality versus the reality of the production process from the input streams - testing and modelling is based on proper operation. Evidence suggests (e.g. fires caused by extraneous waste) that recycling processes when carried out outside of "laboratory" conditions results in significant amounts of inappropriate material appearing. • Contrast to Core Policy 55 'Air Quality – <i>where development proposals by virtue of nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity</i>'.

ADDITIONAL PLANNING APPLICATION LETTER: WILTSHIRE COUNCIL – 51 OLDFIELD ROAD, WESTBURY – TREE PRESERVATION ORDER – 2018/00012/GRP:

The Committee noted the letter and fully support the preservation of trees in this area. A response will be issued confirming support.

P.4720 – GOVERNMENT CONSULTATIONS:

The Committee Sub Group provided their reply to the substantial consultation Cycling and Walking Investment Strategy. The Committee thanked the Sub Group and agreed to send any comments by Friday 26th May. The response will be submitted before the closing date, 1st June 2018.

[Cycling and Walking Investment Strategy \(CWIS\) safety](#)

P.4721 – PROPOSED TRAFFIC REGULATIONS ORDER CONSULTATION. THE CONSULTATION CLOSES ON 21.05.18 – THE COMMITTEE ARE TO AGREE COMMENTS FOR SUBMISSION ON 22.05.18:

The Committee agreed the following response – *Westbury Town Councils Highways, Planning and Development Committee object to the Sunday and Bank Holiday car parking charges, as it is mean-minded, petty penny pinching. This is detrimental to the economic wellbeing of the town when Wiltshire Council should be encouraging*

visitors into the town. The change in season ticket charges reduces from 80% to 50%. This seems unfair to a town that has limited parking and significant parking issues.

P.4722 – UPDATE ON HIGHWAYS RELATED EAR MARKED RESERVES (EMR)

The Committee noted the summary of the current position over funding for CATG from EMR and that both Traffic Orders and Dropped kerbs EMR relate to highways issues and therefore the committee can approve spends up to £500 without Town Council approval on Highways related matters.

P.4723 – CATG ISSUES FOR CONSIDERATION:

The Committee considered the following CATG issues from Wiltshire Council up to 21st May 2018.

New issues to be considered:

Issue Number:	Area:	Issue:	Would like to resolve issue:	WTC Decision:
6274	CATG Dropped Kerbs Newfield Close Oldfield Park	Inadequate drop curbs and paving from my home in Newfield Close to the Westbury Juniors school including One Stop area. To travel this route in a wheelchair or motorbility scooter as I do is dangerous risky damaging to equipment and most importantly dangerous to my spinal health. I can no longer take my daughter to or from school due to the risk to my own health I have to have carers take my daughter to and from school. Which should not	I would like all drop curbs to be exactly that and not partially dropped. smoothing out of paving and tarmac.	Support the request for drop kerbs on the understanding Wiltshire Council contact Selwood Housing as we believe they own the pavements.

		be happening.	
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Updates for noting and/or further consideration:

Issue Number	Issue	Westbury Town Council Update	CATG Update
5874	Pavements and Footpaths Improvement Scheme in Westbury	<p>16.04.18 – The Committee agree, subject to a request and seeing further information and a breakdown of costs to see how the money will be spent. The final decision will be deferred to the May HP&D following more information being available and discussions with the Town Clerk.</p> <p>21.05.18 – as requested here is a breakdown of costs for Castle View and Frogmore Road:</p> <p><u>Castle View, Westbury</u> Area – 112m² Ironworks – Approx. 8-10 covers to be adjusted (some may not require adjustment) Edgings – 3 no. edgings Depth of dig – 80mm depth Construction – Excavate footway 80mm and Inlay with AC 20 binder course, 60mm thick with AC 6 surface course, 20mm thick.</p> <p>This scheme is a patching job and due to the location of the works, smaller plant and equipment will need to be used to undertake the work itself therefore this scheme has been priced as a dayworks scheme.</p>	<p>23.03.18 - PW has walked both sites and the consultant has priced Frogmore Road £4,236 and Castle View £5,355. The budget available is £6,192.12 and PW priority would be Castle View. However, WTC may like to contribute the balance of £3,398.88 so that both Frogmore Road and Castle View can be improved or if not, which area would be their preference.</p>

		<p><u>Frogmore Road, Westbury</u> Area – 102.5m² Ironworks – Approx. 12 no. covers to be adjusted (some may not require adjustment) Kerbing – 12 no. HB2 kerbs Depth of dig – 80mm depth Construction – Excavate footway 80mm and Inlay with AC 20 binder course, 60mm thick with AC 6 surface course, 20mm thick. 21.05.18 – The Committee agreed to recommend £3,398.88 so that both improvements can be completed. Cllr Sutton will prepare a Recommendation for Town Council 02.07.18. If the recommendation is not successful, HP&D recommend Frogmore Road improvements.</p>	
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P.4724 – HIGHWAYS CORRESPONDENCE / MATTERS:

The Committee noted:

- A.** Cllr Wayman’s Newsletter for May.
- B.** Temporary Road Closure Notice for Westbury Summer Event.
- C.** Annual Parking Review confirmation that Westbury is on the list for this coming year. Initial investigations in Westbury will begin early Summer.

P.4725 – CLERK’S CORRESPONDENCE:

- A.** Electronic Vehicle Charging Points were being powered through the High Street Public Toilets. This is being rectified with Wiltshire Council and we will be reimbursed.
- B.** Footpath / Bus Stop A350 concern has been raised by a resident that there is no footpath in place by the new bus stop. We have contacted the Highways team who confirmed that it was too late to action during the planning process, however they will investigate. The HP&D Committee asked that it was noted that they did object to the housing plans and bus stop and this appears to have been ignored/overlooked.

C. Welcome to Westbury Nameplate and Planter on A350, the Committee noted this is in a temporary location and will be moved slightly to a permanent position once the roundabout works are complete.

D. Cricket Nets Leighton Recreation Centre / Hospital site, there are concerns that the current location could mean the cricket balls will be coming over by the houses. The developer has submitted a trajectory report about how the ball may fall and a proposal to rectify this is expected.

E. CIL Money land adjacent to 24 Phipps Close is a total of £843.

F. Concerned resident regarding an alleged illegal U-turn on a mini roundabout on the A350. Westbury Town Council are not Highway authority and have no power on this matter. The Committee felt with the details and photos provided it was not illegal and would not be able to comment further. The Committee would suggest it is referred to the Highways authority as a traffic management issue.

G. Post Office issued a letter confirming that there is still interested parties in hosting a smaller counter, no further update at this stage.

H. Badgers at Kendrick Close, this is being monitored.

I. Draft Wiltshire Housing site Allocation document – the Committee agreed for the document to be circulated for review and comments if required. Cllr Sutton will prepare a response.

Signed on behalf of the Meeting this Eighteenth day of June 2018

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22.10