

MINUTES
of the
Planning Advisory Committee
held on Tuesday 3rd April 2018 at 7pm
at the Civic Centre, Sambourne Road, Warminster, BA12 8LB

Committee membership:

Cllr Brett (East)	*	Cllr Jolley (Broadway)	*
Cllr Fraser, Chairman (West)	*	Cllr Nicklin (West)	*
Cllr Fryer (Broadway)	*		
Cllr Jeffries Vice Chairman (Copheap)	*		

Key: * Present A Apologies AB Absent

In attendance:

Officers: Fiona Fox and Judith Halls

Public and press: 6 members of public, 0 Press

PC/17/107 Apologies for Absence

None.

PC/17/108 Declarations of Interest

Councillor Nicklin declared an interest in planning application No 18/01855/FUL as this was from his neighbour. He would remain in the meeting for the discussion but would abstain from voting.

PC/17/109 Minutes

PC/17/109.1 The minutes of the meeting held on Monday 12th March were approved as a true record and signed by the chairman.

PC/17/109.2 None.

PC/17/110 Chairman's Announcements

None.

Signed.....Date.....

Standing Orders were suspended at 7.05pm to allow for public participation

PC/17/111 Public Participation

Harriet Jones spoke about item 10 on the agenda, Warminster Public Art, saying that she was interested in this project as a professional sundial maker. She did not want to tender for the job but felt that there were many local sculptors, stonemasons and metalworkers who could make something unique for the Redrow development. The proposed armillary spheres, particularly the larger one, were made by firms who make sculptures for large corporate clients. Perhaps a local competition for a design could be run like the one for the gargoyle which was made for St. Lawrence Chapel. There are many interesting local stones which could be used, perhaps for a carved figure. She felt that Wiltshire Council's Public Art Officer should be promoting local artists at every opportunity rather than endorsing outside contractors. She concluded that she would be happy to talk to councillors and others about the artists and fabrication companies known locally.

Paul Scrase spoke against planning application No 18/01851/FUL saying that the increased number of children at the nursery would make the noise intolerable. He had concerns over road safety with the additional traffic flow which is already problematic.

John Pomeroy spoke in favour of planning application No 18/01407/FUL.

Councillor Pip Ridout spoke against planning application No 18/01851/FUL saying that she had been approached by several residents in the area about the nursery school. She felt that the increased number of children attending the school was unacceptable and this would cause a noise nuisance for local residents. There were highway issues as the property was situated three houses up from a major bend. Parking is already a problem and the increase in parents dropping off children will only make matters worse. The school have tried to address this with a schedule of times for dropping off children but Councillor Ridout had concerns that this would be unworkable. Staff were advised to park away from the property but this would cause more displaced parking problems.

Larry Bohana spoke against planning application No 18/01851/FUL. His notes are attached to the minutes.

Standing Orders were reinstated at 7.16pm

PC/17/112 Reports from Unitary Authority Members

None.

PC/17/113 Comments from Neighbourhood Plan Policy Review Working Group

None.

Signed.....Date.....

The chair proposed bringing forward item Nos 18/01407/FUL and 18/01851/FUL for discussion and the committee agreed unanimously.

PC/17/114 Planning Applications

18/01407/FUL Construction of two timber wildlife hides (retrospective). Henfords Marsh, Lower Marsh Road, Warminster, Wilts, BA12 9PA

It was resolved that there was no objection to the application.

18/01851/FUL Change of use of part of building from residential to nursery uses (Part Retrospective) and Variation of Condition 3 of planning consent W/06/00806/FUL to change the permitted number of children from 45 to 70. Barney Lodge Day Nursery, 5 Westbury Road, Warminster, BA12 0AN

Members had a lengthy debate regarding this application. They had listened to all the concerns raised by local residents and agreed with the issues raised. Councillor Nicklin proposed refusal of the application due to the adverse effect on the residential amenity of neighbours by reason of noise, and that the development would adversely affect highways safety and the convenience of road users. Seconded Councillor Jolley, voting in favour for refusal.

It was requested that this application be called in by the Wiltshire Council Unitary member, Councillor Pip Ridout

18/01284/FUL Raising the height of the roof to create first floor accommodation in the roof space and construction of dormer windows, erection of a two-storey extension to front. 21 Victoria Road, Warminster, Wiltshire, BA12 8HA

It was resolved that there was no objection to the application.

18/02025/FUL Retrospective change of use from garage block ancillary to dwellings to garage block associated with the use of Warminster Maltings Ltd for parking and storage. Garage Block, Cobbett Place, Warminster, Wilts

It was resolved that there was no objection to the application.

18/02055/FUL & 18/02308/LBC

Proposed rear single storey extensions and refurbishment with new entrance gates. The Old House, 14 West Street, Warminster, Wilts, BA12 8JJ

It was resolved that there was no objection to the application.

18/02249/FUL Annex. 7 Robin Close, Warminster, Wiltshire, BA12 9DE

It was resolved that there was no objection to the application.

18/02275/LBC External work to front elevation on Church Street only: Repair damaged and worn stone detailing and replace pointing. Clean stonework generally. Obelisk House, 1 Church Street, Warminster, Wilts, BA12 8PG

It was resolved that there was no objection to the application.

Signed.....Date.....

18/02222/FUL Construction of new single storey extension with existing garden wall demolished and rebuilt in new location. 2 Hillbourne Close, Warminster, Wiltshire, BA12 0BL

It was resolved that there was no objection to the application.

18/02521/ADV & 18/02333/FUL

Installation of new signage and external air con units. 26-32, Three Horseshoes Walk, Warminster, BA12 9BT

It was resolved that there was no objection to the application.

18/02435/FUL Re-alignment of wall. 11 North Row, Warminster, Wiltshire, BA12 9AD

It was resolved that there was no objection to the application.

18/02413/FUL First floor extension over existing single storey attached garage. 36 Norridge View, Warminster, BA12 8TA

It was resolved that there was no objection to the application.

18/01855/FUL Removal of hedge and construction of new fence and entrance gates. Brick Hill Farm, Bath Road, Warminster, Wiltshire, BA12 8PF

Councillor Fraser proposed acceptance to the plans, seconded Councillor Brett, voting in favour 5, against 0, abstentions 1. The motion was carried.

PC/17/115 Tree applications

18/02227/TCA T1 - Eucalyptus tree - cut back overhanging branches by up to 3m. T2 - Goat Willow tree - cut back overhanging branches by up to 3m T3 - Eucalyptus tree – fell. 66-68 West Street, Warminster, Wilts, BA12 8JW

18/02226/TCA T1 - Willow tree - re-pollard at 1.8m 64 West Street, Warminster, Wiltshire BA12 8JW

18/02427/TPO Beech tree and Sycamore tree - crown raise to prevent excessive shading. 6 Elm Hill, Warminster, Wiltshire BA12 0AU

18/02341/TCA T1 Beech crown lift over road by removing small pendulous branches to give a head clearance of approx 5.5 metres. T2 Yew crown lift to 5 metres over road side only. Warminster War Memorial, Portway, Warminster, BA12 8QE

18/02630/TCA Robinia – Fell. 62 Boreham Road, Warminster, Wiltshire, BA12 9JL

18/02718/TCA Fell 1 Birch Tree (T1) and 1 Cherry Tree (T2) 28 Vicarage Street Warminster Wiltshire BA12 8JE

Noted.

Signed.....Date.....

PC/17/116 Warminster Public Art

Members debated the proposal from Redrow Homes for the artwork to be installed at the new housing development at Victoria Road. They were disappointed that local artists had not been contacted for work on this project and that Warminster was not included in the meetings.

Councillor Brett proposed that the Wiltshire Council Public Art Officer be invited to Warminster Town Council and ask him for advice. Local participation is important and it is disappointing that outsiders put in what they want. Seconded Councillor Jeffries, voting unanimous in favour

PC/17/117 Communications

Members requested that a press release be issued about the application for Barney Lodge being called in by the Unitary Councillor.

Meeting closed at 7.58pm

Signed.....Date.....

Application No: 18/01851/FUL

The comments I raise regarding the above application are as follows;

Noise Disturbance

The increase change in permitted children from 45 to 70 will be an intolerable increase in the noise level for neighbouring dwellings. This issue was addressed under, **Environmental Protection Act 1990**, to the HSE Dept in 2014. The noise level from 09:15 to 17:15 daily, was after investigation, recognised as having a disturbance factor. However, for the sake of neighbourly harmony we agreed with measures that were accepted to reduce outside play times to a reasonable level. Regrettably over the course of time the agreement has too often been flouted.

Should Variation of Condition 3 of planning consent W/06/00806/FUL be permitted the noise level will correspondingly double throughout the day. This would be wholly unfair to adjacent neighbours.

Highway Safety and Traffic

The effect the application will have on Highway Safety and Traffic is of much concern as the property is not ideally placed with busy peak- hours traffic. The amount of parking at the location permits for, at best, 6/7 saloon type cars. With full parking capacity taken up the egress turning circle is very restricted. Coupled to this exiting vehicles joining an extremely busy road (a road that has become somewhat of a 'rat run' at peak times to avoid the town by-pass) have difficulty because of vehicles parked on the road, in seeing the fast moving traffic approaching from a sharp bend a short distance from their exit point. Alas, despite request from residents and in fairness, the efforts of the nursery staff, clients do still continue to park whilst dropping off children on restricted yellow lines placed there by the council to eliminate the possibility of accidents occurring. A substantial increase in the amount of vehicles entering and exiting Barney Lodge would have quite an alarming impact on highway safety.

Conclusion

Provision has been made in law, which is available to all businesses, for a defence of "best practicable means" (bpm) in dealing with such issues as those commented upon above. However, we believe the nursery has now achieved this. To attempt a bpm beyond that which now stands would be unreasonable. The owners of Barney Lodge Nursery reside in the tranquillity of Devon and are perhaps not fully aware of issues that they create for local residents. The possibility of this dwelling place coming wholly a place of business will only exasperate the situation.