

The Civic Centre
St Stephen's Place
TROWBRIDGE
Wiltshire
BA14 8AH

info@trowbridge.gov.uk

23rd October 2018

SUMMONS

To members of the Town Development Committee: Councillors; Bazan (Lambrok), Beaver (Lambrok), Bridges (Park), Bryant (Paxcroft), (Vice Chair), Cooper (Adcroft), Fuller (Park), Kemp (Central), Kirk (Adcroft), Palmen (Central), Whiffen (Grove) (Chair).

Dear Councillor,

You are hereby summoned to a meeting of the **Town Development Committee** to be held on **Tuesday 23rd October 2018 at 19:00** in: **The Civic Centre, St Stephen's Place, Trowbridge.**

Yours faithfully,



Lance Allan
Town Clerk

Members of the public are welcome to attend meetings of the Council and Committees, unless specifically excluded due to the confidential nature of the business.

Enquiries Tel: 01225 765072 or e-mail: info@trowbridge.gov.uk

AGENDA

1. **APOLOGIES**
 - a) **To receive** apologies from those unable to attend.
 - b) **To consider for approval** those apologies received with reasons for absence.
2. **MINUTES**
 - a) **To approve** as a correct record, the Minutes of the Town Development Committee meeting held on **Tuesday 2nd October 2018**
 - b) **To note** any matters arising from the Minutes of the Town Development Committee meeting held on **Tuesday 2nd October 2018**
3. **DECLARATIONS OF INTEREST**

To receive Declarations of Interest in respect of matters contained in this agenda, in accordance with the provisions of the Local Government Act 1972 in respect of officers and of the Localism Act 2011 in respect of members.
4. **CHAIR'S ANNOUNCEMENTS**

To note any announcements made by the Chair.
5. **OPEN FORUM**
 - a) **To allow questions** from members of the public, these may be answered but not debated.

6. PLANNING APPLICATIONS - NEW

a) To consider applications received from the Development Management (West) Department of Wiltshire Council and to make such recommendations and observations as the Committee may decide. As per lists dated **3rd October - 23rd October 2018**.

7. PLANNING APPLICATIONS - DEFERRED

To consider applications deferred from the previous meeting: **None**.

8. PLANNING APPLICATIONS - REVISED

To consider any revised plans received from Wiltshire Council:

9. PLANNING APPLICATIONS - WILTSHIRE COUNCIL DECISIONS

To note any significant decisions of Wiltshire Council:

10. PLANNING APPLICATIONS – APPEALS

To consider the following appeals information received from Wiltshire Council:

a. Appeal Ref: APP/Y3940/F/17/3184527

3a Church Walk, Trowbridge BA14 8DX

Decision:

2. The appeal is allowed in part and dismissed in part. See formal decision below.

8. Having inspected the building in its context I consider that the listed building is still worthy of its listed status. Despite the alterations carried out over the year it is still recognisable from the list description. I consider that the character of the overall building, its setting and its remaining features of architectural and historic interest are worthy of preservation. It follows that I do not consider that it should be removed from the list. The appeal fails, therefore on ground (a).

12. In my view the works as carried out have affected the character of the building. In particular the altered window opening sizes have changed the overall form and scale of the two elevations and the uPVC replacements are not characteristic of the window types for a property of this age and in this location within the TCA. I deal with whether or not I find the works ought to be granted listed building consent under ground (e) below. However, in simply finding that the character of the building has been affected and that there is no LBC in place for these works, it follows that a contravention of the PLBCAA has occurred. The appeal also fails, therefore, on ground (c).

15. An appropriate timber window/doorway could have provided an escape without affecting the character of the building. I do not consider that the appellant has shown that the works carried out were limited to the minimum necessary in the interests of health and safety. Any dampness issues could have also been resolved, in my view, without both altering the window openings and/or installing the uPVC windows.

Furthermore, the fact that the windows might not have been in working order does not, in my view, carry any weight since again this does not explain the need to reduce the opening sizes. The matter could have been easily resolved by installing casement windows into the existing openings. In conclusion, therefore on this ground of appeal I do not consider that the appellant has conclusively shown that the works as carried out were necessary in the interests of health and safety. The appeal fails on ground (d).

23. In principle I find that the two uPVC windows to the rear and side elevations to be acceptable. What I find unacceptable is the way in which the extended openings have been finished. In the case of these two windows, therefore, I do not consider that they need to be removed and I shall grant LBC for their retention subject to a condition relating to the appropriate finishing to the enlarged openings. The appeal succeeds, therefore, in relation to the two first floor windows but fails in relation to the second floor window.

Accordingly I shall issue a split and vary the LBEN accordingly. I am satisfied that in doing so no injustice will be caused to any party or interested person.

25. The appeal is allowed in part and listed building consent is granted for the uPVC window on the first floor south-east elevation (rear elevation) of the building shown in the attached photograph 'Photograph 1' and the UPVC window on the first floor northeast elevation (side elevation) of the building shown in the

attached photograph 'Photograph 2' at No 3a Church Walk, Trowbridge BA14 8DX, subject to the following condition in both cases:

1. The areas of the former window openings and surrounds to the windows shall be finished in rendered material to match the render to the rest of the rear and side walls.

The render shall cover the whole area of former window openings and shall be returned into the window reveals as far as the frames using metal and mesh render angles and shall be painted white to match the rest of the rendered walls.

26. I direct that the requirements of the notice, numbered 1 to 6 inclusive, be deleted.

27. Otherwise the appeal is dismissed and the notice is upheld as varied. Listed building consent is refused in relation to the works carried out to the second floor window in contravention of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended.

b. An appeal has been made to the Planning Inspectorate in respect of:

APPELLANTS NAME: Scripps Construction
APPEAL SITE: Flat 4, 40 Stallard Street, Trowbridge, Wiltshire, BA14 9AA
PROPOSED DEVELOPMENT: Construction of a dormer window on south east elevation
INSPECTORATE REFERENCE: APP/Y3940/W/18/3210332
APPEAL START DATE: 10 October 2018

11. ENFORCEMENT & OTHER MATTERS

a. **To consider** updates on previously advised issues:

Hedge outside John of Gaunt School along Wingfield Road.

b. **To consider** any new issues raised by councillors or members of the public.

12. ROAD CLOSURES

a. **To consider** road closure applications:

Temporary Closure of various roads, Trowbridge for Remembrance Day Parade. Sunday 11th November 2018.

b. **To note** road closures which have been confirmed and previously circulated:

Temporary Closure of: Footpath 51, Trowbridge (Ref: TTRO 5594)

Notice is hereby given that Wiltshire Council has made an Order to close temporarily to all traffic: Footpath 51, Trowbridge; from its junction with Duke Street to its junction with Roundstone Street, a distance of approximately 241 metres.

To enable: new connection standard.

Alternative route: via Duke Street – Church Street – Roundstone Street and vice versa.

The closure will be clearly indicated by traffic signs.

This Order will come into operation on 31 October 2018 and it is anticipated that works are expected to last 3 days.

13. CORRESPONDENCE

To note receipt of the following correspondence:

a. **Matters relating to trees at Trowbridge Lodge Park.**

15. DATE OF NEXT MEETING

Tuesday 13th November 2018.

To all other members of the council for information.