

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 30 MAY 2012 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE, BA14 0RD.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr Mark Griffiths, Cllr John Knight, Cllr Christopher Newbury, Cllr Stephen Petty, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Francis Morland

42 **Apologies for Absence**

There were no apologies for absence.

43 **Minutes of the Previous Meeting**

The minutes of the meeting held on 9 May 2012 were presented.

An amendment to the minute item 40.a (page 3 of the agenda referred) was proposed and the Senior Planning Solicitor clarified the proposed amendment as follows:

- Planning permission had NOT been granted for application W/11/02689/FUL;
- The whole application would have to be presented to the Western Area Planning Committee and be debated and voted on.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 9 May 2012 with the following amendment:

Minute item 40.a - W/11/02689/FUL - Former Bowyers Site, Stallard Street, Trowbridge, Wiltshire - Demolition and alteration of existing buildings and structures for a comprehensive redevelopment of the site

Resolved:

That the committee were minded to grant approval for this application, subject to planning conditions and heads of terms for any legal agreement, that would be required to secure the completion of the development and to secure improvements to highway access to the railway station, being met and approved by committee on 20th June 2012.

The following councillors requested for their vote against the amendment to the minutes to be recorded:

Cllr Ernie Clark

Cllr Christopher Newbury

Cllr Pip Ridout

Cllr Jonathon Seed

Cllr Roy While

44 Chairman's Announcements

The Chairman also informed everyone that he had agreed for a photographer from the Wiltshire Times to be present throughout the meeting and that people were welcome to indicate whether or not they wished to be photographed.

The Chairman informed the committee that the Biss Farm appeal had been lost and the costs to Wiltshire Council were being calculated. He encouraged members of the committee to contact the planning officer for a copy of the appeal decision.

He finished by giving details of the exits to be used in the event of an emergency.

45 Declarations of Interest

W/11/02431/FUL - Land North East Of Common Farm, The Common, Broughton Gifford, Wiltshire - Slurry store

Cllr Steve Petty declared a personal interest as a member of the Melksham Without Parish Council who, although the application was not sited in the parish, had objected. Cllr Petty was not a member of the Melksham Without Parish planning committee and gave his assurance that he would consider the application with an open mind.

Cllr Jonathon Seed declared a personal interest as he knew objectors to and supporters of the application. Cllr Seed gave his assurance that he would consider the application with an open mind.

46 Public Participation and Councillors' Questions

The Chairman explained that questions had been received by a member of the public after the deadline for submission and as an answer to these questions

would have necessitated an amount of investigation he had not allowed the questions to be included on the agenda.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

47 **Planning Applications**

The Committee considered the following applications:

47.a W/11/02431/FUL - Land North East Of Common Farm, The Common, Broughton Gifford, Wiltshire - Slurry store

Public Participation:

- Mr John Willcock spoke in objection to the application.
- Mr John Hill spoke in objection to the application.
- Mr Peter Slade spoke in objection to the application.
- Mr Richards, applicant, spoke in support of the application.
- Mr Steven Dalley-Smith, agent, spoke in support of the application.

The Area Team leader (Central Hub West) introduced the report which recommended approval and in doing so explained that the application had been submitted to comply with Environmental Regulations (Nitrate Vulnerable Zone Regulations) which would come into effect in October 2012.

He pointed out that Environmental Health had withdrawn their objection following the information received regarding the use of Aerocover (a lightweight polymer coated aggregate which covers the material within the store).

In response to technical questions asked the following was clarified:

- The application was sited in Broughton Gifford Parish.
- There would be no increase of traffic as there would be no increase of material brought to the site.

Members of the public then had the opportunity to speak as detailed above.

Cllr Mark Griffiths, Unitary Councillor for Melksham Without North Division, welcomed the opportunity for the application to be considered in a meeting open to the public, where both objectors and supporters would be able to express their views.

During the ensuing debate members of the committee recognised that the slurry store with the Aerocover and the fact that the slurry would be injected into the soil through plastic tubes rather than spread would be environmentally beneficial and probably an improvement for neighbouring dwellings.

It was pointed out that if any of the neighbouring dwellings felt that there were any unacceptable problems, for example smell or fly/vermin infestation, once

the slurry store was in place they could have these addressed by the Environmental Agency or Environment Health.

Resolved:

That planning permission be GRANTED.

For the following reasons:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

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 the access is formed at right angles to the highway and the first five metres of the access, measured from the edge of the carriageway, has been splayed, consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 3 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 3 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 90 metres to the north and south; from the centre of the access. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height 1.2 metres above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans and documents:

432.1 A received on 15 September 2011

432.5 received on 31 August 2011

Aerocover by Biotec Ltd received on 20 April 2012

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

Informative:

The proposed development must comply with the Water Resources (Control of Pollution) (Silage, Slurry and Agricultural Fuel Oil) Regulations 2010 (SSAFO). These regulations aim to prevent water pollution from stores of silage, slurry and agricultural fuel oil. They set out requirements for the design, construction and maintenance of new, substantially reconstructed or substantially enlarged facilities for storing these substances. Storage facilities should be sited at least 10 metres from inland freshwater or coastal water and have a 20-year life expectancy. The applicant must notify the Environment Agency in writing about any new, substantially enlarged or substantially reconstructed system at least 14 days before it is first used.

Further information on the regulation can be viewed at: <http://www.environment-agency.gov.uk/business/sectors/118798.aspx>

47.b W/12/00537/FUL - Land At Junction With Frome Road And Poplar Tree Lane, Southwick, Wiltshire - Erection of mobile home, utility dayroom and siting of one touring caravan

Public Participation:

- Mr Philip Cartwright-Hignett spoke in objection to the application.
- Mr Philip Harcourt spoke in objection to the application.
- Mr Douglas Brown spoke in objection to the application.
- Mrs Maggie Smith-Bendell spoke in support of the application.
- Mr Steven Jones, Southwick Parish Council representative, spoke in objection to the application.

The Area Team leader (Central Hub West) introduced the report which recommended refusal and in doing so explained that the proposal created an unacceptable situation in terms of highway safety due to the limited site lines and lack of pedestrian walkway in a high speed environment but that it was considered there was no unacceptable impact on the character of the appearance of the surrounding area by the proposal and the sustainability of the site had not been considered as an issue.

The Chairman informed the committee that Carolyn Gibson, Core Strategy Principal Planning Officer, was attending the meeting and would be able to answer their questions if required.

In responding to technical questions asked the following was clarified:

- The applicant did not need to apply for horse grazing rights as this was already on the existing planning permission.

- The adjoining field to the application site was also in the applicant's ownership but was to remain for the grazing of horses and was not part of this application.

Members of the public then had the opportunity to speak as detailed above.

Cllr Francis Morland, Unitary Councillor for Southwick, spoke in objection to the application, mentioning the large number of objection from local residents, and invited the committee to consider deferring for a site visit.

During the ensuing debate members of the committee expressed concerns over the level of information available to them, and its reliability, to ascertain the applicant's planning status.

Members of the committee also expressed their confusion at receiving applications for privately owned land when existing dedicated and approved sites still had some capacity. It was clarified that following an extensive survey over the last summer there had been a clear evidence of needs for additional pitching sites and that in the past a preference had been expressed, both by the settled and travelling communities, for smaller single-family pitching sites.

Members of the committee expressed dissatisfaction at the delay created because potential sites for this type of application were not being identified until the overall provision of need was established; which affected their ability to consider applications like this one with all the necessary information.

Resolved:

That planning permission be REFUSED

For the following reasons:

- 1 The lack of pedestrian facilities in the vicinity of the site and the speed of traffic on the adjacent roads, which are subject to a 60 mph speed limit, would result in unacceptable highway safety hazards for future occupants, in particular children. The proposal is therefore contrary to Policy DP15 of the Wiltshire Structure Plan 2016, Policy CF12 of the West Wiltshire District Plan 1st Alteration (2004) and Policy H of "Planning Policy for Traveller Sites" : Department for Communities and Local Government, March 2012
- 2 The additional traffic generated by this proposal would increase vehicular movements through the junctions of Poplar Tree Lane/A361 Frome Road and Poplar Tree Lane/B3019 Bradford Road, to the detriment of road safety due to the sub-standard visibility in the South East direction. The proposal is therefore contrary to Policy DP15 of the Wiltshire Structure Plan 2016, Policy CF12 of the West Wiltshire District Plan 1st Alteration

(2004) and Policy H of "Planning Policy for Traveller Sites" : Department for Communities and Local Government, March 2012

- 3 Development proposal is contrary to policy C1 of the West Wiltshire District Plan 1st Alteration (2004) which states that development proposals in the open countryside will not be permitted, other than those which encourage diversification of the rural economy and rural recreation, unless there is an agricultural, forestry or other overriding justification.

Informatives:

- 1 The applicant is advised that the Committee Members were not convinced about the eligibility of the applicant as a planning gypsy.
- 2 The applicant is advised that the change of use considered under this application related only to the area not indicated as paddock in the "Proposed Site Layout Plan". In the event of any submission for any alternative or revised proposals on this site the Local Planning Authority should be consulted ahead of time in respect of the extent of delineation of the red-line area on any new plans. In the event that buildings (including agricultural structures) are proposed in a future application, the design should take account of the need to limit impacts as far as possible by measures including appropriate siting and size.

47.c W/12/00284/FUL - Land North Of The Bungalow, Hoopers Pool, Southwick, Wiltshire

Public Participation:

- Mr Philip Harcourt spoke in objection to the application.
- Mr Peter Stacey spoke in objection to the application.
- Mrs Georgina Beaumont spoke in objection to the application.
- Mr Steven Jones, Southwick Parish Council representative, spoke in objection to the application.

The Area Team leader (Central Hub West) introduced the report which recommended approval. He took the opportunity to remind the committee that the March 2012 Planning Policy for Traveller Sites was a material consideration as well as policy DP15 of the Wiltshire Structure Plan 2016 and CF12 of the West Wiltshire District Plan 1st Alteration (2004).

Members of the public then had the opportunity to speak as detailed above.

There was a short recess from 8.55 to 9.10pm.

Cllr Francis Morland, Unitary Councillor for Southwick, spoke in objection to the application, mentioning the large number of objection from local residents, and invited the committee to consider deferring for a site visit. He drew the committee's attention to the outcome of the Lavington appeal.

During the ensuing debate members of the committee could not be satisfied that the applicant's planning status had been established, it was therefore

Resolved:

- 1. To defer the application until further advice could be received at a meeting of the Western Area Planning Committee regarding the planning status of the applicant.**
- 2. To have a site visit before the application is brought back to the meeting referred in 1 above.**

48 Urgent Items

There were no Urgent Items.

(Duration of meeting: 6.00 - 9.35 pm
With a short recess 8.55-9.10 pm)

The Officer who has produced these minutes is Marie Gondlach (Democratic Services Officer), of Democratic Services, direct line 01225 713597, e-mail marie.gondlach@wiltshire.gov.uk

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