

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 12 MAY 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Trevor Carbin (Reserve), Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr Mark Griffiths, Cllr Malcolm Hewson, Cllr Christopher Newbury, Cllr Graham Payne, Cllr Stephen Petty, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Francis Morland and Cllr Julie Swabey

121 **Declarations of Interest**

W/09/00941/FUL – Councillor Graham Payne declared that the applicant was known to him as he had frequently attended meetings of the former West Wiltshire District Council. However this was not a prejudicial interest and he would participate in the debate and vote.

122 **Apologies for Absence**

Apologies for absence were received from Councillor John Knight (substituted by Councillor Trevor Carbin).

123 **Minutes of the Previous Meeting**

The minutes of the meeting held on 21 April 2010 were confirmed as a correct record and signed by the Chairman.

124 **Chairman's Announcements**

The Chairman welcomed Kevin Breslin, the Legal Officer for this meeting of the planning committee.

The Chairman also took the opportunity, as this meeting was the last one before elections of Chairmen and Vice-Chairmen at Wiltshire Council meeting on 18th

May 2010, to thank committee members and officers for their involvement with the Western Area Planning Committee.

125 **Public Participation**

The Chairman explained the rules of Public Participation.

126 **Planning Applications**

The Committee considered the following applications:

**126.1 Mobile home, day room and retention of existing pair of sheds -
Land at Capps Lane Bratton Wiltshire**

The Officer introduced the report and pointed out that the plans had been revised as requested, the encroachment of the site into the countryside had been reduced and hedgerows had been added to screen the site.

Public Participation:

1. Mr Wenn spoke in objection to the application

Councillor Christopher Newbury arrived at this point.

2. Mrs Smith-Bendall spoke in support of the application

Councillor Julie Swabey, Unitary Member for Ethandune, raised concerns about the application.

Councillor Francis Morland, Unitary Member for Southwick (neighbouring Ward) raised concerns about the application.

The Committee discussed various issues including the lack of clarity of Governmental Guidance and Regulations with regards to Gypsies and Travelers' planning applications.

The Committee then sought clarification from the Planning Officers on the conditions included in the report and discussed some further conditions to be included.

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 The site shall not be permanently occupied by persons other than gypsies and travellers as defined in paragraph 15 of ODPM Circular 01/2006, or any other subsequent legislation or guidance which defines persons' gypsy or traveller status.

REASON: Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary to keep the site available to meet that need.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: CF12

- 3 The occupation of the site hereby permitted shall be carried on only by Mr F Hughes, the applicant, and his resident dependants.

REASON: Planning permission has only been granted on the basis of the personal circumstances and status of the applicant.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: CF12

- 4 No more than 2 caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968, of which no more than 1 shall be a permanently stationed mobile home, shall be on the site at any time.

REASON: In the interests of the visual amenity of the area.

West Wiltshire District Plan 1st Alteration (2004) POLICY CF12.

- 5 The development hereby permitted shall not be occupied or first brought into use until the area between the nearside carriageway edge and a line drawn 2.0 metres parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

- 6 The development hereby permitted shall not be occupied until the first five metres of the access, measured from the edge of the carriageway, has

been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

- 7 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

- 8 No development shall commence, and no caravans brought onto site, or the site occupied for residential purposes, until details have been submitted to and approved in writing by the Local Planning Authority and implemented for the following:

- i) the materials to be used in the construction of the external surfaces of the day room, hardstandings, access drives, parking and amenity areas;
- ii) the landscaping of the site (a scheme showing the species, plant sizes, numbers and densities) including details of any supplementary planting to reinforce the existing hedgerows;
- iii) any new boundary treatment, fencing or gates
- iv) refuse storage facilities
- v) electricity generation
- vi) lighting
- vii) details of septic tank

REASON: In the interests of amenity of the area and neighbours.

West Wiltshire District Plan 1st Alteration (2004) POLICY CF12.

- 9 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the site. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority.

REASON: To ensure a satisfactory landscaped setting for the development.

West Wiltshire District Plan 1st Alteration 2004 – POLICY CF12.

- 10 There shall be no burning of waste on the site.

REASON: In the interests of amenity and environmental protection.

West Wiltshire District Plan 1st Alteration (2004) POLICY CF12.

- 11 The use of the site shall be limited to residential and the keeping of horses and horse trading and for no other purposes including any other commercial use.

REASON: In the interests of amenity of the area and neighbours.

West Wiltshire District Plan 1st Alteration (2004) POLICY C38.

- 12 The dayroom hereby approved shall at no time be used for overnight accommodation.

REASON: To secure appropriate development in this rural location.

West Wiltshire District Plan 1st Alteration (2004) POLICY H19.

127 **Agricultural workers dwelling and revised access - Land East Of Clivey Barn Farm Clivey Dilton Marsh Wiltshire**

The Chairman informed the Committee that a letter had been received from the applicant requesting, for personal reasons, a further deferral of approximately one month to enable him to attend the meeting when this application is considered.

Resolved:

1. To agree to defer, on the applicant's request, the application until the 23rd June 2010 meeting.

2. That the following additional information be obtained:

- (a) details of the relevant experience of the second consultant;**
- (b) clarification of the financial situation.**

128 **Outdoor exercise equipment and bin (revised proposals) - Playing Field Church Lane North Bradley Wiltshire**

Members of the Committee were informed of additional comments received as detailed in the Minutes' Annex.

The officer introduced the report and pointed out that this was a revised application and that the proposed number of pieces of equipment had been reduced from four to three.

Public Participation:

1. Mr Brown spoke in objection to the application.
2. Mrs Bergerine spoke in objection to the application.
3. Dr Bond, Chairman of the Recreation Field Committee and applicant, spoke in support of the application.
4. Mrs Bond spoke in support of the application.

Councillor Francis Morland, Unitary Member for Southwick, spoke in support of the application.

Members of the Committee sought clarification over the involvement of the Area Board; it was explained that the Area Board Manager had not been involved with the issue beyond forwarding the Peace Memorial Trust's submission to Development Control.

The Committee discussed the issues of noise, anti social behaviour and health benefits to the community.

Resolved:

That planning permission be GRANTED

For the following reason(s):

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

Subject to the following condition(s):

- 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 The litter bin shall be installed and made ready for use prior to the installation of the exercise equipment and shall be retained as such in perpetuity thereafter.

REASON: To ensure that provision is made to avoid nuisance from litter

POLICY: West Wiltshire District Plan 1st Alteration 2004 – Policy C38

129 **Urgent Items**

There were no urgent items.

130 **Exclusion of the press and public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the press and the public from the meeting for the business specified in Item 9 because it was likely that if members of the press and the public were present there would be disclosure to them of exempt information as defined in paragraph 5 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighed the public interest in disclosing the information to the press and the public.

131 **Mowlems, Wynsome Street, Southwick, Wiltshire, BA14 9RA Planning Reference W/09/01750/FUL Residential development of 54 new build dwellings and conversion of existing building to 2 dwellings**

Councillor Mark Griffiths left at that point.

Resolved:

To note the report and endorse the officer's decision made following consultation with the Chairman of the Western Area Planning Committee.

Minutes Annex - Observations and recommendations made since preparation of the agenda

(Duration of meeting: 6.00 - 7.40 pm)

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

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PLANNING COMMITTEE

12th May 2010

Observations and recommendations made since preparation of agenda

Item	Comments
Planning Applications	
02	<p>Land East of Clivey Barn Farm, Clivey, Dilton Marsh – W/09/00941/FUL</p> <p>Additional comments received:</p> <p>A letter has been received from the applicant requesting, for personal reasons, a further deferral of approximately one month to enable him to attend the meeting when this is considered.</p> <p>Planning Officer Comments:</p> <p>The decision on whether to defer this application to a future meeting rests with the elected members.</p>
03	<p>Playing Field, Church Lane, North Bradley – W/10/00836/FUL</p> <p>Additional comments received:</p> <p>An additional letter of objection has been received from a neighbour on behalf of local residents who had previously objected to the proposals. The letter questions the need for the exercise equipment, why an alternative site could not be found, and the failure of the Trust to understand residents concerns.</p> <p>An additional letter has been received from the Peace Memorial Trust to justify the proposals. Enclosed with this were a further four letters of support from interested persons, who had already written in support, together with a copy of a newspaper article about the proposals. The Peace Memorial Trust also raised these matters with the Area Board who forwarded the submission to Development Control.</p>

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