

Western Area Planning Committee

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 22 NOVEMBER 2023 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Bill Parks (Vice-Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Stewart Palmen, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Suzanne Wickham, and Cllr Gordon King (Substitute)

Also Present:

Cllr Nick Botterill

51 **Apologies**

Apologies for absence were received from:

- Councillor David Vigar, who was substituted by Councillor Gordon King
- Councillor Edward Kirk

52 **Minutes of the Previous Meeting**

The minutes of previous meeting held on 27 September 2023 were considered. Following which, it was:

Resolved:

The Committee approved and signed the minutes of the previous meeting held on 27 September 2023 as a true and correct record.

53 **Declarations of Interest**

Councillor Ernie Clark declared a non-registerable interest by virtue of his relationship with the applicant for Agenda Item 7, and after seeking advice from the Monitoring Officer, Perry Holmes, stated that he would not participate in the debate or vote and would instead speak as a member of the public.

Councillor Jonathon Seed noted that he had worked with the applicant's agent in the past on behalf of Bromham Parish Council.

54 **Chairman's Announcements**

There were no specific Chairman's announcements.

55 **Public Participation**

The Chairman explained the rules of public participation and the procedure to be followed at the meeting.

There were no questions or statements submitted by Councillors or members of the public.

56 **Planning Appeals and Updates**

The Chairman invited Kenny Green, Development Management Team Leader, to update the Committee on the pending and determined appeals as per the appeals report included within the Agenda Pack.

The six determined appeals were detailed, with Members being informed of the successful defence of the appeals for applications 20/09856/FUL, PL/2022/02675, and PL/2022/06812. The appeal decision being allowed for application PL/2022/08288, pertaining to the extension of a dwelling was highlighted, with officers noting that the planning inspector not only went against the Council's reasoning for refusal, but took a different approach to the previous appeal inspector who refused the previous submission.

Following which, it was:

Resolved:

The Committee noted the appeals report for the period 18 August 2023 to 10 November 2023.

Councillor Ernie Clark departed the meeting as a Member of the Committee at 15.13pm.

57 **PL/2023/05787: Field off Whaddon Lane, Whaddon, Hilperton, BA14 7RN**

Public Participation

- Mr Ernie Clark, local resident, spoke in objection to the application.
- Mr Ben Pearce, agent for the applicant, spoke in support of the application.

The Senior Planning Officer, Jemma Foster, introduced the report which recommended that the Committee granted planning permission, subject to conditions.

Key material considerations were identified including the principle of development; impact upon the character and appearance of the area; impact upon neighbouring amenity; and highways issues.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought on the emptying of the dog waste bins on site, to which it was confirmed that the applicant would provide waste bags and would instruct a specialist contract company to arrange for the collection and disposal of any dog waste.

The two named public speakers as detailed above, then had the opportunity to present their views to the Committee.

Mr Ernie Clark departed the meeting as a member of the public at 15.21pm.

A brief debate followed where members discussed the projected level of additional traffic movements, the existing use of the land, the various users of the lane being a combination of pedestrians, cyclists, and horse riders as well as motorised traffic, and the nature of the lane as a single-track road with a dead-end further to the north beyond the application site.

During the debate, a motion to grant planning permission in line with officer recommendations was moved by Councillor Jonathon Seed and was seconded by Councillor Suzanne Wickham. Following a vote on the motion, it was:

Resolved:

The Committee GRANTED planning permission 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 development hereby permitted shall be carried out in accordance with the following approved plans and documents:**

Context location plan - LDC2448_01, location plan - LDC2448_02a received on 13th July 2023. Proposed layout - LDC2448_03D, proposed site access gate and fence details - LDC2448_04C Received on 28th September 2023.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the site hereby approved. 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 4. The use hereby permitted shall be restricted to dog exercise and training purposes only taking place 07:00 and 19:00 on Monday to Sunday including Public Holidays.**

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

- 5. No lighting shall be installed on the site hereby approved.**

REASON: To ensure that character and appearance of the Avon Vale Open Clay Vale Landscape Character Area and the open countryside is retained and to avoid harm to biodiversity.

- 6. The development hereby permitted shall not be first brought into use until the first five metres of the access as measured from the edge of the carriageway and/or the whole of the parking area allocated on the approved plans 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.

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

REASON: In the interests of highway safety.

8. No part of the development hereby permitted shall be first brought into use until the access, turning area & parking space have been completed in accordance with the details shown on the approved plans, and shall be maintained for the lifetime of this use and permission.

REASON: In the interests of highway safety.

9. Should the dog exercise land use become obsolete, the area of hardstanding shall be removed from the site and the land shall be restored to its previous agricultural use/condition within 3 months of any such cessation.

REASON: In the interests of the character and appearance of the area.

10. Prior to the first use of the dog exercise/training area a dog waste bin container to dispose of dog waste shall be installed on site and remain in perpetuity for as long as the dog exercising/training land use operates.

REASON: In the interests of good site management and public amenity.

58 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.30 pm)

The Officer who has produced these minutes is Ellen Ghey - Democratic Services
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