

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 2 NOVEMBER 2016 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Graham Payne

94 Apologies

There were no apologies.

95 Minutes of the Previous Meeting

The minutes of the meeting held on 12 October 2016 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 12 October 2016.

96 Declarations of Interest

Cllr Seed disclosed a non-pecuniary interest in the rights of way modification order – Codford Path no 15. Noting that he knew both supporters and objectors and had previously carried out work with the farmer.

97 Chairman's Announcements

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

98 Public Participation

No questions had been received from councillors or members of the public.

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

The Chairman referred to the agenda which included a question received from a councillor and answers from officers.

99 **CODFORD PATH No. 15 - RIGHTS OF WAY MODIFICATION ORDER 2016**

The Rights of Way Officer outlined the report which recommended that the Order be forwarded to the Secretary of State for Environment, Food and Rural Affairs and that Wiltshire Council should take a neutral stance in the matter.

Members of the Committee were given the opportunity to ask technical questions of the officer which focused on; the sufficiency of evidence of use that may be accepted and to clarify conflicts of evidence.

Members of the public then had the opportunity to present their views to the Committee, as detailed:

Public Participation

Josh Stratton spoke in objection to the order.

Jonathan Cheal spoke in objection to the order.

Romy Wyeth spoke in support to the order.

Beth Richardson-Aitken spoke in support of the order.

David Shaw spoke in support of the order.

The Rights of Way officer clarified a point that the 'private road' signs could be considered to relate to vehicle access and not on those passing by foot or on horse.

A debate followed where a motion was moved to refuse the order. Key points of the debate were; the current signage was not relevant; the need to cross examine evidence, relevance of some evidence and lack of historical data information.

The motion to refuse the order was lost and a new motion to approve the officers' recommendation was moved.

Resolved

That "The Wiltshire Council Codford Path No. 15 Rights of Way Modification Order 2016" is forwarded to the Secretary of State for the Environment, Food and Rural Affairs and that Wiltshire Council takes a neutral stance in the matter.

100 **Planning Applications**

The Committee considered the following applications:

101 **15/03120/FUL - Rosefield House, Polebarn Road, Trowbridge, BA14 7EQ**

The case officer presented the revised report which recommended the application for a change of use of existing Stable Block at the rear of Rosefield House to form 2 residential units to include single storey lean-to extension replacing shed building, be granted.

The key points identified in the officer's presentation were outlined and comprised: the changes to the original plans and a light assessment results. Key planning issues referred to include; loss of employment land; ecology and parking and access.

Members of the Committee then had the opportunity to ask technical questions of the officer, key points included; the accuracy of the plans, where it was noted that there was a slight error with one plan drawing showing an erroneous line outside of the application site leading off proposed side extension. Officers however confirmed that the submitted plans were to scale and no development would take place or protrude beyond the application site/subject building.

Members of the public then had the opportunity to present their views to the Committee, as detailed:

Public Participation

Alan Hayes spoke in support to the revised application which resolved his previous concerns and objections.

A debate followed where a motion was then moved to approve officer's recommendation. The main focus of the debate was around the removal of asbestos and Members requested that an informative be added.

At the end of the debate it was;

Resolved

To grant planning permission, subject to the following conditions and informatives:

- 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 dwelling shall be occupied until parking spaces for four vehicles, together with the access thereto, have been provided in accordance with details to be submitted for approval in writing by the Local Planning Authority. The parking and turning spaces shall be retained for use as such thereafter.

REASON: In the interests of highway safety and the amenity of future occupants.

3. No demolition, development or other internal works shall commence prior to the assessment of the building for bats and nesting birds. The assessment shall be carried out by a licensed, professional ecologist. If the buildings are assessed as having low, moderate or high potential for roosting bats or other protected species, then subsequent presence/absence surveys shall be undertaken. If presence of bats or other protected species is confirmed, an impact assessment comprising detailed mitigation measures, a monitoring strategy and habitat enhancements shall be submitted to the Local Planning Authority before any demolition or other internal works are undertaken. The mitigation strategy, monitoring and habitat enhancements shall be carried out in accordance with the approved details and as modified by a relevant European Protected Species Licence from Natural England (where applicable).

REASON: In the interests of the protection of Protected Species.

4. The development hereby permitted shall be carried out in accordance with the following approved plans:

CLCS/126/03 registered on 13 October 2016; CLCS/126/04 registered on 13 October 2016; CLCS/126/010 registered on 18 October 2016; and CLCS/ 136/104 REV A received on 11 August 2016.

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

PLANNING INFORMATIVES:

This Decision notice must be read in conjunction with that in relation to application 15/03181/LBC and the conditions applicable thereto.

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form

has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement

Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect.

The applicant's attention is invited to the potential presence of asbestos in the out-building to be demolished and that appropriate measures should be taken to ensure that demolition takes place in terms of health and safety requirements.

102 **Planning Appeals and Updates**

The Planning Appeals Update Report for 30/09/16 – 20/10/16 was received.

A formal question was asked by a member of the public pursuant to whether and how the Council calculates greenfield windfall residential development as part of the annualised housing land supply statement, It was agreed that the committee clerk would pass the question to the spatial planning team and obtain a written response and for it to be made available at the next meeting.

Resolved:

To note the Planning Appeals Update Report for 30/09/16 – 20/10/16.

103 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.30 pm)

The Officer who has produced these minutes is Jessica Croman of Democratic Services, direct line 01225 718262, e-mail <mailto:jessica.croman@wiltshire.gov.uk>

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