

## WESTERN AREA PLANNING COMMITTEE

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 17 OCTOBER 2018 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### **Present:**

Cllr Christopher Newbury (Chairman), Cllr Jonathon Seed (Vice-Chairman), Cllr Phil Alford, Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Sarah Gibson, Cllr Edward Kirk, Cllr Stewart Palmen and Cllr Pip Ridout

#### **Also Present:**

Cllr Johnny Kidney

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#### 55 **Apologies**

There were no apologies.

#### 56 **Minutes of the Previous Meeting**

The minutes of the meeting held on 19 September 2018 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 19 September 2018.**

#### 57 **Declarations of Interest**

There were no declarations of interest.

#### 58 **Chairman's Announcements**

It was noted that the microphones were not working.

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

#### 59 **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.

60 **Planning Appeals and Updates**

The Planning Appeals Update Report for 7/09/2018 to 5/10/2018 was received.

**Resolved:**

**To note the Planning Appeals Update Report for 7/09/2018 to 5/10/2018.**

61 **Planning Applications**

The Committee considered the following applications:

**61a 8/04589/FUL - Unit 8 Atworth Business Park, Bath Road, Melksham**

Public Participation

John Polhill spoke in objection to the application

Maddy Palmer spoke in objection to the application

Helen Goodig spoke in objection to the application

Sandra Tuck, Agent, spoke in support of the application.

Tom Griffiths, Applicant, spoke in support of the application

Mike Wilmot, Head of Development Management, introduced the report which recommended approval be granted for an Extension to existing building (Use Class B8), extension to service road, landscaping and associated works.

Late representations had been received which referred to the original application, where the previous occupiers had applied for the extension and since then they had vacated the premises. Head of Development Management explained that the application presented by the owners was still acceptable.

Key issues included; the principle of development, design issues, the impact on the immediate area, impact on amenity, highway and access considerations and the section 106 agreement.

Members of the Committee had the opportunity to ask technical questions of the officer. Details were sought on: The relevance of Core Policy 1, whether a market analysis had been carried out, details were sought on the neighbouring unit's planning permission for an extension; distance between the proposed turning area and the closest residential property,

In response to the questions it was noted that: the property size was not big enough to require an impact assessment; the neighbouring planning permission had been granted via delegated authority in 2017, although the extension had not yet been built and had until 2020 to be commenced.

Members of the public, as detailed above, had the opportunity to speak on the application.

Following the public forum, Members requested to ask further technical questions, which the Chairman accepted. Further details were sought on: whether a S106 was still active on the land which had been designated for recreational use and the planning history of the property.

In response, it was noted that: part of the application site was subject to a S106 agreement, which was made in 1994, which restricted the site to sports and recreational purposes. The Section 106 agreement made no provision for public use of the site for recreational purposes. In 2004 the Local Planning Inspector recommended modifying the plan by removal of the proposed designation as it served no useful purpose and there was a suitable public recreation facility close by. This had been accepted by the District Council. Subsequently, the District Council produced a Leisure and Recreation Development Plan in 2009 which set out existing sports and recreation facilities that would be protected. The application site was neither identified or included in that plan. For these reasons the S106 no longer served any useful purpose. It was also noted that not all of the planning history had been included In the report, only the planning history relevant to the application.

Local member, Councillor Alford, had to opportunity to speak on the application which included the following points: the local authority's responsibility to enforce the s106, details of how core policy 1 and core policy 34 was relevant to the application.

A motion to refuse planning application was moved by Cllr Philip Alford and seconded by Cllr Pip Ridout.

A debate followed and the key points included: no evidence of an economic need within the area and adverse impact on the residential property. At the end it was;

## **Resolved**

**To refuse planning permission for the following reasons:**

**1. The proposed development lies outside of the Limits of Development brought forward for Atworth from the West Wiltshire Local Plan and retained in the Wiltshire Core Strategy. The proposal therefore conflicts with polices CP1 and CP2 of the Wiltshire Core Strategy which do not permit development outside these limits, other than that permitted by other polices in the Wiltshire Core Strategy. Whilst these other polices include CP34, the proposal does not comply with the criteria set out in that policy, for the reasons set out in 2 below.**

**2. The proposed development does not comply with Core Policy 34. In particular, the extension is not considered essential to the wider strategic interest of the economic development of Wiltshire; and the construction**

**and use of the proposed road extension and turning head, coming so close to the adjacent residential property, will have an adverse impact on the amenity that residents of that property can reasonably expect to enjoy. The proposal is therefore not considered to be sustainable development.**

**61b 18/07478/FUL - The Clovers, Hartley Farm, Winsley, Bradford on Avon, Wiltshire, BA15 2JB**

Mike Wilmot, Head of Development Management, introduced the report which recommended approval be granted for regularisation of an area of extended hardstanding and proposed change of use of agricultural land to equestrian use (for private purposes) and the erection of a timber loose box/stable building. The application was a revised application, having been refused at the previous meeting.

Members of the Committee had the opportunity to ask technical questions of the officer. Details were sought on the utility connections on the land.

There were no members of the public registered to speak.

Local member Cllr Kidney, had to opportunity to speak on the application which included the following points: the special nature of the area – close to the AONB, within the Green Belt; the amount of local concern and the inappropriate scale of the application.

A motion to refuse planning permission was moved by Cllr Edward Kirk which was seconded by Cllr Ernie Clark.

At the end it was;

**Resolved**

**To refuse planning permission for the following reasons:**

**1. The proposed loose box/stable by reason of its size, bulk and siting in an isolated location detached from any permanent built form of development is found to be harmful to the Green Belt which would not preserve the openness of the Green Belt contrary to Paragraphs 144 and 145(b) of the 2018 National Planning Policy Framework. Furthermore, the proposed development would have a harmful impact on the special landscape area contrary to Saved Policy C3 and CP51 of the Wiltshire Core Strategy by virtue of introducing an isolated form of equestrian development in the open countryside which would conflict with saved Policy E10 of the West Wiltshire District Plan, 1st Alteration.**

**2. The proposal, which in part comprises an area of hardstanding extending to some 555 square metres and finished in loose stone material is considered disproportionate and unjustified for the purposes of**

keeping a small flock of sheep on the 0.88 hectare site and it represents harmful intentional unauthorised development which diminishes the openness of the greenbelt and falls foul of the Written Ministerial Statement released by the Government on 31 August 2015, published as a planning policy statement on green belt protection and intentional unauthorised development (thus making it a material planning consideration).

62 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.05 - 4.20 pm)

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