

## NORTHERN AREA PLANNING COMMITTEE

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**MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 12 JUNE 2019 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.**

**Present:**

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice-Chairman), Cllr Chuck Berry, Cllr Christine Crisp, Cllr Gavin Grant, Cllr Howard Greenman, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Brian Mathew and Cllr Ashley O'Neill

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32 **Apologies**

Apologies were received from Cllr Chris Hurst.

33 **Minutes of the Previous Meeting**

The minutes of the meeting held on 27 March 2019 were presented.

**Resolved:**

**To approve as a true and correct record and sign the minutes.**

34 **Declarations of Interest**

There were no declarations of interest.

35 **Chairman's Announcements**

There were no Chairman's announcements.

36 **Public Participation**

The Committee noted the rules on public participation.

37 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

38 **The Wiltshire Council (Parish of Ashton Keynes) Path no.41 Definitive Map and Statement Modification Order 2018**

Public participation

Alvin Lindley, the landowner, spoke in objection to the application.

Dave Wingrove, Chairman of Ashton Keynes Parish Council, spoke in support of the application.

The Rights of Way Officer, Janice Green, introduced a report which recommended that the “The Wiltshire Council (Parish of Ashton Keynes) Path no.41 Definitive Map and Statement Modification Order 2018”, made under Section 53 of the Wildlife and Countryside Act 1981, be forwarded to the Secretary of State for the Environment, Food and Rural Affairs for determination, with a recommendation from Wiltshire Council that the Order be confirmed without modification.

Key issues highlighted included: whether the claimed path was dedicated as a public path by the landowner and acceptance of the route by the public, as required at common law and the use of permissive path signage on the claimed path.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on the historic maps detailed in the report.

Members of the public then had the opportunity to address the Committee, as detailed above.

Cllr Chuck Berry, Division Member, spoke regarding the application with the main point focusing on use of the path by local residents.

The Rights of Way Officer addressed some of the issues raised by the public and local members with the main points focusing on the present landowner seeking to correctly identify and align recorded public rights of way over the land following its purchase in 2015, with the assistance of the Wiltshire Council Rights of Way Department, (the definitive map being without prejudice to the existence of additional unrecorded public rights); ,permissive path signage and the landowner depositing with Wiltshire Council a plan and statement (Form CA16) under Section 31(6) of the Highways Act 1980, in April 2016 to negative the intention to dedicate additional rights of way over the land from that date onwards.

At the start of the debate a proposal was moved by Cllr Chuck Berry, seconded by Cllr Howard Greenman to forward the Order to the Secretary of State for Environment, Food and Rural Affairs, with a recommendation from Wiltshire Council that the Order be confirmed without modification.

During the debate the main points raised were regarding permissive signage and the accuracy of the report.

## Resolved

That “The Wiltshire Council (Parish of Ashton Keynes) Path no.41 Definitive Map and Statement Modification Order 2018”, made under Section 53 of the Wildlife and Countryside Act 1981 be forwarded to the Secretary of State for the Environment, Food and Rural Affairs for determination, with a recommendation from Wiltshire Council that the Order be confirmed without modification.

### 39 Planning Applications

The Committee considered the following application:

#### 40 18/09895/FUL - The Hullavington Arms, The Street, Hullavington

Public participation

Bob Acott, local resident, spoke in objection to the application.

Cliff White, local resident, spoke in objection to the application.

Simon Clarke, local resident, spoke in objection to the application.

Maggie Bawden, Chairman of Hullavington Parish Council, spoke in objection to the application.

Ben Pearce, the agent, spoke in support to the application.

The Planning Officer, Simon Smith, introduced a report which recommended granting planning permission, subject to conditions, for the erection of one dwelling with associated parking and car port, access and landscaping.

Key issues highlighted included: principle of development; impact on the scale and character of the existing site/buildings; impact on the context and character of the surrounding area; impact on heritage assets; impact on neighbour amenity; parking/highways concerns and the emerging Hullavington Neighbourhood Development Plan.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on the emerging Hullavington Neighbourhood Development Plan; impact on the scale and character of the existing site/buildings and parking/highways concerns.

Members of the public then had the opportunity to address the Committee, as detailed above.

Cllr Toby Sturgis, on behalf of the Division Member, spoke regarding the application with the main points focusing on the impact on the context and character of the surrounding area; impact on heritage assets; the emerging

Hullavington Neighbourhood Development Plan and the Hullavington Neighbourhood Development Plan framework boundary.

The Planning Officer addressed some of the issues raised by the public and local members with the main point focusing on the emerging Hullavington Neighbourhood Development Plan.

At the start of the debate a proposal was moved by Cllr Toby Sturgis, seconded by Cllr Gavin Grant to refuse planning permission contrary to the officer report by reason of its location outside of the settlement boundary as defined by the emerging Hullavington Neighbourhood Development Plan and being contrary to Policies 1 and 3 of the Hullavington Neighbourhood Development Plan.

During the debate the main points raised were the impact on the context and character of the surrounding area; impact on heritage assets; impact on neighbour amenity and the Hullavington Neighbourhood Development Plan.

### **Resolved**

**Contrary to the Officer recommendation, that planning permission is refused for the following reason:**

**The proposed development, by reason of its location outside of the settlement boundary as defined by the emerging Hullavington Neighbourhood Development Plan and being contrary to Policies 1 and 3 of the Hullavington Neighbourhood Development Plan, is contrary to the development plan and therefore unacceptable in principle.**

#### 41 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.30 pm)

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