

## Western Area Planning Committee

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 22 JANUARY 2020 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### **Present:**

Cllr Jonathon Seed (Vice-Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Sarah Gibson, Cllr Edward Kirk, Cllr Stewart Palmen, Cllr Pip Ridout, Cllr Suzanne Wickham and Cllr David Halik (Substitute)

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#### 81 **Apologies**

Apologies for absence were received from:

Cllr Christopher Newbury who was substituted by Cllr David Halik.

Cllr Jonathon Seed as Vice-Chairman chaired the meeting.

#### 82 **Minutes of the Previous Meeting**

The minutes of the meeting held on 18 December 2019 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 18 December 2019**

#### 83 **Declarations of Interest**

Cllr Jonathon Seed noted that he knew the applicant.

#### 84 **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.

85 **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.

86 **Planning Appeals and Updates**

The Planning Appeals Update Report for 06/12/2019 and 10/01/2020 was received.

**Resolved:**

**To note the Planning Appeals Update Report for 06/12/2019 and 10/01/2020.**

87 **Planning Applications**

The Committee considered the following applications:

88 **19/08882/FUL - Bays Corner, Pinckney Green, Farleigh Wick, BA15 2EG**

**Public Participation**

Richard Cosker (Agent) spoke in support of the application.

Sir Charles Hobhouse (Applicant) spoke in support of the application.

Cllr Mathew Midlane (Chair of Monkton Farleigh Parish Council) spoke in support of the application.

Verity Giles-Franklin, Senior Planning Officer, introduced the report which recommended that retrospective planning permission be refused for the construction of a single storey dwelling following the unauthorised demolition of a farm building (with material alterations to the size and design of the building previously approved, and use of the building as a dwelling rather than a holiday let).

A Member site visit had taken place prior to the meeting on the 22 January 2020 at 1pm and all members of the committee were present.

A late representation had been received from the current occupier of the adjoining office in support of the application.

Key determining issues for the application included; The principle of the development, the impact on the Green Belt and on the Cotswolds Area of Outstanding Natural Beauty (AONB), impacts on neighbouring amenity, ecology and highway safety.

Members of the Committee had the opportunity to ask technical questions of the officer and the main points focused on: what part of the former steading should

have been retained and converted to a holiday let use; the terms and extent of the 2014 approved development; and, whether the classified use of a building could be changed.

In response officers noted that; the 2014 application had been approved by officers under delegated powers for a mixed-use development comprising a holiday let (where the unauthorised dwelling was sited), an office and a residential barn conversion. The committee were also shown slides, as part of the PowerPoint presentation, which illustrated the former barn of which some of the walls should have been retained for the development but had been demolished and replaced with a new dwelling; and, it was confirmed that the use of a building could be changed.

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

Local member Cllr Trevor Carbin spoke in support of the application with the key points focusing on: the positive impact the development would have on the local area compared to the consented 1-bed holiday let (which was considered to be unviable); that the development had been completed to a high standard that did not harm the green belt or the AONB; that no objections had been received from any consultee; that the Parish Council fully supported the application and that no local resident had objected. Referring specifically to WCS Core Policy 48, Cllr Carbin argued that the development would support rural lives and that the dwellinghouse would provide added security for the site, which included an office.

Officers were asked to confirm the status of the conditions imposed on the 2014 development and it was confirmed that a number of the suspensive planning conditions had been discharged, however there was clear non-compliance with the holiday let conditions and that no details had been submitted to discharge the highway related conditions. However, it was noted that the highway officer raised no objections to the application and did not seek to impose any highway conditions to this application. Officers were also asked if the committee could impose a condition on another part of the steading (the office building) to restrict its use and in response, were advised that it would be unreasonable to do so as it did not form part of the application site..

A motion to approve the retrospective application with conditions on: the protection and mitigation of protected species, outside lighting and permitted development rights, was moved by Cllr Trevor Carbin and seconded by Cllr Edward Kirk.

Key points raised during the debate focused on: the lack of harm the development has on the green belt and AONB, any precedent being set by approving the application, the retrospective nature of the application; and, the cited appeal at Staverton (which was appended to the officer report).

Following the vote, Cllr Ernie Clark who opposed the motion, requested his vote to be recorded.

Cllr Jonathon Seed abstained from voting.

Following which it was;

## **RESOLVED**

**The committee approved planning permission with the following conditions:**

1 The development has been hereby permitted in accordance with the following approved plans:

Drawing Nos: L1-1211, Location Plan; L1-1211-P3, As built elevation drawings and floor plan for Bays Corner, as received on 16 September 2019

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

2 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-E shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

3 The dwelling hereby approved shall adhere to the recommendations made in Section 7 of the Bats and Protected Species Survey report dated 16th July 2014 prepared by Chalkhill Environmental Consultants, including the provision of a Little owl nest box on a suitable mature tree to be identified by a professional ecologist.

REASON: To ensure adequate protection and mitigation for protected species.

4 No external lighting shall be installed until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication "Guidance Notes for the Reduction of Obtrusive Light GN01:2011", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

89 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 3.50 pm)

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

Press enquiries to Communications, direct line (01225) 713114/713115