

## Western Area Planning Committee

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 17 JUNE 2020 AT ONLINE MEETING.

#### **Present:**

Cllr Christopher Newbury (Chairman), 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 and Cllr Suzanne Wickham

#### **Also Present:**

Cllr Johnny Kidney and Cllr Horace Prickett

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#### 90 **Apologies**

There were no apologies.

#### 91 **Minutes of the Previous Meeting**

The minutes of the meeting held on 22 January 2020 were presented.

#### **Resolved:**

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

#### 92 **Declarations of Interest**

There were no declarations of interest.

#### 93 **Chairman's Announcements**

There were no Chairman's Announcements.

#### 94 **Public Participation**

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

The Committee noted the rules of public participation and the procedure to be followed at the meeting.

#### 95 **Planning Appeals and Updates**

The Committee noted the contents of the appeals update.

96 **Planning Applications**

The Committee considered the following applications:

97 **Application to Register Land Known as 'Great Lees Field' Off Pound Lane, Semington, as a Town or Village Green**

Public participation

Dr William Scott, in support of the application to register the land as a town or village green.

William Stuart Bruges, in support of the officer's recommendation.

Peter Smith, Vice Chairman of Semington Parish Council, neither in support for or objection to the officer's recommendation.

The Definitive Map Officer, Janice Green, introduced a report which recommended accepting the Inspector's recommendation and to refuse the application by 'The Friends of Great Lees Field', under Sections 15(1) and (3) of the Commons Act 2006, to register land off Pound Lane, Semington, known as 'Great Lees Field', as a town or village green for the reasons as set out in the Inspector's report.

Members of the Committee resolved in December 2017 to appoint an independent Inspector to preside over a non-statutory public enquiry and to make a recommendation to Wiltshire Council as the Registration Authority. A public enquiry was held in October and December 2019 at which the Inspector heard evidence from all parties and subsequently produced a report and recommendation to the Registration Authority.

Key issues highlighted included the evidence of the exercise of lawful sports and pastimes over the whole of the application land, where the majority of users had been walking and dog walking and the alleged ploughing of the land in 2000, which would lead to significant interruption to the qualifying 20-year user period.

The Definitive Map Officer informed the Committee that there had been one amendment to the original report due to be brought to the meeting in March 2020, which was subsequently cancelled. Paragraph 21 referenced the joint applicant's dispute over paragraph 78 of the Inspector's report regarding the Inspector's perception of the joint applicant's role in the application process. The Inspector stated at paragraph 78 of the report that this was only the Inspector's impression and it was not for the Registration Authority to amend the Inspector's report, but for members of the Committee to note the comments.

The Democratic Services Officers, Jessica Croman and Craig Player, read out the public statements that had been submitted prior to the meeting, as detailed

above. All statements were also available to view in the Agenda Supplement 2, published prior to the meeting.

The Definitive Map Officer addressed the main point raised by members of the public, focusing on the main parties' joint request to adjourn the inquiry and the Registration Authority's refusal to grant this request, which had been addressed in the Inspector's report and in Agenda Supplement 3, published prior to the meeting.

At the start of the debate a proposal was moved by Cllr Trevor Carbin, seconded by Cllr Edward Kirk to refuse the application as detailed in the report and the officer's recommendation.

### **Resolved**

**That Wiltshire Council, as the Registration Authority, accepts the Inspector's recommendation and that the application by 'The Friends of Great Lees Field', under Sections 15(1) and (3) of the Commons Act 2006, to register land off Pound Lane, Semington, known as 'Great Lees Field', be rejected for the reasons set out in the Inspector's report dated 7 February 2020 (Appendix D).**

### 98 **19/09800/FUL - 12A Frome Road, Bradford On Avon, Wiltshire BA15 1LE**

Public participation

Michael Simpson, in objection to the application.

Meryl Phillips, in objection to the application.

Tim Mellor, in support of the application.

Tara Maizonnier, the agent, in support of the application.

Bradford on Avon Parish Council, in objection to the application.

The Planning Officer, Mike Wilmott, introduced a report which recommended granting planning permission, subject to conditions, for the demolition of an existing dwelling and outbuilding and the erection of five residential dwellings with alterations to the existing boundary wall to accommodate a widened vehicular access.

Key issues highlighted included: the principle of development; heritage matters; highways impacts; neighbouring impacts; tree impacts and sustainability and biodiversity matters.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the pinch point and the site boundaries; covered cycle stores for residential use; parking and vehicular access.

The Democratic Services Officers, Jessica Croman and Craig Player, read out the public statements that had been submitted prior to the meeting, as detailed above. All statements were also available to view in the Agenda Supplement 2, published prior to the meeting.

Cllr Sarah Gibson, Division Member, spoke regarding the application with the main points focusing on: the principle of development; the design of the proposal; vehicular access and parking; traffic concerns; lack of private amenity space and the impact on neighbouring properties.

At the start of the debate a proposal was moved by Cllr Sarah Gibson, seconded by Cllr Stuart Palmen to refuse planning permission contrary to the officer recommendation.

During the debate the main points raised were: the Bradford-on-Avon Neighbourhood Plan; vehicular access and parking; traffic concerns and lack of private amenities.

Following the debate, the motion was defeated.

A proposal was then moved by Cllr Trevor Carbin, seconded by Cllr Sarah Gibson, to defer consideration of the application pending negotiations with the applicant to secure additional parking and a turning head for visitors.

This motion was carried.

### **Resolved**

**To defer consideration of the application pending negotiations with the applicant to secure additional parking and a turning head for visitors.**

99 **20/00059/FUL Bishop's Folly, No. 2 Ireland, North Bradley, BA14 9RW**

Public participation

Emma Brown, in objection to the application.

Mr and Mrs Hawketts, in support of the application.

North Bradley Parish Council, in objection to the application.

The Planning Officer, Mike Wilmott, introduced a report which recommended granting planning permission, subject to conditions, for the erection of a two-storey extension, double garage, alterations and associated access works.

Key issues highlighted included: the lawful use of the land for the erection of the garage; the impact on a public footpath; the impact on highway safety; the impact on a non-designated heritage asset; the impact on neighbour amenity and the impact on the character and appearance of the host dwelling and wider area.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: vehicular access and parking; the historic turning area; the impact on the public footpath and the residential curtilage.

Cllr Horace Prickett, Division Member, spoke regarding the application with the main points focusing on: the settlement boundary; traffic concerns; vehicular access and parking; the residential curtilage and the lack of private amenity space.

The Democratic Services Officers, Jessica Croman and Craig Player, read out the public statements that had been submitted prior to the meeting, as detailed above. All statements were also available to view in the Agenda Supplement 2, published prior to the meeting.

The Planning Officer addressed some of the issues raised by the local member and members of the public with the main point focusing on the officer's view that the construction of the garage on the residential curtilage would not harm the character and appearance of the countryside, nor the amenity of residents of nearby properties.

At the start of the debate a proposal was moved by Cllr Andrew Davis, seconded by Cllr Jonathon Seed to grant planning permission as detailed in the report.

## **Resolved**

**That planning permission is approved 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. The development hereby permitted shall be carried out in accordance with the following approved plans:**

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

**Existing Site Plan - DWG No - 13327/5000B - Received 06.01.2020**

**Existing Ground Floor Plan - DWG No - 13327/5001B - Received 06.01.2020**

**Existing First Floor Plan - DWG No - 13327/5002B - Received 06.01.2020**

**Existing Elevations - DWG No - 13327/5011A - Received 06.01.2020**

**Location Plan - DWG No - 13327/5100A - Received 06.01.2020**

**Proposed Site Plan - DWG No - 13327/6000L - Received 04.05.2020**

**Proposed Ground Floor Plan - DWG No - 13327/6001H – Received 04.05.2020**

**Proposed First Floor Plan - DWG No - 13327/6002G - Received 06.01.2020**

**Proposed South East & North East Elevations - DWG No - 13327/6012D – Received 06.01.2020**

**Proposed South West & North West Elevations - DWG No - 13327/6013F – Received 04.05.2020**

**Proposed Garage Elevations - DWG No - 13327/6014D – Received 04.05.2020**

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

**3. The double garage hereby permitted shall not be first brought into use until the access to it from the edge of the carriageway, has been consolidated and surfaced in accordance with details to be submitted to and approved in writing by the local planning authority.**

**REASON: In the interests of highway safety.**

**4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order, the vehicle access to the parking spaces shall remain ungated, unless a separate grant of planning permission is obtained from the local planning authority.**

**REASON: In the interests of highway safety.**

**5. No part of the development hereby approved shall be first brought into use until the parking and turning head for visitors shown on the approved plans has been consolidated, and surfaced in accordance with details to be submitted to and approved in writing by the local planning authority. This area shall be maintained and remain available for this use at all times thereafter.**

**REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.**

**6. No development shall commence on site until a scheme for the discharge of surface water from the site of the double garage, access, and turning area, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.**

**REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.**

**7. Informative: The applicants are advised that the discharge of this condition does not automatically grant land drainage consent, which is required for any works within 8m of an ordinary watercourse or any discharge into an ordinary watercourse. The applicant remains**

responsible for obtaining land drainage consent, if required, at the appropriate time.

**8. Informative: The application involves the upgrading of the public highway. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352.**

100 **19/12153/VAR McDonald's Restaurant 235 Bradley Road Trowbridge BA14 0AZ**

Public participation

Ian and Jane Robinson, in objection to the application.

The Planning Officer, Mike Wilmot, introduced a report which recommended granting planning permission, subject to conditions, for the variation of condition 3 of W/96/00587 to modify the opening hours to 6:00 - 23:00 Monday to Saturday.

Key issues highlighted included: the principle of development and impact on neighbouring amenity.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: impact on neighbouring amenity; highways concerns and waste and litter concerns.

The Democratic Services Officers, Jessica Croman and Craig Player, read out the public statements that had been submitted prior to the meeting, as detailed above. All statements were also available to view in the Agenda Supplement 2, published prior to the meeting.

Cllr Andrew Bryant, Division Member, spoke regarding the application with the main points focusing on: highways concerns; noise pollution; waste and litter concerns and impact on neighbouring amenity.

At the start of the debate a proposal was moved by Cllr Edward Kirk, seconded by Cllr Peter Fuller to refuse planning permission contrary to the officer recommendation.

During the debate the main points raised were: impact on neighbouring amenity; noise pollution and waste and litter concerns.

Following the debate, this motion was defeated.

A proposal was then moved by Cllr Andrew Davis, seconded by Cllr Trevor Carbin, to grant planning permission as detailed in the report.

This motion was also defeated.

A proposal was then moved by Cllr Jonathon Seed, seconded by Cllr Pip Ridout, to defer consideration of the application pending further evidence regarding litter and noise impact on nearby properties.

This motion was carried.

### **Resolved**

**To defer consideration of the application pending further evidence regarding litter and noise impact on nearby properties.**

#### 101 **19/10471/FUL 3 A Church Lane Limpley Stoke BA2 7GH**

Public participation

Nick Brindley, in objection to the application.

Chris Beaver, the agent, in support of the application.

Francis Firmstone, Limpley Stoke Parish Council, in objection to the application.

The Planning Officer, Mike Wilmott, introduced a report which recommended granting planning permission, subject to conditions, for the erection of two dwellings and associated landscaping and access works (amended design).

Key issues highlighted included: the principle of development; impact on the area and wider landscape; heritage matters; highways impacts; neighbouring impacts and biodiversity matters.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: the Limpley Stoke Neighbourhood Plan; highways concerns and visual impact on the Church of St. Mary.

The Democratic Services Officers, Jessica Croman and Craig Player, read out the public statements that had been submitted prior to the meeting, as detailed above. All statements were also available to view in the Agenda Supplement 2, published prior to the meeting.

Cllr Johnny Kidney, Division Member, spoke regarding the application with the main points focusing on: the visual impact on the surrounding area and in particular the Church of St Mary; conflict with the Limpley Stoke Neighbourhood Plan; infill development and ecological concerns.

At the start of the debate a proposal was moved by Cllr Sarah Gibson, seconded by Cllr Pip Ridout to grant planning permission as detailed in the report.



During the debate the main points raised were: conflict with the Limpley Stoke Neighbourhood Plan; infill development; the visual impact on the surrounding area and ecological concerns.

**Resolved**

**To defer consideration of the application pending a site visit.**

102 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 7.00 pm)

The Officer who has produced these minutes is Craig Player of Democratic Services, direct line 01225 73191, e-mail [craig.player@wiltshire.gov.uk](mailto:craig.player@wiltshire.gov.uk)

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