

## WESTERN AREA PLANNING COMMITTEE

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### MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 17 AUGUST 2011 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

#### Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis (Substitute), Cllr Peter Fuller (Chairman), Cllr Mark Griffiths, Cllr John Knight, Cllr Christopher Newbury, Cllr Stephen Petty, Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

#### Also Present:

Cllr Francis Morland

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#### 70 **Apologies for Absence**

Apologies for absence were received from Councillor Rod Eaton (substituted by Councillor Andrew Davis).

#### 71 **Minutes of the Previous Meeting**

The minutes of the meeting held on 6 July 2011 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes of the meeting held on 6 July 2011.**

#### 72 **Declarations of Interest**

**W1101672ADV** – Advertisement, 2 Hoardings, County Hall, Bythesea Road, Trowbridge, Wiltshire, BA14 8JN.

Councillor Peter Fuller and Councillor John Knight declared a personal interest as members of the Trowbridge Town Council. They gave their assurance that they would consider the application with an open mind.

#### **Proposed Diversion of Part of Westbury Public Footpath No. 25 – Westbury Primary Care Centre.**

Councillor Christopher Newbury declared a personal interest as a patient of the Westbury Group Practice.

Councillor Francis Morland, although not a member of the Western Area Planning Committee, declared a personal and prejudicial interest as the

objector to the proposed diversion. Councillor Morland wished to leave the room whilst the item was debated.

### **73 Chairman's Announcements**

There were no Chairman's Announcements as such but the Chairman took the opportunity to welcome Sally Madgwick, Rights of Way Officer, who would be introducing the report on the Proposed Diversion of Part of Westbury Public Footpath No. 25 – Westbury Primary Care Centre.

### **74 Public Participation**

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

Councillor Francis Morland left the room at this point, minute 72 refers.

### **75 Proposed Diversion of Part of Westbury Public Footpath No. 25 - Westbury Primary Care Centre**

Public Participation:

- Mr Frank Brine spoke in support of the proposed diversion.

The Rights of Way Officer introduced the report which asked the committee to forward the Wiltshire Council (Sheet ST 85 SE) Westbury 25 (part) Diversion Order and Definitive Map Modification Order No 22 2011 to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that the Order be confirmed with the modification to the Order Plan detailed at paragraph 38 of the report.

In doing so she confirmed that the objection had been received on 20 May 2011, which was within the allowed timeframe, and that it had been submitted in a personal capacity from Mr Morland.

During the ensuing debate members of the committee sought and received further information on points including the following:

- The length of the diversion; the footpath to be extinguished was 70 metres long, the proposed footpath would be 140 metres long;
- The location of the proposed footpath avoided a steep incline and ensured privacy for the practice;
- The path from A to B as shown on the map on page 25 of the agenda would be accessible by pedestrians during the Primary Care Centre opening hours as a "permitted access", it would cease to be a Public Footpath.

As some members of the committee, although they agreed the footpath would need to be diverted, could not be satisfied that the proposed diversion was the

most suitable option, an amendment to the motion was proposed which would not express support when forwarding the Diversion Order to the Secretary of State for Environment, Food and Rural Affairs. On being put to the vote the amendment was NOT CARRIED.

Councillor Ernie Clark asked for his vote in favour of the amendment to be recorded.

**It was resolved**

**That the Wiltshire Council (Sheet ST 85 SE) Westbury 25 (part) Diversion Order and Definitive Map Modification Order No 22 2011 is forwarded to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that the Order be confirmed with the modification to the Order Plan detailed below:**

**The s.38 Highways Act 1980 adoption plan shows that a two metre stretch leading from the roundabout past point A to footpath Westbury 54 has not been adopted as highway. Hence, the recording of this section as a public footpath is possible and preserves rights on foot. The Order Plan does require a small modification of the line to reflect this.**

**An Order Plan showing the required modification is attached to these minutes.**

**76 Planning Applications**

Councillor Francis Morland joined the meeting at this point.

The Committee considered the following applications:

**76.a W1003791FUL - Erection of 6 terrace dwellings with associated car parking, enclosures and tree felling and planting**

The Chairman announced that the application had been withdrawn by the applicant.

It was agreed that, in future, members of the committee would be informed of the withdrawal of an application as soon as possible.

It was therefore

**Resolved:**

**To note that the applicant had withdrawn the application.**

## **76.b W1101672ADV - Advertisement**

Members of the committee felt satisfied that a satisfactory compromise had been reached it was therefore

**Resolved:**

**That advertising consent be GRANTED.**

**For the following reason(s):**

**The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.**

**Subject to the following condition(s):**

1. The advertisements permitted by this consent shall not be displayed on the site after the date of completion of operations being undertaken under Planning Permission granted under Reference W/10/03933/REG3 or after 1 August 2016, whichever first occurs.

REASON: To ensure that the advertisements are removed at end of the limited period specified, in the interests of amenity and/or public safety.  
West Wiltshire District Plan 1st Alteration 2004 - POLICY: C24

2. The proposals shall be carried out in accordance with the following approved plans:

31405\_P(0)020 received on 31 May 2011;

31405\_P(0)022 received on 31 May 2011;

31405\_P(0)045 received on 31 May 2011, as amended to include an additional panel containing the "Transforming Trowbridge" logo above the "Kier" logo in accordance with the plan attached to email Ref. 31405\_C01\_110712\_County Hall Hoarding dated 12 July 2011.

REASON: In order to define the terms of this permission.

## **77 Urgent Items**




There were no Urgent Items.

(Duration of meeting: 6.00 - 6.50 pm)

The Officer who has produced these minutes is Marie Gondlach (Democratic Services Officer), of Democratic Services, direct line 01225 713597, e-mail [marie.gondlach@wiltshire.gov.uk](mailto:marie.gondlach@wiltshire.gov.uk)

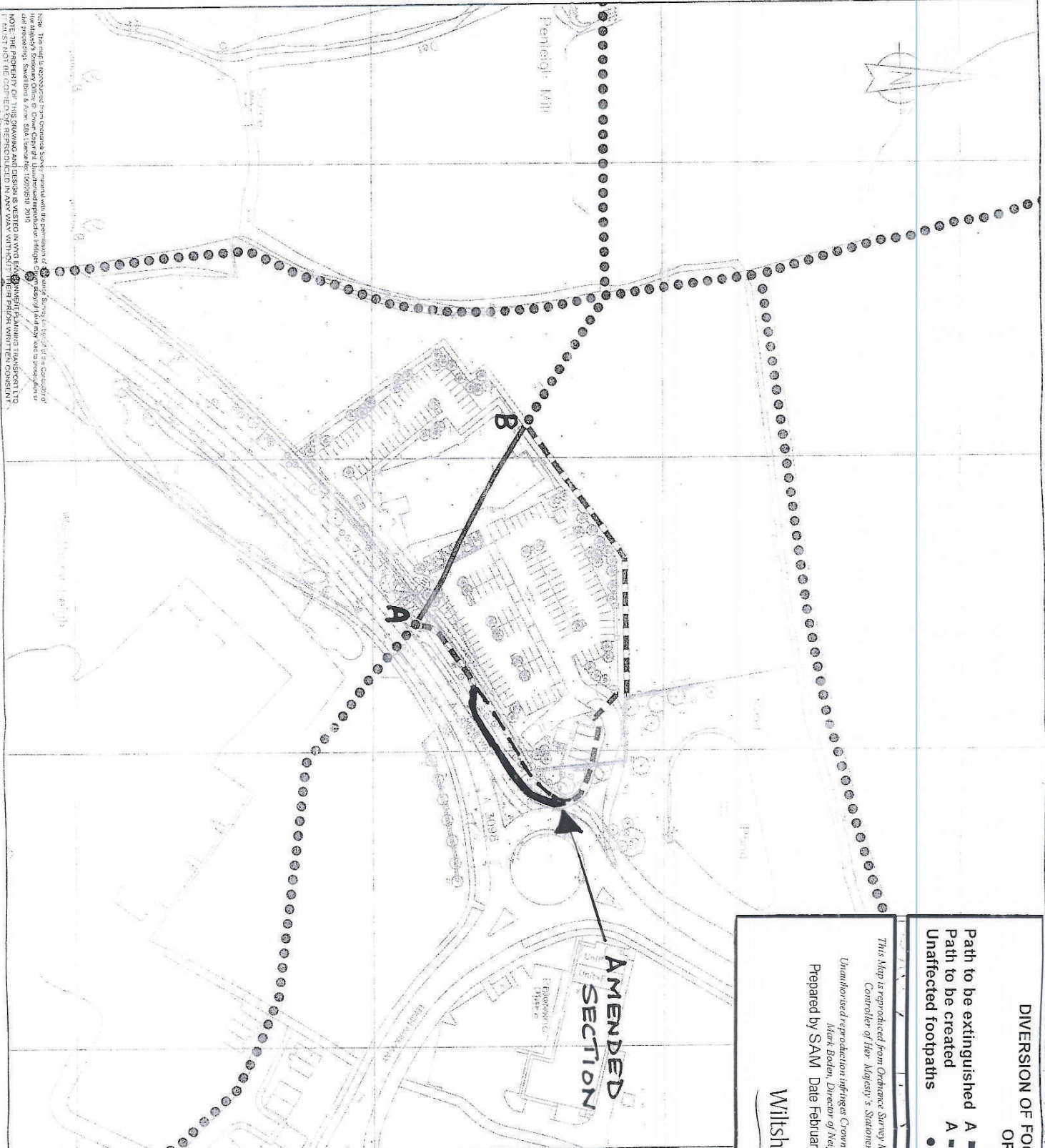
Press enquiries to Communications, direct line (01225) 713114/713115

### DIVERSION OF FOOTPATH WESTBURY 25 (pt) ORDER PLAN

- Path to be extinguished A 
- Path to be created B 
- Unaffected footpaths 

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Mark Bodin, Director of Neighbourhood and Planning, Wiltshire Council  
Prepared by SAM Date February 2011 Scale 1:1250 Grid Ref: A ST 8595 5042



REV	DETAILS	DRAWN	CHECKED	DATE

**CLIENT**  
Leighton Healthcare Limited

**PROJECT**  
WESTBURY PCC

**DRAWN/TITLE**  
Diverted Footpath Arrangement (with Scheme base)

**SCALE**  
1:1250 at A3

**DRAWER**  
HE


**CHECKER**  
AW

**DATE**  
24.11.10

**PREPARED BY**  
Savell Bird & Axon

**ADDRESS**  
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**REFERENCE**  
A063738/SK/05



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