

EASTERN AREA PLANNING COMMITTEE

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 31 JANUARY 2013 IN THE WESSEX ROOM CORN EXCHANGE DEVIZES SN10 1HS.

Present:

Cllr Jane Burton, Cllr Trevor Carbin, Cllr Nick Fogg, Cllr Richard Gamble (Vice Chairman), Cllr Charles Howard (Chairman), Cllr Laura Mayes, Cllr Jemima Milton and Cllr Christopher Williams

Also Present:

Cllr Liz Bryant

1. **Apologies**

Apologies were received from Cllr Jerry Kunkler.

2. **Minutes of the Previous Meeting**

The minutes of the meeting held on **22 November 2012** were presented for consideration.

It was,

Resolved:

To APPROVE as a true and correct record and sign the minutes.

3. **Declarations of Interest**

There were no declarations.

4. **Chairman's Announcements**

The Chairman gave details of exits to be used in the event of a fire.

5. **Public Participation and Councillors' Questions**

There were no questions or statements submitted.

The Committee noted the rules on public participation.

6. Planning Applications

A late list of information in relation to the application below is attached to these minutes.

6.a E/2012/1357/FUL: Tyddyn Terrwyn, Mill Lane, Five Lanes, Potterne, Wiltshire, SN10 5TD

Public Participation

Mr Brian Tapp spoke in objection to the application.

Mr Stephen Sawyer spoke in objection to the application.

Mrs Jacqueline Sawyer spoke in objection to the application.

Mrs Gwen Phillips, applicant, spoke in support of the application.

Mr David Glasson, agent, spoke in support of the application.

Cllr Tony Molland, Potterne Parish Council, spoke in objection to the application.

The Area Development Manager presented a report which recommended the application be approved, subject to conditions laid out in the report papers. The key issues were stated to be the principle of the new farm buildings and proposed temporary dwelling, the visual amenity and highways issues. The officer's recommendation was also amended for Condition Two, to replace the date for the removal of any temporary dwelling, in the absence of further granted permission, from 10 January 2016 to 31 January 2016.

The Committee then had the opportunity to ask technical questions relating to the report of the officer. Details were sought on the assessments that would be required should a permanent dwelling be applied for in future, and on the need for planning permission in relation to polytunnels and other ancillary structures.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Cllr Liz Bryant, then addressed the Committee and explained that the details of the proposed scheme had raised local concerns, and that therefore she felt the decision on the application needed to be made democratically.

A debate followed, where issues relating to the activities to take place on the site, the lack of green belt status and viability of the proposed business were discussed. It was noted that Council officers had determined the proposed business to be viable, which could be reassessed for future permissions, should approval be granted.

Traffic issues were also raised, and it was stated that a nearby school had once provided traffic along the route, but that this had now closed, limiting the impact on the road, and that an informative had been drafted to encourage visitors to the site to avoid the worst affected routes nearby. The number of parking spaces was raised, and it was stated that the figure of 20 spaces for vehicles was a listing of total capacity on the site, not designated spaces.

The Committee also discussed the planning policies which applied to the application, and stressed the application was for an agricultural business on agricultural land.

At the conclusion of debate, it was,

Resolved:

That planning permission be GRANTED for the following reason and subject to the conditions listed below.

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the Kennet Local Plan 2011 namely: policies HC26, NR6, NR7 & PD1.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively by engaging in pre-application discussions to ensure that the proposed development takes account of the planning policies and location of the site.

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.

- 2 The temporary dwelling hereby permitted and any ancillary works or structures, including polytunnels, shall be removed and the land restored to its former condition on or before 31st January 2016, in accordance with a scheme to be first submitted to and approved in writing by the Local Planning Authority, unless before that date planning permission has been granted for these structures to remain for a further period.**

REASON:

Planning permission has been granted on a temporary basis to establish whether the business enterprise is financially viable and capable of being sustained on a long term basis.

- 3 The occupation of the temporary dwelling hereby permitted shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.**

REASON:

The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this

permission is only granted on the basis of an essential and functional need for this establishing business.

- 4 The barn and temporary dwelling hereby permitted shall not be brought into use until the external walls have been clad in timber (which shall be allowed to weather naturally or alternatively stained dark brown) as per the submitted sample. The roofs of both buildings shall be constructed using fibre cement roof sheets in Van Dyke Brown or Marley Eternit Farmscape Anthracite fibre cement roof sheets or Briarwood Products EUROSIX Anthracite fibre cement roof sheets, unless an alternative product of similar colour is first agreed in writing by the Local Planning Authority. The building finishes shall be retained as approved thereafter.

REASON:

In the interests of visual amenity.

- 5 No development shall commence on site until a plan showing the exact position of existing trees and hedges to be retained and details of protective fencing to protect those trees and hedges in the vicinity of the proposed development has been submitted to and approved in writing by the Local Planning Authority.

The protective fencing shall be erected in accordance with the approved details and it shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. The fencing shall not be removed or breached during construction operations.

No retained tree or hedge shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 'Tree Work - Recommendations' or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practice.

If any retained tree or hedge is removed, uprooted, destroyed or dies, another tree or hedge shall be planted in a place and at a size and species and planted at such time that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained tree or hedgerow or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree/ hedge" means an existing tree/ hedge which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the date of this permission.]

REASON:

In the interests of preserving important landscape features.

- 6 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the first building or the completion of the development (whichever is the sooner); All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within

a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON:

To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 7 No development shall commence on site until a Poultry Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Poultry Management Plan shall include details of the storage (including location of such storage) of manure, soiled bedding and other animal waste and its disposal from site (including frequency). The plan shall also include details of how pests (such as flies and rodents) will be managed. Before the development is first brought into use, the works required for storage and disposal of manure, soiled bedding and other animal waste shall be completed in accordance with the approved details. No storage of manure, soiled bedding or other animal waste shall take place outside of the storage area approved under this condition and the approved storage areas shall be kept available for these purposes thereafter. The Poultry Management Plan shall be implemented in accordance with the approved details.

REASON:

In the interests of public health and safety.

- 8 There shall be no burning of waste material or animal bedding on the site.

REASON: To protect the amenities of the area.

- 9 No development shall commence on site until details of any bunding exceeding 1 metre in height have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON:

In the interests of visual amenity.

- 10 Prior to the first use of any building hereby approved, a visibility splay shall be provided with nothing to exceed the height of 900mm above carriageway level between the carriageway edge, and a line drawn from a point 2.4 metres back along the centre-line of the access from the carriageway edge to points on the nearside carriageway edge 45 metres to the north-east and 45 metres to the south-west. This visibility splay shall thereafter be kept free from obstructions to sight.

REASON:

In the interests of highway safety.

- 11 All sewage disposal on the site shall be via a package treatment plant which shall be installed prior to the temporary dwelling being first occupied. No other form of sewage disposal (including cess pit and septic tank) shall be used.

REASON:

To ensure satisfactory provision is made for sewage disposal.

- 12 No external lighting shall be installed on site 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 Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The lighting shall be installed in accordance with the approved details and retained as such thereafter.

REASON:

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

- 13 The cooking facilities at the development hereby permitted shall be restricted to a domestic-size cooker and extracting hood. No other form of cooker, ventilation or extraction equipment shall be installed on the premises without a fresh grant of planning permission.

REASON:

In the interests of the amenities of neighbouring occupiers.

- 14 The development hereby permitted shall be carried out in accordance with the following approved plans:

- Application Form
- Design and Access Statement
- Agricultural Appraisal
- Business Plan
- Site Location Plan
- Site Location Plan and photographs
- Plans and Elevations (BARN)
- Greenhouse Photograph
- Proposed Glasshouse and Polytunnels
- Illustration of Building Heights
- Cross Section of Site
- Context Plan

all received on the 24th October 2012, except insofar as amended by the following:

- email received from the applicant's agent on 10th December 2012 in relation to timber boarding and roof finish; and
- Amended Temporary Dwelling Elevations and Plan (detailing flue and amended materials) received on the 10th December 2012; and
- Amended landscaping details as updated by email from applicant on 10th December 2012 including amended plan and change of the Pin and Sessile

Oaks for other trees from the list.

REASON:

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

15 INFORMATIVE TO APPLICANT:

The Highway Authority recommend that visitors to the site (particularly attendees of the training courses) be encouraged by pre-course notes etc. to access and egress the site by using Whistley Lane to and from the A361, and not to and from Potterne.

16 INFORMATIVE TO APPLICANT:

The applicant should note that a public footpath crosses the site and that nothing in this permission authorises the stopping up or any obstruction of any public right of way. Any gate erected across the footpath must be made to be easily openable by users or a stile provided alongside.

7. Urgent items

There were no urgent items.

(Duration of meeting: 6.00 - 6.55 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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WILTSHIRE COUNCIL

POST REPORT REPRESENTATIONS

PLANNING SERVICES GROUP

DATE: 31st January 2013

EASTERN AREA COMMITTEE

Agenda No. Application No.	Location		To be commented
E/2012/1357/FUL	Tyddyn Ternwyn, Five Lanes, Potterne, Wilts	Letter of representation Mr and Mrs Elliott 20.01.13	X

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