

EASTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 1 AUGUST 2013 IN THE THE ASSEMBLY ROOM - DEVIZES TOWN HALL, DEVIZES, SN10 1BN.

Present:

Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg, Cllr Richard Gamble,
Cllr Charles Howard (Chairman), Cllr Jerry Kunkler and Cllr Paul Oatway

Also Present:

Cllr Jemima Milton and Cllr Philip Whitehead

58. Apologies for Absence

Apologies were received from Cllr Mark Connolly

59. Minutes of the Previous Meeting

The minutes of the previous meeting 20 June 2013 were signed and approved as a true and accurate record.

60. Declarations of Interest

There were no declarations of interest made by the Committee.

61. Chairman's Announcements

The Chairman announced that Items 7b and 7d were suggested for deferral and requested that members agree to this.

62. Public Participation and Councillors' Questions

No questions had been received from members of the public.

63. Public Right of Way Applications

**63.a CM09489 - Proposed Diversion of Part of Pewsey Bridleway 62 at
West Wick House, West Wick, Pewsey**

Public Participation

Mr Ken Bryant spoke in objection of the application.

Mr Richard Anstis (Agent) spoke in support of the application.

Mr Andrew Brown spoke in support of the application.

Mr Gerard Griffin (Applicant) spoke in support of the application.

Local member Cllr Jerry Kunkler agreed with part of the objection raised by Mr Bryant, but ultimately supported the applicants request for privacy. Cllr Kunkler stated that a condition should be placed on the application, that the current route should not be closed until the proposed diversion was complete and approved by the Council.

The Rights of Way Officer outlined the report which recommended the item be referred to SoSEFRA for determination with the recommendation that it is approved. The Rights of Way Officer then outlined the key considerations for the committee including S119 of the Highways Act 1980 which gives Councils the power to make orders to divert public paths. Such orders may be made if they are in the land owners' interest, and can only be confirmed if the new route is not substantially less convenient to the public, having regard to the effect the diversion will have on the enjoyment of the path or way as a whole.

Committee members were then given the opportunity to ask technical questions of the item.

Cllr Dobson asked if the proposed diversion included any stiles, and questioned the surface of diversion. IT was confirmed that the diversion would mostly consist of a hard compacted surface, and would not include any limitations.

Members then entered into debate on the item, discussing the legal responsibility for maintenance of the proposed diversion, the impact on public enjoyment of the new route, the quality and usability of the proposed diversion and impact on land owners privacy and interest. At the end of the debate it was;

Resolved:

To approve the application and recommend that the order dated 18 October 2012 be forwarded to the Secretary of State for Environment Food and Rural Affairs for confirmation.

64. **Planning Applications**

65. **E/2012/01444/FUL - Manor Farm Allington**

Public Participation

Mr Andrew Potts spoke in objection to the application.
Mr Jonathan Marston spoke in objection to the application.
Mr John Martin spoke in objection to the application.

Mr Richard Cosker (Agent) spoke in support of the application.
Mr Andrew Oram (applicant) spoke in support of the application.
Mr Andrew Fell spoke in support of the Application.

Mr John Kirkman from the Campaign to Protect Rural England spoke in objection to the application.

Cllr Phillip Whitehead, the local member, spoke in support of the Application stating that the applicants had taken into consideration the concerns and objections raised by residents and had sought to rectify these issues.

The Planning Officer introduced the report which recommended the application be granted planning permission and outlined the late item to be circulated (a list of representations received). Details of the application were summarised by the Officer, who also outlined the areas of key consideration. These were the balancing of economic, social and environmental factors that influence a sustainable development.

Members had the opportunity to ask technical questions of the committee, and a question was asked by Cllr Dobson around the use of specific colours in conditions. This was clarified, as specific colours are difficult to enforce, and are best left as being 'sympathetic' to surrounding area.

The debate of the item followed and amendments were proposed to the officer recommended conditions for conditions 4, 9, and 10. Additional conditions were proposed to limit the audible sound level emitted from air compression units.

The Planning Officer also provided further summary on the ecologist surveys on the biodiversity impact. The issues of the sites proposed position and financial viability of the development were also discussed.

Cllr Fogg outlined his disapproval of the application stating its impact on the AONB as a key reason for his opposition.

Cllr Gamble summarised the application of the NPPF and highlighted the conflict of protecting the AONB and promoting sustainable developments and the diversification of the Agricultural industry. The overarching theme of the document is in favour of sustainable development, and as a result was in favour of the application.

Councillor Dobson outlined concerns over the colour of the structure, the use of less favourable trees to disguise the development and the potential use of the structure should the venture fail.

A motion was proposed to add an informative on the guidance to usage of dark colours for the structure, and to the size of planted trees around the structure, and was approved. At the culmination of the debate it was;

Resolved:

To **APPROVE** planning permission for the application subject to the following conditions:

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. No development shall commence on site until details of the materials for the walls, curtains, roof, bulk milk tank and feed silo to be used on the development 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 and the character and appearance of the area.

POLICY: PD1 of the Kennet Local Plan 2011

3. No development shall commence on site until additional landscaping details, to augment or amend the submitted Landscape Proposals and Management Strategy relating to the following matters have been submitted to and approved in writing by the Local Planning Authority:

a) details of the management and enhancement of the existing belt of Ash trees to the north of the site, which shall include a survey and report of the condition of all specimens, together with measures for the treatment, augmentation or replacement of the trees with new species, and a schedule of maintenance for existing and new planting, and

b) the replacement of references to *Fraxinus excelsior* (ash) in parts B and C of the Landscape Proposals and Management Strategy, and figures 1, 2 and 2a therein, with references to other native species trees.

Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

POLICY: PD1 and NR6 of the Kennet Local Plan 2011.

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the 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.

POLICY: PD1 and NR7 of the Kennet Local Plan 2011.

5. The development hereby permitted shall not be first brought into use until the first seven metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

POLICY: PD1 of the Kennet Local Plan 2011.

6. Any gates shall be set back 7 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

POLICY: PD1 of the Kennet Local Plan 2011.

7. Prior to the commencement of the development hereby permitted access details shall be submitted to and approved in writing by the Local Planning Authority, which shall show the provision of entrance radii to either side of the southern access of 5 metres, without kerbs, and

measures to prevent the discharge of surface water from both access points onto the public highway. The development shall be completed in accordance with these details. .

REASON: In the interests of highway safety.

POLICY: PD1 of the Kennet Local Plan 2011

8. No development shall commence within the site until:

a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and

b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

POLICY: PD1 of the Kennet Local Plan 2011

9. No internal or 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 approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional 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.

POLICY: PD1 of the Kennet Local Plan 2011.

10. The development hereby permitted shall be carried out in accordance with the following approved documents and plans, except insofar as amended by the requirements of condition 3 above:

Application form received at Wiltshire Council on 21.11.12;

Design and access statement and planning statement received at Wiltshire Council on 21.11.12;

Ecological Appraisal received at Wiltshire Council on 21.11.12;
Landscape and Visual Impact Assessment received at Wiltshire Council on 21.11.12;
Landscape proposals and management strategy received at Wiltshire Council on 21.11.12;
Drawing referenced 3636/SK100 received at Wiltshire Council on 21.11.12;
Soakage calculations received at Wiltshire Council on 21.11.12;
Location plan received at Wiltshire Council on 21.11.12;
Longitudinal and lateral sections drawing received at Wiltshire Council on 18.04.13;
Amended block plan and elevations received at Wiltshire Council on 18.04.13;
Assessment of noise impact received at Wiltshire Council on 18.04.13;
Odour management plan received at Wiltshire Council on 18.04.13;
Transport statement received at Wiltshire Council on 18.04.13;
Existing yard use statement received at Wiltshire Council on 18.04.13, and
Email from RCC Town Planning Consultancy received at Wiltshire Council 31.07.2013

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

POLICY: PD1 and NR7 of the Kennet Local Plan 2011.

11. Prior to the first use of the building hereby permitted the air compression equipment and enclosure which are to be installed on the western façade of the unit shall be completed in accordance with a design of construction (which shall have been submitted to and approved in writing by the Local Planning Authority) that ensures that the sound level emitted from the housing does not at any time exceed 65dB(A) at a distance of 1 metre from the installation.

REASON: To protect the amenity of nearby residents, and of the character of the locality

POLICY: PD1 of the Kennet Local Plan 2011

12. INFORMATIVE The attention of the applicant is drawn to the contents of the attached letter from Wiltshire Fire and Rescue Service dated 10.12.12

13. INFORMATIVE The attention of the applicant is drawn to the contents of the attached letter from the Environment Agency dated 19.12.12

14. INFORMATIVE It is expected that trees to be planted in accordance with the conditions relating to the approved landscaping above (conditions 3, 4 and 10) shall be of standard size, to offer maximum screening for the development at the earliest opportunity.

66. **E/2012/1216/FUL - Land to the rear of Wilcot Road, Pewsey, SN9 5EL**

This item was deferred by the Committee.

67. **E/2013/0122/FUL - New Inn, Winterbourne Monkton, SN4 9NW**

Public Participation

Mr Patrick Blake-Kerr (Agent) spoke in support of the application.

Mrs Stella Hall spoke in support of the application.

Mr Nigel Fielder spoke in support of the application.

Mr Bill Buxton (Chairman of Winterbourne Monkton Parish Council) spoke in support of the application.

The Planning Officer introduced the report which recommended the item be granted planning permission. Details of the application were then summarised by the officer. The planning officer outlined the key policies for consideration including PD1 of the Kennet Local Plan 2011 and section 7 of the National Planning Policy Framework. The considerations were summarised as being the visual impact and the affect on amenities in the area.

Committee members were given the opportunity to ask technical questions of the application.

Members of the public were given an opportunity to address the committee and state their views on the application.

Cllr Jemima Milton, local member spoke in support of the application, and raised the point that whilst the application had been brought to committee, it was broadly supported by local residents, providing that the adjoining pub was re-opened, and not converted. The confusion behind this, was the reason it had been called to committee, and Cllr Milton welcomed comments regarding proposed conditions.

The Planning Officer stated that it was reasonable to condition the application to ensure the future of the village pub in accordance with Policy ED29 of the Kennet Local Plan, which seeks to retain the existing range of social and community facilities in the rural areas.

A brief discussion was then had by members who raised the point that future planning applications would be required to convert the pub into a bed and breakfast, which would also go towards safeguarding the future of the pub in the

village. Cllr Kunkler and Cllr Fogg both then spoke in support of the application. At the end of the debate it was;

Resolved:

That planning permission be GRANTED 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.

2) The bed and breakfast accommodation hereby permitted shall not be first brought into use until the public house has re-opened.

REASON: To safeguard the use of amenities in the local area in accordance with Kennet Local Plan Policy ED29.

3) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs of the extension 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 and the character and appearance of the area.

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

- Location map & block plan, received on 15th March 2013;
- Existing floor plans, received on 4th January 2013;
- Existing elevations - main building; received on 29th January 2013;
- Proposed floor plans - main building; received on 15th March 2013;
- Proposed elevations - main building, received on 15th March 2013;
- Annex: Existing elevations, floor plans & roof plans, received on 15th March 2013, and
- Annex: Proposed elevations, floor plans & roof plans, received on the 15th March 2013.

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

68. **E/2013/0238/FUL - Land adjacent to Chute Forest Cottage**

This item was deferred by Committee.

69. **Urgent items**

There were no urgent items to discuss.

(Duration of meeting: 6.00 - 8.45 pm)

The Officer who has produced these minutes is Samuel Bath, of Democratic Services, direct line 01225 718211, e-mail samuel.bath@wiltshire.gov.uk

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