

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 17 DECEMBER 2014 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice-Chair), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Dennis Drewett, Cllr Magnus Macdonald, Cllr Pip Ridout, Cllr Jonathon Seed, Cllr Roy While and Cllr Jerry Wickham (Substitute)

Also Present: Fleur de Rhé-Philippe

137 Apologies for Absence

Apologies for absence were received from Councillor Horace Prickett who was substituted by Councillor Jerry Wickham for this meeting only.

138 Minutes of the Previous Meeting

The minutes of the meeting held on 26 November 2014 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 26 November 2014.

139 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.

140 Declarations of Interest

There were no declarations of interest.

141 **Public Participation and Councillors' Questions**

Councillor Ernie Clark asked, in supplement to his question circulated in advance of the meeting, the following question:

Accepting that the answer supplied is correct, why did WCC Highways Department not raise this issue with WWDC before the conditions for this application were published eight years ago? Furthermore, why did WC Highway officers hold consultations with myself and Cllr. Oldrieve if Highways had predetermined their opinion on this matter?

As there was not an appropriate officer in attendance to respond to the supplementary question, the Chair asked that a written response be requested.

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

142 **Right of Way Applications**

The Committee considered the following application:

143 **Chapmanslade 12 (Part) Diversion Order and Definitive Map and Statement Modification Order 2014**

Public participation:

Francis Morland spoke in objection to the application.

Phil Smith spoke in support of the application

Phil Jefferson spoke on behalf of Chapmanslade Parish Council.

The Right of Way Officer presented the report which outlined the recommendation. The officer was asked to outline the cost of dealing with a modification order, once an objection had been received. It was agreed that a written response would be given. Issues discussed in the course of the debate included: the cost of and the liability for the maintenance of the bridge; the impact of the proposals on the land owner and users of the right of way; and the level of public support for the proposals.

Members of the public were invited to speak on the application as listed above.

A motion was put forward to move the officer's recommendation as set out in the report.

Resolved:

That "The Wiltshire Council Chapmanslade 12 (part) Diversion Order and Definitive Map and Statement Modification Order 2014", be forwarded to

the Secretary of State for the Environment, Food and Rural Affairs for determination, with a recommendation from Wiltshire Council that the Order be confirmed without modification.

Reasons for Decision:

Despite the objections received it is considered, for the reasons given at part 18 of the decision report (Appendix C), that “The Wiltshire Council Chapmanslade 12 (part) Diversion Order and Definitive Map and Statement Modification Order 2014” continues to meet the legal tests for the making of a Diversion Order under Section 119 of the Highways Act 1980.

Additionally, the legal tests for the confirmation of a Public Path Diversion Order, as set out under Section 119 of the Highways Act 1980, appear capable of being satisfied and no new evidence has been submitted during the formal objection period which would lead Wiltshire Council to no longer support the making of the Order.

144 **Planning Applications**

The Committee considered the following application:

145 **14/09500/FUL - Sienna's Valley Farm, Huntenhull Lane, Chapmanslade, BA13 4AS**

Nigel Brown, Ian Buick and Charles Thackway spoke in objection to the application.

Derek Tanswell and Edward Drew spoke in support of the application.

Phil Jefferson spoke on behalf of Chapmanslade Parish Council.

The Senior Planning Officer outlined the report which recommended the application for approval subject to conditions.

Members of the public were invited to speak on the application as listed above.

Issues discussed in the course of the debate included: the location of the building; the impact on the local landscape; the needs of the specific livestock business; and the temporary nature of the proposed permission.

Resolved

That consideration of the application be deferred to allow further information to be submitted to the Committee.

Reason for Decision: to gather more information to aid the Committee in their consideration of the matter.

146 Planning Appeals Update Report

The Planning Appeals Update Report for 2014 was received. The Chair asked that information pertaining to West Wiltshire area applications considered by the Strategic Planning Committee be included in future reports; and that officers consider how best to present the information in light of the comments received.

Resolved:

To note the Planning Appeals Update Report for 2014.

147 Urgent Items

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.33 pm)

The Officer who has produced these minutes is Will Oulton, of Democratic Services, direct line 01225 713935, e-mail william.oulton@wiltshire.gov.uk

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