

## WESTERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 29 JUNE 2016 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

#### **Present:**

Cllr Christopher Newbury (Chairman), Cllr John Knight (Vice Chairman), Cllr Trevor Carbin, Cllr Andrew Davis, Cllr Magnus Macdonald, Cllr Pip Ridout, Cllr Roy While, Cllr Jerry Wickham (Substitute) and Cllr Graham Payne

#### **Also Present:**

Jessica Croman (Democratic Services)  
Mike Kilmister (Planning Team Leader)  
Jemma Foster (Senior Planning Officer)  
Kate Yeoman (Planning Officer)  
Steve Sims (Senior Planning Officer)

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#### **54 Apologies for Absence**

Apologies for absence were received from:

- Cllr Jonathon Seed (Substituted by Cllr Jerry Wickham)
- Cllr Ernie Clark
- Cllr Dennis Drewett

#### **55 Minutes of the Previous Meeting**

The minutes of the meeting held on 18 May 2016 were presented.

#### **Resolved:**

**To defer the Minutes to the next meeting.**

#### **56 Chairman's Announcements**

The Chairman gave details of the exits to be used in the event of an emergency and informed the meeting that:

Members of the public were permitted to lobby members in advance of the meeting, but after the beginning of the debate, circulation of new information, written or photographic which had not been verified by planning officers would not be permitted.

**57 Declarations of Interest**

There were no declarations of interest.

**58 Public Participation and Councillors' Questions**

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

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

**59 Planning Applications**

The Committee considered the following applications:

**60 16/02681/FUL - 8 Fulmar Close, Bowerhill, Melksham**

Alan Goodwin spoke in objection to the application.

Robert Palin spoke in objection to the application.

Richard Harlow, agent, spoke in support of the application.

The Planning Officer outlined the report which recommended that the application be approved with conditions.

Members of the Committee had the opportunity ask technical questions. Details were sought on the increased height of the roof and eaves, and on the absence of a sink unit.

Members of the public then had the opportunity to address the Committee as detailed above.

Cllr Roy While, as the local Member, spoke against to the application.

Issues discussed in the course of the presentation and debate included: the impact on the neighbouring property; the potential for overshadowing, loss of daylight and the loss of amenities; and that the Parish Council had objected.

The planning officer's recommendation for permission was moved and seconded.

The proposal was lost.

A proposal was made to refuse the application.

Having been put to the vote, the meeting;

**Resolved:**

**To refuse planning permission for the following reasons:**

**The proposal by virtue of its proportion, form and scale would result in an overbearing and dominant form of development, which would result in the loss of daylight and be overshadowing to the detriment of the neighbour's amenity at 7 Fulmar Close. This would be contrary to Policy CP57 of the adopted Wiltshire Core Strategy.**

61 **16/00587/FUL - Brokerswood Country Park, Southwick**

Robert Wilson spoke in objection to the application.

Tracey Peachment spoke in objection to the application.

Philipa Masters spoke in objection to the application.

Jeremy Lambe, agent, spoke in support of the application.

Sue Capon, owner, spoke in support of the application.

Bobby McGhee, applicant, spoke in support of the application.

Alison Irving, Dilton Marsh Parish Council, spoke in objection to the application.

Roger Evans, North Bradley Parish Council, spoke in objection to the application.

The Senior Planning Officer outlined the report which recommended that the application be approved with conditions.

Members of the Committee had the opportunity to ask technical questions. Details were sought on the figures quoted; the traffic movement survey; the exit road width; conditions 3 & 4 of the recommendations and to ask if a map detailing all the land owned by the applicant and not just the development site, was available.

Members of the public then had the opportunity to address the Committee as detailed above.

Cllr Horace Prickett, as the local Member, spoke in objection to the application.

Issues discussed in the course of the presentation and debate included: the additional information received during the meeting; the traffic figures, and the possible impact of the proposal on traffic; the scale of the development and the potential environmental impact; the impact on near by residents; and the potential drainage issues on the site..

A proposal was made to defer the application in-order to carry out a site visit and for a fuller report from Highways and queries regarding highways matters to be obtained prior to the next meeting. .

Having been put to the vote, the meeting;

**Resolved:**

**To defer the application for a site visit.**

**61a 15/12235/FUL - Home Farm House, Hoggington Lane, Southwick**

Steve Jones, applicant, spoke in support of the application.

The Senior Planning Officer outlined the report which recommended that the application be refused.

Members of the Committee had the opportunity to ask technical questions. Details were sought on the windows of the original barn; the planning history of the site and the distance of the development to the centre of the town.

Members of the public then had the opportunity to address the Committee as detailed above.

Cllr Horace Prickett, as the local Member, spoke in support of the application.

Issues discussed in the course of the presentation and debate included: the conditions which could be imposed if approved and core planning issues which had not been met; the views of the Parish Council and the potential impact of the proposal on the traffic..

A proposal was made to approve the application but there was no seconder.

A proposal was made to move the officers recommendations.

Having been put to the vote, the meeting;

**Resolved:**

To refuse planning permission for the following reasons:

1. Extensive building works would have to be undertaken to make the building habitable as holiday accommodation including new walls to all elevations and new floors, in addition the southwest section of the existing barn would be demolished. It is not considered that the building can be converted without major works of rebuilding or modification and therefore the development is contrary to Core Policy 48 of the Wiltshire Core Strategy.

2. The proposed development, by virtue of its design and materials used, fails to effectively integrate into its landscape setting and would form an incongruous feature in this prominent position within the landscape, resulting in an adverse impact upon the character of the area. The proposal is therefore contrary to Core Policy 39, Core Policy 51 and Core Policy 57 of the Wiltshire Core Strategy and advice contained in section 7 of the National Planning Policy Framework.

3. The proposed building would be located outside the defined limits of development in the open countryside where development is strictly controlled to prevent unsustainable development and to protect the character of the countryside, in a location that has limited access to services or public transport and where occupants would be reliant upon the private motor vehicle, and as such would increase the need to travel in this unsustainable location. The proposed development is therefore contrary to Core Policy 1, Core Policy 2, Core Policy 39, Core Policy 48 and Core Policy 60 of the Wiltshire Core Strategy and guidance contained in the National Planning Policy Framework.

**61b 16/01422/FUL - 6, The Cottage,6 Lower South Wraxall**

Viv Vines spoke in objection to the application.

Ruth warren, applicant, spoke in support of the application.

The Senior Planning Officer outlined the report which recommended that the application be approved with conditions.

Members of the Committee had the opportunity ask technical questions. Details were sought on the 25 degree rule and the design.

Members of the public then had the opportunity to address the Committee as detailed above.

Cllr Trevor Carbin, as the local Member, who had originally called in the application, spoke in support of the application.

Issues discussed in the course of the presentation and debate included: whether an informative could be added to the conditions; the changes made to the proposals in response to the consultation.

A proposal was made to move the officer's recommendations.

Having been put to the vote, the meeting;

**Resolved:**

**To approve planning permission with 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 development hereby permitted shall be carried out in accordance with the following approved plans:  
Location plan (drawing no. 1432/000) dated Feb 2016  
Block plan (drawing no. 1432/005 A) dated Feb 2016  
Existing garden plan (drawing no. 1432/001) dated Oct 2015  
Proposed garden plan (drawing no. 1432/004 D) dated Dec 2015  
North west elevation plan – received on 31.05.2016  
Existing garden plan (drawing no. 1432/001 B) dated Oct 2015**

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

- 3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the development hereby permitted.**

**REASON: In the interests of residential amenity and privacy.**

- 4. The development hereby permitted shall not be used at any time for habitable accommodation and that it shall remain for purposes ancillary to the residential use of the main dwelling, known as No. 6 Lower South Wraxall (known as 'The Cottage' and that it shall remain within the same planning unit as the main dwelling.**

**REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of**

residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

5. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match the material, colour and texture as that used for the existing building.

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

6. The development hereby permitted shall not be first brought into use until the first five 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.

7. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

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

8. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-
  - location and current canopy spread of all existing trees and hedgerows on the land;
  - full details of any to be retained, together with measures for their protection in the course of development;
  - a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
  - all hard and soft surfacing materials;

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and 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 a satisfactory landscaped setting for the development and the protection of existing important landscape features.

9. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the completion of the development; 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.

10. The development hereby approved shall be carried out in accordance with the recommendations made in section 5 of the Preliminary Ecological Assessment for Bats (Draft) report dated 27/06/2016 prepared by Johns Associates Environmental Consultants, as already submitted with the planning application and agreed in principle with the local planning authority before determination, and as modified by a Natural England European protected species licence.

**REASON:** To ensure adequate protection and mitigation for protected species.

**INFORMATIVES:**

1. If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact the UK Bat Helpline on 0345 1300 228 (homeowners and churches) or visit [http://www.bats.org.uk/pages/natural\\_england\\_roost\\_visits.html](http://www.bats.org.uk/pages/natural_england_roost_visits.html) for more information.

Please also be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds (while nesting, building nests and sitting on eggs), their nests and eggs (with certain limited exceptions) are protected by law under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000. If birds are nesting on/in or within the vicinity of the proposed development, work should be undertaken outside the breeding season for birds to ensure their protection, i.e. works should only be undertaken between August and February. Further advice on the above can be sought from the Council Ecologists.

2. The applicant is reminded to strictly accord with the approved plans regarding the proposed garage position and height.



The Planning Appeals Update Report for 09/05/16 to 17/06/16 was received.

**Resolved:**

**To note the Planning Appeals Update Report for 09/05/16 to 17/06/16.**

**63 Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.05 - 6.05 pm)

The Officer who has produced these minutes is Jessica Croman, of Democratic Services, direct line 01225 718262, e-mail <mailto:jessica.croman@wiltshire.gov.uk>

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