

EASTERN AREA PLANNING

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON THURSDAY 23 JULY 2009 AT 6:00 PM AT BROWFORT, DEVIZES

Present:

Mr P Brown (Chairman), Mrs P Dow, Mr R Gamble, Mr C Howard, Mr C Humphries, Mrs L Mayes.

Apologies:

Mr M Connolly, Mr J Fogg, Mr C Williams.

Substitutes:

Mr J Kunkler, Mrs J Milton.

8. MINUTES

The minutes of the meeting held on 2 July 2009 were confirmed as a correct record and signed by the Chairman.

9. CHAIRMANS ANNOUNCEMENTS

There were none.

10. APPEALS DETERMINED

The Chairman announced the following appeal determined:

K/59952/F - Oxhouse Farm, The Locks, Rowde – Single dwelling.
Decision: dismissed.

11. DECLARATIONS OF INTEREST

E/09/0663/FUL - Mr Humphries and Mrs Milton declared personal interests in this item, being themselves involved in the farming industry.

12. Highways Act 1980 – Section 119 Berwick Bassett: Diversion of Bridleway no.7 (part) and Bridleway no. 11 (part).

Public Participation:

- a. Mr J Lee spoke in support of the officer recommendation.

Resolved:

That the Public Path Order to divert Bridleway no.11 Berwick Bassett (part) and Bridleway no.7 Berwick Bassett (part), be abandoned for the following reasons:

The proposed route is substantially less convenient for the general public thereby failing the legal test for confirmation laid out in Section 119 of the Highways Act 1980.

- 13. E/09/0598/FUL – Former Spitalcroft Allotment Site, London Road, Devizes – Full planning application for: Development of 40 dwellings including 8 two, 24 three and 8 four bedroom dwellings, associated car parking, private amenity space, public open space and landscape works.**

Public Participation:

- a. Mr Sedgewick (Trust for Devizes) spoke in opposition to the application.
- b. Mr C Virtue (agent) spoke in support of the application.
- c. Mr Robin Eccles (CPRE) spoke in opposition to the application.
- d. Mr East (Devizes Town Council) spoke in opposition to the application.
- e. Mr T Carter (Ward Member) spoke in opposition to the application.

Resolved:

REFUSED against officer recommendation for the following reasons:

The proposed layout, which increases the number of dwellings on the site from the approved 20 to 40 would result in a development that would have an adverse impact on the character and appearance of the area, with smaller gardens, poor parking arrangements and dwellings poorly positioned in relation to each other. This would reduce the overall quality and design of the estate and would conflict with policy PD1 of the Kennet local Plan, particularly factors 4 & 5.

- 14. E/09/0111/S73 – Lower Upham Farm Airfield, Aldbourne, Wiltshire SN8 1SZ – Full planning application for: Removal of conditions 2 and 3 of K/59355/VAR to allow operation of a training school for microlight pilots using three of the existing aircraft on site.**

Public Participation:

- a. One late item in opposition to the application was reported.
- b. Mr D Savage spoke in opposition to the application.
- c. Mr McDonic spoke in opposition to the application.
- d. Mr Gallagher (Ramblers Association) spoke in opposition to the application.
- e. Dr J Kirkman (CPRE) spoke in opposition to the application.
- f. Mr A Devey (Aldbourn Parish Council) spoke in opposition to the application.
- g. Mr C Freeman (Ogbourn St George Parish Council) spoke in opposition to the application.

Resolved:

REFUSED against officer recommendation for the following reasons:

The airfield is located within the North Wessex Downs Area of Outstanding Natural Beauty close to the National Ridgeway Trail. National guidance in PPG 24 requires local planning authorities to give special consideration to development which would affect the quiet enjoyment of Areas of Outstanding Natural Beauty. In this case, the Council considers that the intensification of the use of the airfield would be inappropriate as it would generate unacceptable disturbance to those using the Ridgeway and others seeking the quiet enjoyment of this part of the AONB. This would conflict with policy DP7 of the North Wessex Downs AONB Management Plan.

- 15. E/09/0663/FUL – Wansdyke Farm, Ham Spray, Ham, Wiltshire SN8 3QZ – Full planning application for: Retention of a straw barn, machinery store, straight store, slurry handling store, silage clamps, attenuation pond and cattle building.**

Public Participation:

- a. One late item in opposition to the application was reported.
- b. Mr R Buchanan spoke in opposition to the application.
- c. Mr R Steel spoke in opposition to the application.
- d. Mr R Buchanan-Dunlop spoke in opposition to the application.
- e. Mr V Wheeler (agent) spoke in support of the application.
- f. Mr G Lochhead (agent) spoke in support of the application.
- g. Mr S Garnett (agent) spoke in support of the application.
- h. Mr N Baring (Ham Parish Council) spoke in opposition to the application.
- i. Mr S Wheeler (Ward Member) spoke in opposition to the application.

Resolved:

GRANTED for the reasons set out below and subject to the following conditions:

The decision to grant planning permission has been taken on the grounds that the development would not have an adverse impact on the setting of Ham Spray house, due to the clear separation of the farmyard from the house, the intervening space and lack of intervisibility. It would not have an adverse impact on the character or appearance of the landscape, due to its setting within and adjacent to an established farmyard and the landscaping adjacent to it. Neither would the proposal have any significant adverse impacts on other interests of acknowledged importance, including drainage, impact on residential amenity and traffic matters. Regard has also been had to the fall-back position of the outstanding planning permission for a dairy unit on the site and to the policies and proposals in PPS7 and policies PD1 and NR7 of the Kennet Local Plan.

1. The dairy unit (cubicle) building, the largest on the site, to which this permission relates shall be used for livestock only and for no other purpose (including any other agricultural purpose) unless planning permission has been applied for and granted by the local planning authority for the new use.

REASON:

The proposed use is acceptable as the existing dairy unit currently requires a cubicle building for the 400 + cows on the holding, but the local planning authority wish to consider any future proposal for a different use for purposes other than livestock as it could give rise to other planning considerations, such as traffic generation, noise, dust, that would need to be carefully assessed given the size of the building, the road network leading to it and the proximity of nearby houses.

2. The "straights store" hereby approved shall not be used for the housing of livestock unless in an emergency.

REASON:

To safeguard the amenities of nearby residential properties.

3. **INFORMATIVE TO APPLICANT:**

This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action

which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan nos. 00590-00-C-Wansdyke Farms-Site Layout (sheets 1, 2 & 3);

Plan nos. 145B (sheets 1 & 2);

Plan nos. 00590-B-S.Fisher-Wansdyke Farms-Straight Store (sheets 1 & 2);

Plan no. 00271-A-Wansdyke Farms-Machinery Store (sheet 1);

Plan nos. 00270-A-Wansdyke Farms-Straw Barn 3 (sheets 1, 2 & 3);

Plan no. S10767ATSS (sheet 1);

Plan no. 011E (sheet 6).

4. **INFORMATIVE TO APPLICANT:**

The applicant's attention is drawn to the attached letter from the Environment Agency.

16. E/09/0254/FUL – Garden Cottage, 23 High Street, Wedhampton, Urchfont, Wiltshire SN10 3QE – Full planning application for: Stable, retention of access, paddock fencing.

Public Participation:

- a. Mr R Child spoke in opposition to the application.
- b. Mr J Murphy spoke in opposition to the application.
- c. Mr J Ford spoke in opposition to the application.
- d. Dr J Kirkman (CPRE) spoke in opposition to the application.
- e. Mr P Newell (Urchfont Parish Council) spoke in opposition to the application.
- f. Mr L Grundy (Ward Member) spoke in opposition to the application.

Resolved:

REFUSED against officer recommendation for the following reasons:

The retention of the access is unacceptable as it has an adverse impact on the setting of the adjacent listed building and on the appearance of the Wedhampton Conservation Area, due to the loss of the bank that was previously in place and the creation of what is now, with the pre-existing access to the north, a large hardened area. The proposal therefore conflicts with policy PD1 (factors 5 & 7) and with Government guidance in PPG 15, which requires local planning authorities to ensure that new development preserves or enhances the character or appearance of the area.

17. E/090251/FUL – Garden Cottage, 23 High Street, Wedhampton, Urchfont, Wiltshire SN10 3QE – Full planning application for: New garage and change of use from paddock to domestic curtilage.

Public Participation:

- a. Mr J Murphy spoke in opposition to the application.
- b. Mr J Ford spoke in opposition to the application.
- c. Mr R Child spoke in opposition to the application.
- d. Dr J Kirkman (CPRE) spoke in opposition to the application.
- e. Mr P Newell (Urchfont Parish Council) spoke in opposition to the application.

Resolved:

REFUSED against officer recommendation for the following reasons:

The size of the garage is too large, such that it would have an adverse impact on the character and appearance of the Wedhampton Conservation Area. Furthermore, the location of the garage in such close proximity to the Ash tree on the adjacent land would inevitably mean that the garage would have an adverse impact on the setting, health and appearance of the tree, which contributes to the character and appearance of the Conservation Area. The proposal would therefore conflict with Government guidance in PPG 15 which requires local planning authorities to ensure that new development preserves or enhances the character or appearance of the area.

PART 2

Items considered whilst the public were not entitled to be present

None.

Chairman
3 September 2009

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