

## Eastern Area Planning Committee

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### MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 3 DECEMBER 2020 AT ONLINE MEETING.

#### Present:

Cllr Mark Connolly (Chairman), Cllr Ian Blair-Pilling, Cllr Stewart Dobson, Cllr Peter Evans, Cllr Nick Fogg MBE, Cllr Richard Gamble and Cllr James Sheppard

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#### 45. Apologies

Apologies were received from:

- Cllr Paul Oatway QPM
- Cllr Philip Whitehead (Local Division Member)

#### 46. Minutes of the Previous Meeting

The minutes of the meeting held on 15 October 2020 were presented for consideration and it was;

#### Resolved

**To approve the minutes as a true and correct record.**

#### 47. Declarations of Interest

There were no declarations of interest.

#### 48. Chairman's Announcements

The Chairman explained the procedure should a recess be required.

#### 49. Public Participation

The Chairman detailed the procedure for the meeting and the procedures for public participation which were set out at item 5 of the agenda.

#### 50. Planning Appeals and Updates

#### Resolved

**To note the report on completed and pending appeals.**

51. **Planning Applications**

The following planning application was considered.

52. **19/10845/FUL - Manor Farm, The Street, All Cannings, SN10 3PF**

Public Participation

Lara Clark spoke in objection to the application.

Simon Rodwell spoke in objection to the application.

Martin Crabb spoke in objection to the application.

Cllr Mervyn Woods, Chairman of Etchilhampton Parish Council spoke in objection to the application.

Jonathan James (Senior Planning Officer) presented a report which recommended that planning permission be granted with a condition for the retention of new access track in its current form.

Some late correspondence had been received in objection to the application, however no new issues were raised that were not already addressed in the agenda report.

The officer explained that the site was located in the open countryside between the hamlets of Etchilhampton and All Cannings. The site was within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The application was retrospective and was for the retention of an access track in its current form on the applicants land and the track was used for agricultural purposes. The track was approximately 598 metres long and 4.5 metres wide. It was composed of graded compacted stone. The officer stated that all comments received had been taken into consideration when making a recommendation on the application.

Slides were shown to the meeting which could also be seen in agenda supplement 1. The slides showed location maps of the track and photographs of the track. These showed the nature of the track, being composed of compacted stone. The track was already starting to soften into the landscape with grass encroaching on either side. Two of the photos showed that a section of the track (approximately 50 metres long) appeared to have been covered with builder's rubble. A photo showed that the access track was well screened by existing trees and hedgerows.

The officer stated that the principle of development for an agricultural track across agricultural land, in this location was considered acceptable. There were no issues in relation to flood risk or ecology and the potential for visual harm had been explored and found to be negligible. Highway safety concerns and issues regarding increased traffic had been raised and were acknowledged. However, the farm traffic existed prior to the access track and the track itself did not generate more traffic. Therefore, the application was recommended for approval.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the location of the access to the track at Shortlands Lane which was explained to the committee. It was explained that the new access to the land created opposite Manor Land Farm was unauthorised and had been passed to the Enforcement Team.

It was clarified that the AONB, Natural England and the Environment Agency had been given opportunity to comment and it would be fair to say that as they had not commented they did not object.

Regarding the County Ecologists comments that the track should be permeable a Member stated that there appeared to be puddles, therefore would it be possible to impose as a condition that the track should be permeable. The officer stated that the track was considered to be permeable as it was made of compacted stone, therefore it was not felt that a condition of this nature could be imposed. It was explained that the site was on a flood plain and had a high water table, therefore there was often standing water in the fields. If approved and the track was not found to be permeable then that would become an enforcement matter.

In response to a further question it was explained that under General Permitted Development Orders, farmers had Permitted Development rights to carry out works on their land, such as creating access tracks. However, as the farmer had already implemented the track, Permitted Development rights no longer applied and that was why the application had been submitted and had to be considered.

Members of the public then had the opportunity to present their views, as detailed above. The main issues raised by objectors included the planning history on the site; unauthorised works on the site; the retrospective nature of the application and increased traffic as a result of the track which would include industrial traffic going from the farm to the bio digester in Bromham.

The Chairman proposed a motion to grant planning permission with the condition as stated in the agenda report. This was seconded by Cllr Stewart Dobson.

A debate followed where many Members stated they had a great deal of sympathy for the local residents. However, the track in itself did not generate traffic. Farmers had a right to go anywhere on the land they owned and an application could only be refused on highways grounds if it was linked to a development, which was not the case with this application.

In regard to issues raised in objections regarding the widening of the Shortlands Lane access and the possible creation of an unauthorised access, Members stated that these were not matters that the committee could take into account as they had to look at the application before them. These were enforcement issues that it was hoped would be looked into as soon as possible.

Many also felt that the way the applicant had approached matters, including the application before them, was unfortunate and distasteful. Retrospective applications were however allowed under planning policy. Almost all Members concurred that regrettably and reluctantly, as there were no sound planning reason to refuse the application, they would support it.

The Chairman requested that the officer clarify the issues raised in correspondence and statements regarding the length of the track being incorrect and that if this application was approved a length of the track would remain without planning permission. The officer stated that he had seen the correspondence and had walked the length of the track many times, however he was not himself aware of the extra length of track. If approved, then this would be something enforcement would be asked to look at along with the other issues raised earlier.

At the conclusion of the debate it was;

### **Resolved**

**To grant planning permission subject to the following condition:**

**1. The development hereby permitted shall be carried out in accordance with the following approved plans/details:**

- **Location Plan, Dwg No. MF/FT/PLN/001**
- **Block Plan and Section, Dwg No. MF/FT/PLN/002**

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

53. **Urgent items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.00 pm)

The Officer who has produced these minutes is Tara Shannon of Democratic Services, direct line 01225 718352, e-mail [tara.shannon@wiltshire.gov.uk](mailto:tara.shannon@wiltshire.gov.uk)

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