

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 19 MARCH 2014 IN THE COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Russell Hawker, Cllr Gordon King (Substitute), Cllr John Knight, Cllr Christopher Newbury (Chairman), Cllr Horace Prickett, Cllr Pip Ridout and Cllr Jonathon Seed

16 **Apologies for Absence**

Apologies for absence were received from Cllr Magnus McDonald who was substituted by Cllr Gordon King.

17 **Minutes of the Previous Meeting**

The minutes of the meeting held on 5 February 2014 were presented to the Committee and it was;

Resolved:

To approve and sign the minutes of the meeting held on 5 February 2014 as a true and accurate record of events.

18 **Chairman's Announcements**

There were no Chairman's Announcements.

The Democratic Services Officer gave details of the exits to be used in the event of an emergency.

19 **Declarations of Interest**

There were no Declarations of Interest made at the meeting.

20 **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.

21 **Planning Applications**

The Committee considered the following applications:

22 **13/06123/FUL - Lansdowne, Littleton, Semington**

Public Participation

Mr Tony Phillips (Agent) spoke in support of the application.
Mr Brian Smith spoke in objection to the application on behalf of Semington Parish Council.

The Area Development Manager outlined the report which recommended the application for approval subject to conditions. The site description and an overview of the proposed development were also given. The site would essentially consist of 9 static sites on 3 plots. The application had been heard at the previous Western Area Planning Committee but was deferred by the Committee subject to a further report from Highways following concerns raised by members at the last meeting.

The Area Development Manager outlined the relevant planning policy which included: West Wiltshire District Plan 1st Alteration (2004)

- C1: Countryside Protection;
- C31a: Design;
- C38: Nuisance;
- CF12: Gypsy Caravan Sites;
- U1a: Foul Water Disposal;
- U2: Surface Water Disposal.

Some weight was also afforded to the Emerging Wiltshire Core Strategy, however as it was yet to be formally adopted by the Council, only partial weight could be given to the policy. Members attention was also drawn to the Planning Policy for Travellers Sites (PPTS).

The Area Development manager outlined the comments and objections received through consultation, which included comments of 'no objection' from: Wiltshire Council's Drainage Engineer, Environment Agency, Environmental Health, Highways and Wessex Water.

The Area Development manager drew attention to the relevant planning considerations which were summarised as being the principle of the development, the status of the applicant, the existing provision and need for suitable traveller sites, the availability of alternative accommodation, impact on the local community, Highway safety, infrastructure and proximity of local services.

The Area Development Manager outlined amendments to plans which included passing bays for traffic in the lane and landscaping conditions to address concerns of members regarding the impact of the site. In addition the Area

Development Manager stated that insufficient land supply for the traveller community had been identified by the planning inspectorate for the next 5 years. It was also noted that following a further inspection of the site, there were no Highway objections to the site proposals.

Members were invited to ask technical questions of the site. These included questions regarding the current 'illegal access' to the site and its future use as an access point. It was stated that the access had been conditioned for reinstatement in the recommendation to the committee.

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

Cllr Seed as local member, spoke in objection to the application stating; overdevelopment of the site, unacceptable visual impact upon the surrounding area, detrimental impact to adjoining properties; unacceptable design given bulk, height, general appearance; unsustainable location, contravention of Wiltshire Council's Gypsy and Traveller Policy, and an unacceptable impact on highway safety. Cllr Seed stated that any move to approve the application should include conditions to reinstate the verge and hedge.

Members then entered debate and questioned the condition of the access road to the site, and raised concern over the number of vehicles using the track. Members were also concerned about the intention to install passing bays, and questioned if this would resolve the problem if the work was to even be completed. Members questioned ownership of the land and whether this would prevent any works being completed and it was clarified that this would not be an issue as there was one sole land owner. Members also questioned the forecasting requirements for transient communities and questioned the accuracy and reliability of any such modelling.

The Area Development Manager spoke to clarify the comments raised in debate and public speaking, and provided the Committee with previous planning decisions for guidance in the decision.

Cllr Seed raised an objection to the submission from the Area Development Manager. The Chairman stated that the Area Development Manager was entitled to address the concerns raised by members of the public and those concerns raised in the debate.

Cllr Seed stated that the Officers response amounted to a rebuttal of concerns raised by members in the debate and sought clarification on procedure. The Area Development Managers comments were allowed by the Chairman.

At the end of the debate, the Committee;

Resolved:

To REFUSE planning permission for the application for the following reasons:

- 1) The proposal represents an overdevelopment of the existing site, with the number of pitches increasing by the addition of 4 new pitches on the land adjacent to the existing authorised site.
- 2) The proposal would encroach into the open countryside and would have an unacceptable impact on the appearance of the area, and its character, increasing the number of pitches in the immediate area from 5 to 9. This would conflict with policies C1 and CF 12 B of the West Wiltshire District Plan and with policy CP47 of the emerging Wiltshire Core Strategy.
- 3) The site is located in an unsustainable location, with no footpaths for access to the nearest bus stops and with its location such that two very busy main roads must be crossed to reach facilities in Semington Village, including the local primary school. In addition, the narrow lane on which the site is located leaves no room for pedestrian refuge onto verges in the face of vehicular traffic and the number of vehicle movements generated by the traveller pitches is considered to be incompatible with this single track lane that lacks opportunities for vehicles to pass. The proposal therefore conflicts with policy CF12 D of the West Wiltshire District Plan (1st alteration) and policy CP47 of the emerging Wiltshire Core Strategy.

23 **14/00096/FUL - 145 Chantry Gardens, Southwick, Trowbridge, BA14 9QP**

Public Participation

Mr Roger Boor spoke in support of the application.

Mr Francis Morland spoke in objection to the application on behalf of Southwick Parish Council

The Area Development Manger outlined the report which recommended the application for approval subject to conditions. The site description for the application was outlined, noting that the application was for a demolition of the existing garage & erection of three bed detached dwelling in existing garden.

The Area Development Manager summarised the relevant planning history as outlined in the report, and noted that the proposals to the interior of the dwelling were revised from application W/12/01232/FUL that was previously refused.

The relevant planning policy was identified as being that of West Wiltshire District Plan 1st Alteration (2004): namely;

- C31a Design;
- C38 Nuisance;
- H17 Village Policy Limits

Some weight was also afforded to the Emerging Wiltshire Core Strategy although as this document was yet to be formally approved by Council, only partial credence could be given.

The Area Development manger summarised the relevant consultations that had been undertaken, noting objections received from Southwick Parish Council. No objections had been received from Wiltshire Fire and Rescue, Wiltshire Council's Ecologist, Wessex Water or Highways.

The Area Development Manager summarised the relevant planning considerations noting in particular the previous decision from the Planning Inspectorate, and the revisions made to the proposals as a result.

Members were invited to ask technical questions of the application, of which there were none.

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

Local member Cllr Horace Prickett spoke in objection to the application stating: the scale of development, visual impact upon the surrounding area, relationship to adjoining properties, design (bulk, height, general appearance), and highway impact and car parking as reasons for his objection.

Members then entered into debate on the application and comments were made regarding conflicting comments made by Highways Officers. It was:

Resolved:

To DEFER the application to the next Western Area Planning Committee subject to a site visit from members to allow the Committee to further inspect the site access in person.

24 **13/04111/FUL - Land south of East View, Green Road, Codford, BA12 0NW**

Public Participation

Mrs Bueno De Mesquita spoke in objection to the application.

Mr Chris Brayne spoke in objection to the application on behalf of Codford Parish Council.

The Area Development Manager outlined the report which recommended the application for approval. The Area Development Manager outlined the site description and access to the site. This amounted to the erection of a wooden stable and store located approximately within the centre of the site, to the north of the existing gated access and the nearby mature tree. The site was said to be occupied with a dismantled building that appeared to have formerly stood on the site. The proposed stable would measure 8.8 metres (length) by 6.1 metres

(width) with a pitched roof height of 4.2 metres and would contain two stables and one store and with 7 solar panels on the roof.

The various consultative parties' comments were then highlighted which included objections from Codford Parish Council. No objections were received from Highways, Environmental Protection, or the AONB Landscape Advisor.

The Area Development manager drew attention to the relevant planning policy which included the West Wiltshire District Plan 1st Alteration (2004): namely;

- C1 Countryside;
- C31a Design;
- C38 Nuisance;
- E10 Equestrian;

The Area Development Manager then cited the relevant planning considerations which were summarised as being: change of use for equestrian facilities, the location, scale and design of the proposals, and the combined effect of these factors on the local area and neighbour amenity.

Members were then invited to ask technical questions of the application. These consisted of clarification on the animal welfare suitability of the design.

Members debated the dimensions of the stable and the size of the land in comparison to the suggested guidelines. Members questioned the AONB findings and the impact on neighbour amenity, and questioned the sites suitability and desirability for use as a stable.

Members of the public were invited to speak on the application as detailed (above).

Cllr Newbury then spoke as the local member against the application citing the scale of the development, visual impact on the surrounding area, the relationship to neighbouring properties, as principle reasons for his objection.

The Committee then entered into debate on the application and discussed the acceptable dimensions of the stable. Members debated conditioning the use of the site and questioned conditioning any permitted development rights that may arise as a result of the applications approval. At the end of the debate it was;

Resolved:

To APPROVE the application 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. No development shall commence on site until details and samples of the materials to be used for the external walls and roof 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.

- 3. No horse manure or any other materials shall be burnt on site.**

REASON: In order to minimise nuisance and safeguard the amenities of the area.

- 4. The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.**

REASON: In the interests of highway safety and/or to protect the living conditions of nearby residents.

- 5. No development shall commence on site until details for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) have been submitted to and approved in writing by the Local Planning Authority. Before the development is first brought into use, the works for such storage and disposal shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.**

REASON: In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

- 6. The development hereby permitted shall be carried out in accordance with the following approved plans:**

Drawing reference P-01 B received on 03 February 2013

Drawing reference P-02 received on 11 September 2013

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

- 7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended) (or any Order revoking or re-enacting or amending those Orders with or**

without modification), no development within Schedule 2 of that Order that relates to the extension or alteration of this building shall take place without the prior grant of planning permission by the local planning authority.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for any extensions or alterations to this stable building.

25 **Future Meeting Arrangements**

The Area Development Manager outlined suggested options for future meeting arrangements including the pro's and con's with amending the start time of future meetings. The Area Development Manager stated that all Parish Councils in the 'Western Area' had been contacted to request comments on any potential change to the existing arrangements and noted that only a limited number of responses had been received from 40 Parish Councils.

The Area Development Manager also drew on statistics from previous meetings detailing the number of applications considered and the representation from Parish Councils at each meeting, and the impact that any change could have on future attendance. The Committee's attention was also drawn to the impact on the public, and invited members to consider how the change could affect elected members.

The Committee heard from Mr Francis Morland who spoke as a resident, stating that any change could make it more difficult for members of the public to attend meetings.

The Area Development manager then discussed the previous arrangements of West Wiltshire District Council which previously held meetings in the afternoons, and the impact this had on attendance and the committee calendar.

Members debated the comments made by the Area Development Manager, and cited concern at the impact on the public and potential conflict with members official and private business. Members also debated the benefits that earlier meetings could have including; cost savings on facilities management and staff TOIL claims. In addition members stated that it would make public access to the chamber easier and access to other Council Services also.

At the end of the debate, the Committee:

Resolved:

To AMEND the start time of all future meetings from 6pm to 3pm, to take effect from the start of the new municipal year, with the first 'afternoon meeting' scheduled for Wednesday 21 May 2014.

NB: The following Committee Members asked for their vote to be recorded.

**Cllr Russell Hawker voted against the resolution.
Cllr Ernie Clark voted against the resolution.**

26 Urgent Items

There were no Urgent Items.

(Duration of meeting: 6.00 - 8.20 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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