

WESTERN AREA PLANNING COMMITTEE

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 15 NOVEMBER 2017 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Jonathon Seed (Vice-Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Peter Fuller, Cllr Sarah Gibson, Cllr Edward Kirk, Cllr Pip Ridout, Cllr David Jenkins (Substitute) and Cllr Jerry Wickham (Substitute)

Also Present:

Cllr Tony Jackson, Cllr Ben Anderson and Cllr Johnny Kidney

91 Apologies

Apologies for absence were received from Councillors Phil Alford and Stewart Palmen.

Councillor Alford was substituted by Councillor Jerry Wickham.

Councillor Palmen was substituted by Councillor David Jenkins.

92 Minutes of the Previous Meeting

Public participation

David Shaw spoke in objection to the minutes.

The minutes of the meeting held on 18 October 2017 were presented.

The Chairman referred to agenda supplement 2 which included a letter from the Codford Residence Group which proposed some amendments to the minutes.

The Chairman and Councillors Andrew Davis, Ernie Clark and David Jenkins would abstain from voting due to not being present at the meeting.

Resolved

To approve and sign the minutes of the 18 October 2017 as a true and

correct record, subject to the following amendments:

Under Public Participation of Minute 85 replace the words ‘on behalf of Codford Parish Council’ with ‘from Codford Parish Council’

In Paragraph 7 of Minute 85, insert ‘the nature of the legal advice was explained by Sarah Marshall, Senior Solicitor’ in place of ‘the nature of the legal advice was discussed’

In Paragraph 7 of Minute 85 remove ‘the weight of evidence submitted by all parties’.

93 **Declarations of Interest**

Councillor Jerry Wickham declared a non-pecuniary interest for item 7 noting that he had been approached in the early stages and gave advice on the appropriate route for the footpath to follow.

94 **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.

95 **Public Participation**

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.

96 **Planning Appeals and Updates**

The Planning Appeals Update Report for 06/10/17 to 03/11/17 was received.

As a supplemental to the above report, Cllr Ernie Clark enquired about the reasons and implications of the recent quashing of an appeal dismissal pursuant to refused application 16/01633/OUT at land south of Devizes Road in Hilperton. In response, the Committee was informed that the appellant had successfully challenged the appeal decision issued on 7 August 2017 on the grounds that the heritage impacts reasons for dismissing the appeal had not been fully considered during the hearing dated 6 June. The appeal would now need to be re-opened in front of another inspector.

Resolved:

To note the Planning Appeals Update Report for 06/10/17 to 03/11/17.

97 **Bratton Path No. 42 and Parish of Edington Path No 36**

Public Participation

Frank Compton spoke in support of the order.

Ian Humphrey spoke in support of the order.

Michael Pierce spoke in support of the order.

Cllr Jeff Ligo on behalf of Bratton Parish Council spoke in support of the application.

Craig Harlow, Assistant Rights of Way Warden, presented the report, which recommended that order be forwarded to the Secretary of State with the recommendation the order be confirmed without modification. The history of the order and details of the route were provided, along with the extent of evidence.

Members of the Committee then had the opportunity to ask technical questions of the officers which focused on if the person who deposited the section 31, was the land owner at the time.

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

As local Member , Councillor Jerry Wickham spoke on the item noting that; Bratton had won the best kept village award in Wiltshire; it was a village where everyone knew what was happening in their village; the path was well known and established and that the evidence was compelling.

A motion to forward the order to the Secretary of State with a recommendation from Wiltshire Council that the order be confirmed without modification was moved by Councillor Jerry Wickham and seconded by Councillor Trevor Carbin, and at the conclusion of debate, it was,

Approved

To forward the order to the Secretary of State with a recommendation from Wiltshire Council that the order be confirmed without modification.

98 **Planning Applications**

The Committee considered the following applications:

98a 17/06276/FUL-Trowle House, Wingfield

Public Participation

Helen Bennion spoke in objection to the application.

Gillian Williams spoke in objection to the application.

Mathew Williams, agent, spoke in support of the application.

Claire Braunbarth spoke in support of the application.

Cllr Simon Taylor on behalf of Wingfield Parish Council spoke in objection to the application.

The senior planning officer, Steven Sims, introduced a report which recommended planning permission be granted for the change of use of Trowle House from a private dwelling (Class C3) and chiropractic and physiotherapy clinic (Use D1) to a mixed use comprising a private dwelling, a bed and breakfast establishment and a venue for small business, social and community events – with the events to take place within Trowle House itself and that no physical alterations were proposed and there was no requirement for listed building consent.

Key issues highlighted included the principle of development; the impact on the setting of the listed building; the impact on the Green Belt; the impact on the living conditions of neighbouring residents; the impact on the character of the area and highway safety and parking issues.

Members of the Committee then had the opportunity to ask technical questions of the officer which focused on: whether listed building consent was required; if WCS Core Policy 40 was the most appropriate policy to test this application against; and, how would the Council monitor and enforce against noise related nuisance.

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

The Chairman sought further clarification on the following issues raised during the public speaking: whether there is sufficient sewage capacity available to serve the development; how best to secure improvements to the site boundaries; and, whether there was a need for a traffic assessment. In response, the committee was advised that planning informatives could adequately address the sewage capacity and boundary treatment queries and it was confirmed that there was no requirement for a transport assessment to be undertaken for this proposed development.

At the start of the debate a proposal was moved by Councillor Peter Fuller and seconded by Councillor Trevor Carbin to move the officer recommendation but to amend condition 5 so as to exclude Christmas and Good Friday for events taking place on site and to add two additional informatives for sewage and for a boundary treatments.

During the debate it was noted that access to the site was confusing and that the applicants should add signage.

At the end of the debate it was;

Resolved

To unanimously approve subject to 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: Site Location Plan scale 1:1250 (dwg no. 17023-01) and Proposed Site Plan scale 1:1250 (dwg no. 17023-02 rev A)

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

3. No part of the development hereby approved shall be brought into use until the 2.4m x 120m (measured to the nearest carriageway edge) sight lines for vehicles exiting the subject property at the A366 access point have been improved insofar as the land is within the control of the applicant. The approved visibility splays shall thereafter be permanently maintained and maintained free from obstruction.

REASON: In the interests of highway safety.

4. No part of the development hereby approved shall be brought into use until the parking areas shown on the approved plans (dwg no. 17023-02 rev A) have been laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

5. The number of events shall be limited to no more than 25 in any calendar year and there shall be no more than one event held at a time and no more than 25 attendees per event. No events shall take place outside the hours of 08:00 hours and 18.00 hours Monday to Saturday (or Christmas Day and Easter Friday) and there shall be no amplified noise or music entertainment associated with these events.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

6. No loudspeaker or public address system shall be operated within the premises hereby approved or its curtilage.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

7. The development hereby permitted shall not be brought into use until details of the storage of refuse, including the exact details

confirming the location, size, as well as the means of enclosure, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved refuse storage shall be complete and made available for use in accordance with the approved details prior to the use being brought into use.

REASON: In the interests of public health and safety.

INFORMATIVE TO APPLICANT:

1. The applicant is advised that this permission authorises a change of use only and does not authorise any works or alterations that may require planning permission/internal or external alterations, additions, or works, which may require a separate grant of Listed Building Consent.
2. The applicant is advised to contact Wessex Water on 01225 526333 (Waste Water) in relation to the provision of foul water on site.
3. The applicant should provide a plan detailing how missing sections of the boundary treatment would be repaired and improved.

99 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.55 pm)

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

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