

Western Area Planning Committee

MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 26 OCTOBER 2022 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Christopher Newbury (Chairman), Cllr Bill Parks (Vice-Chairman), Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Edward Kirk, Cllr Stewart Palmen, Cllr David Vigar, Cllr Tony Jackson (Substitute), Cllr Mike Sankey (Substitute) and Cllr Jonathon Seed

Also Present:

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72 **Membership Changes and Apologies**

Membership Changes

The Chairman confirmed a number of Committee membership changes approved at Full Council on 18 October, 2022, as follows:

- Cllr Antonio Piazza was no longer a member of this Committee
- Cllr Jonathan Seed was appointed as a member of this Committee.

The Chairman thanked Cllr Piazza for his contributions to the work of the Committee and welcomed Cllr Seed.

Apologies

Apologies for absence were received from

- Cllr Suzanne Wickham substituted by Cllr Tony Jackson
- Cllr Pip Ridout substituted by Cllr Mike Sankey

73 **Minutes of the Previous Meeting**

The minutes of the meeting held on 28 September 2022 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 28 September 2022, subject to minute 68 - public participation being amended to Kate Hayes representing Hilperton Parish Council.

74 **Declarations of Interest**

Cllr Jonathan Seed reminded the Committee that at its previous meeting he was not a member of the Committee and spoke as a member of the public in support of the planning application for Kingsdown Farm, Lords Hill, Longbridge Deverill PL/2022/01141. To remain consistent in this approach, and following his appointment to the Committee in the intervening period, Cllr Seed indicated that he would withdraw from the Committee for this item and again speak as a member of the public.

75 **Chairman's Announcements**

The Chairman asked that all phones were switched off or turned to silent mode to minimise any potential disturbances and explained the procedure if a fire alarm were to sound.

76 **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.

77 **Planning Appeals and Updates**

The Planning Appeals Update Report for 16 September 2022 to 14 October 2022 was received.

Public Participation:

- Francis Morland spoke about the appeal decision in relation to Land to the west of Drynham Lane, Trowbridge.

The Development Management Team Leader, Kenny Green confirmed that unfortunately there was no officer representation available for the Drynham Lane, Trowbridge appeal.

Cllr Carbin asked whether web links could be added to future appeal reports so that members could access detailed appeal decision letters. Officers agreed to consider the most appropriate way of achieving this request. Planning Appeal Decision letters are attached to these minutes for Drynham Lane, Trowbridge and Middle Lane, Trowbridge.

Resolved:

1. **To note the Planning Appeals Update Report for 16 September 2022 to 14 October 2022.**
2. **That officers be asked to consider the most appropriate way of attaching web links for appeal decision letters in future appeal reports.**

78 **Planning Applications**

The Committee considered the following applications:

79 **PL-2022-01141 Kingsdown Farm Lords Hill, Longbridge Deverill**

Public Participation:

- David Scales – spoke in objection to the application
- Caroline Hobbs – spoke in objection to the application
- Kate Phillips – Applicant – spoke in support of the application
- Jonathan Seed – spoke in support of the application
- Matt Williams – Agent – spoke in support of the application

Steven Sims, Senior Conservation/Planning Officer introduced the report which recommended that planning permission be approved, for reasons detailed in the report, for the variation of condition 3 (pursuant to the timescale for the deposit of waste materials) imposed on 17/09988/VAR.

The officer reminded the Committee that they had considered the application at their last meeting on 28 September 2022 and had agreed to defer the application for a site visit, which was held just prior to this meeting. He commented further on the site visit, the landscaping scheme and current screening. The Committee noted that additional representations had been received, however the issues raised were similar in nature as those previously addressed in the officer's report.

The Committee noted that condition 3 in relation to a landscaping scheme, had been amended since the last meeting following concerns raised at that meeting about the applicant's ability to deliver the previous landscaping condition within timescales given. The revised condition allowed for the landscaping scheme to be phased in over the next 3 years.

The Chairman raised an issue in relation to screening of the site from various vantage points as viewed at the site visit earlier in the day and asked the Committee for comments on his suggestion. The Committee felt that Condition 3 was sufficient in detail to deal with any screening issues, and this did not need amending.

In response to technical questions asked by the Committee, officers explained how a s73 variation application should be considered, along with reviewing all the previously imposed planning conditions that were still 'live'; and reimpose those that still were necessary and met the six legal tests.

Officers recommended that Planning Condition no.3 was necessary in recognition that the extant conditions imposed on the original planning permission twelve years ago and subsequent variations were worked erroneously. Following negotiations held with the applicants agent, an agreement had been reached to impose and secure a phased landscaping scheme, with full planting stock specification and a detailed planting programme for the next 3 years to satisfactorily filter views of the site and break up the

massing of the various agricultural buildings built to date and for those still to be constructed; and in response to a query raised by Cllr Jackson, officers advised the Committee that Condition no.10 addressed external lighting and the protection of the international dark sky status of the AONB.

Members of the public then had the opportunity to present their views, as detailed above.

So that the Committee had something to debate Cllr Christopher Newbury proposed a motion to approve the application with conditions and informatives as detailed in the report. This was seconded by Cllr Edward Kirk.

A debate followed where Members commented further on the landscaping scheme condition; the additional time requested for the delivery of waste materials and impact on neighbouring residents; the storage of waste material on site; the need to retain countryside views and restraint in unnecessary screening; and concern that the delivery of waste material may again be delayed, requiring a further variation of the timescales.

At the conclusion of the debate, it was

Resolved:

To grant planning permission, subject to conditions and informative notes:

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

Location plan scale drg no. 01020-31 A received on 26.07.2010

Topographic Survey drg no. 3158/01 received on 29.06.2022

Site Sections A-A, B-B, C-C and D-D drg no. 3158/03B received on 29.06.2022

Site Section E-E drg no. 3158/04B received on 29.06.2022

Site layout drg no. 01020-35 A

Proposed plans and elevations buildings 4 and 5 drg no. 01020-37 received on 12.10.2017

Proposed plans and elevations building 6 drg no. 01020-26 F received on 12.10.2017

Proposed plans and elevations 'Dung Store' drg no. 01020-32 A received on 26.07.2010

Proposed site section scale 1:1000 drg no. 01020-38 received on 13.12.2017

Landscape plan scale 1:1250 drg no. 1069/PL1 dated 7 March 2018

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

- 2. The deposit of waste and all earthworks required to form the approved development shall be completed by 31st December 2025.**

Within a period of a further 12 months all plant and machinery shall be removed from the site (except which the local planning authority agrees in writing is required for future maintenance of the site).

REASON: To safeguard the amenities of local residents and the wider environment during the construction phase.'

3. Within 1 month of the granting of this permission, a detailed phased landscaping scheme to include full planting stock specification and a detailed planting programme for the next 3 years shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscaping shall be carried out during the associated planting and seeding season(s), for each phase. Any trees or plants which 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.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and in the interests of the character of the area and character of the AONB.

4. The development hereby permitted shall be carried out in accordance with the approved Flood Risk Assessment (Alan Webb Engineering Consultant - Revision A, dated December 2009 approved under application W/10/02377/FUL), and the mitigation measure as detailed within this document.

REASON: To prevent flooding by ensuring the satisfactory storage of or disposal of surface water from the site.

5. No materials other than inert waste and topsoil shall be imported into and deposited on the site. There shall be no screening or processing of inert waste material on the site at any time.

REASON: To control the type of waste imported and to safeguard the amenities of local residents and the wider environment during the construction phase.

6. No operations relating to the formation of the raised platform, including HGV vehicles entering and leaving the site, shall take place except between the hours of 07.00 - 17:30 on Mondays to Fridays and 08.00 - 13.00 on Saturdays. No operations related to the formation of the raised platform shall take place on Sundays, Bank or Public Holidays.

REASON: To safeguard the amenities of local residents and the wider environment during the construction phase.

7. No more than 50 HGVs (heavy goods vehicles) associated with the importation of waste shall enter the site on any working weekday, and no more than 25 on Saturdays.

REASON: To limit the volumes of traffic in the interests of the amenity of residents on and near the approaches to the site and highway safety.

8. All vehicles, plant and machinery operated within the site shall be maintained in accordance with the manufacturer's specification at all times and shall be fitted with, and use, effective silencers. No reversing beepers or other means of warning of reversing vehicles shall be fixed to, or used on, any mobile site plant other than white noise alarms or beepers where noise levels adjust automatically to surrounding noise levels.

REASON: To safeguard the amenities of local residents and the wider environment during the construction phase.

9. During the permitted working hours the free-field equivalent continuous noise level (LAeq, 1 hour) for the period due to normal waste importing and depositing operations shall not exceed 55dB as recorded at the boundary of any inhabited property.

REASON: To safeguard the amenities of local residents and the wider environment during the construction phase.

10. No additional external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

INFORMATIVE 1:

The applicant's attention is drawn to the comments of the Environment Agency advising the tonnage authorised to be deposited under the existing permit has been reached. If further waste is to be deposited under this permit, a variation (from the Environment Agency) will be required.

INFORMATIVE 2:

The applicant's attention is drawn to the compliance clauses applicable to conditions relating to details in conditions 2 (material samples), 3 (submission of a programme of archaeological works),

6 (submission of a CEMP), 7 (scheme for the reception of waste materials) and 17 (highway works)

80 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 3.00 - 4.20 pm)

The Officer who has produced these minutes is Stuart Figini, Senior Democratic Services Officer of Democratic Services, direct line 01225 718221, e-mail stuart.figini@wiltshire.gov.uk

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