

MINUTES OF A MEETING OF THE PLANNING COMMITTEE OF URCHFONT PARISH COUNCIL held on Wednesday 14 September 2016 at 7:00pm in the Conference Room of Urchfont Village Hall.

Present: UPC Chair Cllr Mottram, Cllrs: Chapman, Day, Hill, Holt, Mitchell, Stephens, Thomas & Planning Administrator Sandra Johnston.

Also present: Parish Clerk Bob Lunn, Wiltshire Cllr Philip Whitehead (approx 7.20pm) and 11 members of the public, including applicant for 5a.

Cllr: Mottram welcomed all present and opened the Planning meeting;

1. Apologies for absence received: Cllrs: Donald, Baker & Gibb.

2. Declarations of Interest: 6a) Pecuniary Interest declared by Cllr Holt (being Agent for Mr Snook).

6a) Non-pecuniary Interest declared by Cllr Stephens, who would absent himself during consideration of the application.

3. Minutes of a meeting held on 10 August 2016 were signed as a true record. Proposed by Cllr Mitchell, Seconded by Cllr Chapman; agreed unanimously.

4. Matters arising from those Minutes: Cllr Holt queried the wording of the guidance policies at item 5. To be reviewed.

5. Plans for discussion

Council Members were reminded that when considering planning applications they must follow the guidance outlined in the UPC Planning Policy and Procedure document (UPC/18) and its incorporated Statutory Authorities/Governing Documents, all of which can be found on the Wiltshire Council or Urchfont Parish Council websites. Also, that they should have regard to the visual impact upon the surrounding area and its relationship to adjoining properties.

****Urchfont Parish Council's role, as a Consultee, is to provide Wiltshire Council with UPC's views, which will be based on a balanced view across the Urchfont Parish community.**

NB: The meeting was adjourned at the beginning of each Planning Application to enable members of the Public to express their views on that particular application.

5a) **16/07268/VAR** – Variation of Condition 8 of application 15/04348/FUL - for the removal of door on East elevation of Grain Dryer and use of door on North side of elevation for delivery of grain: all at Farm Buildings, Cemetery Lane, Urchfont, Wilts., SN10 4RY, for Mr Philip Snook.

*To date, 2 letters of representation, objecting to this application, had been received by UPC and/or WC Planning Office.

A site meeting was held on 10/09/16 at which Mr Philip Snook, 9 Parish Cllrs & S Johnston were present.

****Councillor Mottram adjourned the planning meeting for public participation:-**

Statement by Mr John Knight – The Croft:-

Mr Knight thanked the Planning Committee and began by wishing for UPC to strongly criticise WC for the disgraceful way in which he believed this planning application had been publicised. A solitary notice on a bus stop and 5 letters, only 3 of which were to near neighbours, was the only information made available to residents in the Croft, Walnut Close and the village.

It appeared to Mr Knight that the applicant had chosen to ignore the wishes of WC in his desire to 'press forward' with construction and should have informed the Planning Office of a variation in construction of the Grain Dryer a long time before it became apparent.

Documents had been submitted by the Applicant, which included a Site Plan, Location Plan and a Provisional Plan. None of these showed the situation, or position, of the new delivery door in relation to the surrounding residential area and the properties therein. The photograph supplied, showing 5 doors, failed to explain their positioning in the context of the surrounding area.

In his covering letter to the Planning Officer, Mr Snook commented, "I understand now that the EHO considers that this minor amendment will have little if any effect upon this application". This statement concerned Mr Knight and he would like to know how this information was obtained by Mr Snook? If he had engaged in a correspondence with the EHO and if so, why this correspondence was not included in his documentation? And what information did Mr Snook give the EHO that resulted in them making this statement and only to Mr Snook?

After reading the instructions given on the WC Planning Portal, Mr Knight was of the opinion that, during the application process, the applicant had not supplied correct documentation containing all the information required by the planning office for the submission of a planning application. Before any consideration of this variation of the original planning permission, he strongly urged both WC & UPC to insist on provision of those mandatory documents in full. And, also, that all parishioners, in particular those in The Croft and Walnut Close, be given full regard by both the Parish and District Councils.

Statement by Mrs Sally Stephens - Neighbour - as presented (By request):-

The Applicant's revised planning application form & letter states that the application is for a minor variation for the removal of the door on the East side of the grain store and instead, to use a door which immediately adjoins and is to the North side of the drier. I would point out that;

- The original application never had a door on the North side for a tipping point. There were 5 doors on the application – 4 to the North and 1 to the East. See Side Elevation 1 in the previous application which specifically had 4 doors to the North.
- The Applicant attended the UPC Planning meeting on Wednesday 10th June 2015 and stated the door was to be put to the East to keep noise to a minimum. This is in the UPC Planning Minutes. Why has this fact now changed?
- The Applicant also talks about a conceptual drawing. How can this be part of the planning permission? Either it was correct or not correct. This conceptual drawing showed a door was not on the North side of the building but to the East, as per Side Elevation 1.

Based on the impact the change of door to the North will have on the local residents means that this is not a minor change but a very significant change, because it no longer minimizes noise and light pollution to those residents.

The Case Officers report states the WC EHO (Environmental Health Officer) as saying that Grain Dryers cause significant disturbance to neighbouring premises and that trees do not abate this. The EHO also stated they were happy to pass the previous plans for a Grain Dryer, providing 'it is installed as per the applicant's proposals'. This is now definitely not the case, as significant changes have been made. Hence a new report should be completed and shared.

The key items that need to be addressed are:-

1) Turning of the Tractors at night. 2) Noise from the Dryer when the doors are open. 3) Lights shining into The Croft as Tractors arrive. 4) Part of the Dryer no longer being positioned below ground level and hence the potential of increased noise.

It is disappointing that budget constraints for the Applicant seem to override any concern for the impact on residents.

I believe the issue of the gradient is overstated, as it is not very steep and could easily be made to accommodate turning tractors.

The danger to the public is not during the few weeks of harvest but from the constant traffic now using Cemetery Lane. This traffic consists of large Grain Lorries arriving & departing, tractors storing or collecting hay, burning farm waste on the site and accessing the trailers. People have not accessed the lane in 6 months, so being closed for the duration of harvest time would not be an issue.

The site, including the Bund, is currently looking very untidy and needs attention as it reflects on the rest of the village.

Finally, it is disappointing that plans were passed and have not been adhered to. The changes must have been known a long time ago and a new planning application submitted then. If UPC does support this variation, it will be setting yet another precedent that, after planning permission has been granted, people can just build whatever they like and apply for retrospective planning permission without any implications. If the Variation is passed by WC, then it needs to be done with major conditions attached to safeguard Urchfont from any further retrospective planning applications that are unsympathetic or unsightly and impact adversely on the beautiful village in which we all live.

I propose that a Full EHO report is provided before the variation is considered and if, finally, it is passed, that tighter hours of working and operation be imposed. Also, that the Bund be properly constructed and (at least) doubled in height all around the Grain Dryer; or some other form of noise & light screening be established for the well being of those living in The Croft, especially the elderly and infirm.

Thank you for your consideration.

****Councillor Mottram closed public participation and re-opened the planning meeting:**

TH - Care has to be taken when considering the needs of businesses and of the people living in their vicinity. When this planning proposal was first presented this fact was acknowledged by UPC and the applicant. TH of the opinion that, now it is up and running, WC will not ask for the Dryer to be changed. It is of concern to him that, with £195, any application can be requested to be retrospectively changed, making a mockery of the planning process. TH questioned conditions for working hours on this site.

(A: Planning Permission Conditions for 15/04348/FUL state dryer only in use between 700 & 2300 hours).

DM – Had reviewed the conditions given by WC regarding noise levels. These appear to be extant and ongoing. Noise levels are not to exceed 31 db and measurements/ assessments should conform to BS4142 2014. It is impossible for the UPC to judge Grain Dryer noise experienced at the Croft, having no expertise regarding measurement of noise levels or light pollution measurements.

RT - Had concerns from the outset with regard to a 'conceptual' drawing. Proper plans are a necessity, otherwise anything can be built once planning permission is granted. The point raised by Mr Knight, regarding mandatory procedures not being followed by Wiltshire Council, was very important. Some observations he made in his statement UPC obviously cannot comment on but much of what he said is pertinent and should be considered. RT would strongly ask of WC that new EHO checks are carried out on noise and light pollution from the working Grain Dryer and that the resultant measurements are compared with those given in the Conditions of Planning Approval.

*Cllrs Mitchell and Day asked that their support for RT's request for a new EHO report be minuted.

SH – (TH challenged SH's right to speak having declared pecuniary interest but was informed that he had been given dispensation to speak) SH opined that WC adhered to their standards and people would be notified if they did not submit correct documentation. A constraint is already in place on EHO levels and if the condition on the noise level of the Dryer is exceeded, then measures will be taken to rectify it.

GD – Requested of the Chair that he might ask the applicant a question?

****Councillor Mottram adjourned the planning meeting for public participation:-**

Q: GD -At which point did Mr Snook change the position of the door from the North to the East elevation?

A: PS - When the steelwork was being erected; roughly, he thought, at the back end of last February. He had tried his best to mitigate the noise, within the constraints of what he was trying to achieve.

****Councillor Mottram closed public participation and re-opened the planning meeting:**

GD – Picking up on Cllr Hill's point about working with and alongside the community; the erection of a more efficient Grain Dryer at Cemetery Lane resulted in benefit to local residents, in that both the dryer at Manor Farmyard and that at Newsyde Farm had been de-commissioned. GD hoped that the intention to place the tipping door on the East elevation of the dryer was not in place before the build began. In his opinion, it was not unreasonable to request checks on noise levels, light pollution, dust and traffic. If an EHO report was to be carried out efficiently, then it needed to be done before the building carried on evolving.

SH – Everything was done as it should have been.

DM – Now it is up and running the dryer needs testing and all health & safety aspects taken into account.

RT – A check also needs to be made that all changes to the build still comply with current conditions.

SH – There is no condition referring to the movement of traffic.

TH – Perhaps UPC should question whether, since the change, the current conditions are still relevant?

GD – Questioned whether conditions contained a limit on hours dryer could run? Mentioned WC's way of advertising applications but the Chair opined that subject was not for UPC to comment on in that meeting.

JC – Not having been a Parish Councillor at that time, he understood that UPC planning committee had supported the prior application and now wished to know if it was proposing to vary those comments, on this variation, based on the drawings of that application?

TH – The drawings and documentation of that application clearly stated the door was to be sited towards the East. TH felt that WC would not demand the dryer be dismantled and rebuilt; therefore it would be sensible to ask WC for conditions to be put in place that would limit the impact of the tipping door now facing Eastwards towards nearby neighbours.

****On request, Councillor Mottram adjourned the planning meeting for public participation:-**

P Snook – There have been farm buildings on that site in the past and he has had no complaints or problems with tractor movements & lights late at night. Tractors will still be going up and down the track,

carrying out their usual harvesting movements, as hay will be stored in the dryer. Also, he has done all he can to mitigate noise by putting extra concrete panels inside the dryer and has raised the Bund.

S Stephens – Does think light pollution will be an issue – farm vehicles will be turning around and their headlights will be shining in all directions. The weighbridge is to the North, so they will be moving back and forth to be weighed before and after tipping. SS feels that the village as a whole should be representing those neighbours affected by the Grain Dryer.

J Knight – Mr Knight opined that the Bund looks no higher to him.

****Councillor Mottram closed public participation and re-opened the planning meeting:**

DM – The original plan stated the Bund would be 1.5 mtrs and it now stands at 2 mtrs.

TH – Believes that UPC should ask for revised conditions.

GD – Disappointed that the applicant had not thought, earlier, to advise WC, UPC and the community of the change to the elevations of the doors.

16/07268/VAR - The Planning Committee found as follows:

Cllr: Thomas proposed that UPC Planning Committee **Support** this application **subject to** a new Full E.H. (Environmental Health) Assessment, as the change of Loading Door may have an adverse impact on the near neighbours. Also, that the Bund surrounding the site is raised to 2 metres in height:

Proposal seconded by Cllr Hill; motion passed with 4 supporting votes and 1 against.

6. Applications considered by UPC Planning Committee since 10 August 2016 & their response to Wiltshire Council

6a) **16/07426/TCA** – Works to Trees in a Conservation Area to consist of Cutting back, on the boundary, the overhanging branches of a neighbour's Ash Tree: all at Chapel House, Chapel Lane, Urchfont, Wilts., for Lady Stirling.

*Due to time constraints imposed by WC Planning Office, the tree was viewed independently by UPC Cllrs and a decision made by email vote.

Cllr Hill proposed that Urchfont Parish Council Planning Committee **Support** this application: motion passed unanimously with 8 Cllrs responding to the proposal.

7. Decisions received from Wiltshire Council since 05 August 2016

7a) **16/06066/FUL** - Full Planning Application for the erection of a single storey lean-to Extension to side of property at Pyncent Cottage, The Green, Urchfont, Wilts., SN10 4RB for Mr Gareth Thomas

Approve with conditions

7b) **16/06709/LBC** - Listed Building Consent for the erection of a single storey lean-to Extension to side of property at Pyncent Cottage, The Green, Urchfont, Wilts., SN10 4RB for Mr Gareth Thomas.

Approve with conditions

7c) **16/06612/LBC** - Listed Building Consent for the removal of an internal wall at ground level and the insertion of new structural beam at Urchfont House, Urchfont, Wilts., SN10 4RP for Mr M Chick.

Approve with conditions

7d) **16/06717/TCA** - Works to Trees in a Conservation Area: to fell 2 no. Holly Trees at Penning House, High Street, Urchfont, Wilts., SN10 4QH for Mrs L Pottinger.

No Objection

8. Matters for Report

8a) **DM** – Notification has been received by UPC of an Appeal made to the Planning Inspectorate, concerning the refusal, by WC, of a recent planning application at The Beeches, Blackboard Lane, Urchfont.

The Inspectorate ask if any member of the public wishes to make written comment on this proposal (to reverse the decision of WC Planning Dept.), as a decision will be made by Written Representations procedure.

DM opined it was unusual for UPC to receive notification of an appeal but the Planning Administrator offered other examples of this happening. A question was asked as to what is the process of written representation and

TH explained. The appeal start date is 09/09/16 and written representations (in triplicate) should be received by the Planning Inspectorate no later than 14/10/16. Any later and they will be returned and any comments made

will not be taken into account. TH further outlined that the main argument for the appeal was that, as our Neighbourhood Plan is not yet 'made', it holds no weight until it is. Only re-using the UWLNP policies as a basis for any representation to the Inspectorate is not an option. UPC should therefore update its submission.

A discussion ensued regarding the observations already submitted in March 2016 to WC by UPC

DM – Procedurally, UPC needs to hold an open meeting. A letter of representation has been received from a parishioner requesting they be allowed to speak to the Parish Council.

SH – Once the fact check has been carried out on the UWLNP, then what UPC has to say made hold more weight. Unfortunately, time constraints on the appeal preclude UPC waiting for this check to be done. It was decided to Endeavour arrange an interim public meeting at 7pm on Wednesday 05 October at which UPC could discuss its written response to the Planning Inspectorate.

8b) **TH** – Planning Application Variation 15/11764/VAR - (Pond Wall)

TH explained that this item had originally been on the main agenda under Manor Farm Development and that an extension had been given to the developer, Redcliffe Homes, until 30th September 2016, to produce a detailed specification of works. At the last meeting DM questioned whether the production of a specification of works would require a new variation application or an amendment. Following enquiries with WC it was confirmed that the specification of works would be viewed as additional information to the current variation application 15/11764/VAR, as opposed to an amendment, and that once received UPC would be consulted before any decision made.

There being no other business, the Planning Meeting closed at 7:58 pm.

The proposed date of the next Planning Meeting is **Wednesday 19 October 2016 at 7:00 pm** in Urchfont Village Hall: at item A on the Full Council agenda.

Planning Administrator Sandra Johnston – 01380 848774 – 07808 124721 – sandra-j@virgin.net

NB Hard copies of all Planning Applications & Plans are with the Planning Administrator and may be inspected by arrangement at any time. Planning Applications and their documents should also be visible on www.urchfont-pc.gov.uk or go to www.wiltshire.gov.uk and click on 'Planning Applications' – 'Planning applications online' - 'Search by planning application number'; type application number into the box, click 'Search' and when the Planning Application Search comes up in blue, click on the underlined case number and the webpage for this planning application should open.

Signed

Date