

## **DRAFT Minutes of the Urchfont Parish Council (UPC) Planning Meeting held remotely on Wednesday 9<sup>th</sup> December 2020.**

**Present:** Councillors: Day (GD – Chairman), Botham (MB – Vice Chairman), Hill (TH), Kemp (MK), Cowen (LC), Creasey (GC), Hollyman (MH), Cottle (SC) and Rotherham (PR)

**Clerk to the Council:** Lunn (BL)

**Councilor for Urchfont & The Cannings:** Whitehead (PW)

**Members of the Public (for all or part of the remote meeting):** Mr. S Holt, Mr. D Kinnaird, Mr. S Veitch, Mr. J Cain, Mr. M Smith, Mrs M Whitehead, Mr. R Hawkins

1. **Apologies:** Cllr Stevens (DS)
2. **Declarations of Interest:** None declared at the meeting
3. **Minutes of a meeting held on 11<sup>th</sup> November 2020**

Proposal	Proposer	Seconded	Resolution
To approve and sign the minutes as a true and accurate record of the meeting	MH	LC	AGREED with one abstention due to absence from the last meeting

4. **Matters arising from Minutes of 11<sup>th</sup> November 2020** – TH reported that an email had been received from Messrs. Mottram and Holt relating to Item 7b – this is discussed further at Item 8 below.

5. **Pre-Planning Presentation – Bell Caravan Park, Lydeaway proposals by Mr. James Cain, Planning Base Ltd** – TH welcomed M. Cain to the meeting and re-iterated that any comments made by Council members are non-prejudicial and made without commitment. UPC is not an approving authority, only a consultee. It was agreed that members of the public could make comments.

Mr. Cain emphasized that the proposal is at a very initial stage and that he is already aware of the comments made in the earlier UPC email (attached at Appendix 1 on the website only) received from BL having consulted councillors, including the existence of the adopted Neighbourhood Plan (UWLNP), the fact that the proposal is outside the build boundary, in an Area of Outstanding Natural Beauty (AONB) and is adjacent to a very busy A342. He referred to his outline document (Attached at Appendix 1 on the website only) and confirmed that the plan currently offers 6 properties, 2 of which could be affordable. He stressed the very early stage of the proposal, that no discussions had taken place with WC and that he was looking for initial reactions from the Parish Council.

TH confirmed that the adopted UWLNP (in place until 2026) determined a number of sites for development as a result of extensive public consultation, the Bell Caravan Park was not included as it is outside the development boundary and in an AONB. As a result Council may have some reservations when an application is presented. GD had read the outline document and suggested that his view is that acceptability of the proposal is a 'maybe' not a 'no' at this stage.

Chairman closed the meeting for public participation

Mr. Holt commented that a previous plan at this site had been rejected and also failed on appeal, the site is green field whereas Ostlers Yard was a brown field site. He believed that there is not a great need for additional affordable housing and for a variety of other reasons he would object to any planning submission.

Chairman reopened the Council meeting

TH concluded the discussion by confirming that UPC support or otherwise will be dependent on the detail of the plans and case submitted in due course to WC Planning, at this stage UPC are not saying 'no'. Mr. Cain thanked the Council for the opportunity to discuss the proposal, there is a lot to think about before submitting an application.

## 6. Plans for discussion

### 6a. 20/09758/VAR - Removal of Condition 04 of planning permission K/45370 (Erection of dwelling and garage (Amendment to K/43042 previously approved) at Garden Cottage, High Street, Wedhampton, Devizes, Wiltshire, SN10 3QE for Mr. Dow

**Site Visit:** Not required due to COVID restrictions and nature of application

**Letters of Representation:** BL noted that a letter of objection is on the WC website from the Conservation Officer pointing out that UPVC windows are considered inappropriate in the conservation area.

TH explained the content of condition 4 which requires the use of wooden windows etc., the applicant wants this removed to allow use of UPVC. GC commented that he could understand this condition applying to a much older property, but surely in a relatively modern house the difference would be hardly noticeable. GC suggested that the application should be supported. GD wondered whether the applicant would require further changes if this condition is removed?

Chairman closed the meeting for public participation

Mr. Holt believed that the Conservation Officer can prefer use of wood but cannot deny use of UPVC.

Chairman reopened the Council meeting

PW commented that this is a fairly standard condition applied to such properties to avoid the proliferation of UPVC over time.

Proposal	Proposer	Seconded	Resolution
<b>NO OBJECTION to this application</b>	<b>TH</b>	<b>LC</b>	<b>AGREED unanimously</b>

### 6b. 20/09476/FUL- One and a half storey extension to side/rear, with loft conversion (Resubmission of 20/04838/FUL) at Ballingers, , Highfield, Urchfont, Wilts, SN10 4RL for Mr. Lanfear

**Site Visit:** Not required, but individual councillors did view the site

**Letters of Representation:** None on the WC website or received by UPC.

TH commented that the original application had been SUPPORTED by UPC, he had no issues with the new application / proposed works. MH added that the new application extends further towards the back fence but believed it will not impact on neighbours, the whole place is currently a bit of a mess and as such the proposed works will probably be welcomed by neighbours. GD supported MH comments. GD noted that he did not see no 12 Manor Close (neighbour at the rear) on the list of WC consultees, TH believed that WC relied on postcode attribution rather than physical location.

Proposal	Proposer	Seconded	Resolution
<b>To SUPPORT this application</b>	<b>TH</b>	<b>MH</b>	<b>AGREED unanimously</b>

### 6c. 20/10547/TCA - Norway Maple - Reduce by 40% & shape accordingly, Ash - remove lowest limb over shed at Ramsbury House, High Street, Urchfont, Devizes, Wiltshire, SN10 4QH for Mr. & Mrs Hedlam

**Site Visit:** Not required due to COVID restrictions and general maintenance nature of application.

**Letters of Representation:** None on WC website or received by UPC.

TH referred to the plan of proposed works and stated that nothing appeared controversial.

<b>Proposal</b>	<b>Proposer</b>	<b>Seconder</b>	<b>Resolution</b>
<b>NO OBJECTION</b>	<b>TH</b>	<b>MK</b>	<b>AGREED unanimously</b>

**7. Decisions received from Wiltshire Council up to 27<sup>th</sup> November 2020**

**6a. 20/07728/FUL** - Retrospective planning for tree house in back garden (Resubmission of 20/00093/FUL) at Green Farm The Green Urchfont SN10 4RB – **APPROVED with Conditions**

**8. Matters for Report** – TH referred to two matters as follows:

**8a. Email from Messrs. Mottram and Holt** – the email referring to the minutes of discussion on Item 7b of the November meeting (Ombudsman investigation into Uphill Planning Application) had been sent directly to all members of the Council and is attached at Appendix 2 (on website only). As this email included comments directly about TH, he had responded by email to all councillors, also attached at Appendix 2 (on website only). No other comments were made at the meeting.

**8b. 5 Manor Close** – UPC has received several expressions of concern from local residents about the demolition of this property which appears to far exceed the planning approval granted for extension(s). As UPC is not the approval authority and does not have enforcement powers, all complainants have been advised to direct their concerns direct to the WC Enforcement Officer. UPC has been made aware that the WC Enforcement Officer has subsequently visited the site and has agreed remedial action(s) with the owner.

There being no further planning business, proceedings returned to the FC agenda.

**Date of next scheduled Planning Meeting is Wednesday 13<sup>th</sup> January 2021.**

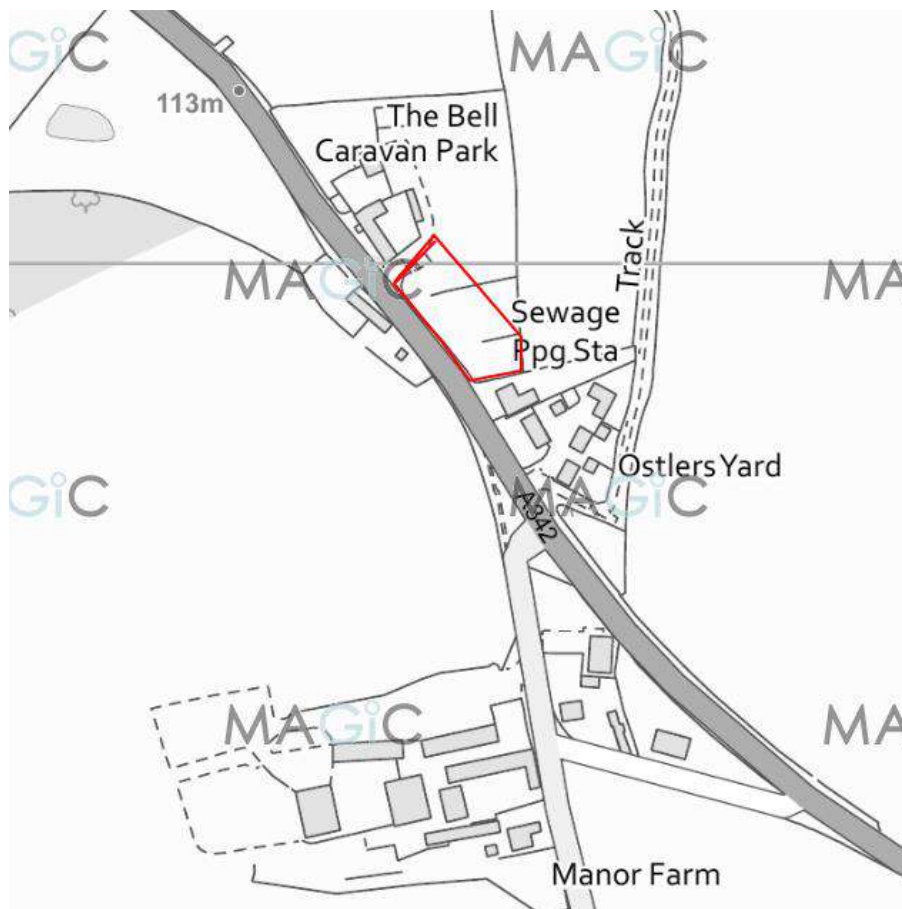
## APPENDIX 1 TO UPC PLANNING MINUTES – DECEMBER 2020

### Land adjoin The Bell House, Lydeaway SN10 3PS

#### Submission to Urchfont Parish Council (Pre-application consultant)

#### Proposal: Erection of 6 dwellings (2 of which would be 'affordable' dwellings)

- Planning Base Ltd are considering whether to pursue a planning application for residential development at the above site. See attached plans which show the current amount and layout of development. Before continuing with this process, it was considered appropriate to source the comments of the Parish Council. Especially as there is a relevant Neighbourhood Plan.
- It is noted that the site is outside of the settlement boundary and is not an allocated site within the Neighbourhood Plan. However, it is considered that Wiltshire Council no longer can prove a 5 year housing supply following an appeal decision earlier in the year. Before continuing with this application, we will be looking at the latest position at the local planning authority in this regard.
- The proposal in its current state is considered infill development as can be shown in the OS Plan image below. We would be looking to ensure that the built form remains within the red-line as below in order to be described as 'infill'.



- We are also keen to provide an element of affordable dwellings and that they will be ‘on-site’ to directly benefit the Parish. This is where it would be useful to gauge the current housing needs within the Parish and whether anyone is on the Housing Register and what type of persons/families are in need. This isn’t window dressing and we want to work with the Parish in the first instance to bring forward and lock in perhaps 2 affordable dwellings into the scheme. This could be Starter Homes to be sold below market rate or Social Rented or Shared Ownership. From experience, social housing companies are reluctant to get involved with small sites so that is an immediate challenge but at this stage of the process some information is requested upon the local need and if the need is there we will commit within the application to provide for that need on site.
- In terms of access issues, this is a busy and fast road. But there is an existing usage on the land as a caravan park which in turn has created historic traffic movements in and out of the site. Visibility splays have been looked at by a highway consultant and are considered perfectly fine. However, we are eager to hear the Parish comments on this point.
- This provides an opportunity to enhance the community in this location with the Farm Shop and a number of other businesses very close by on the other side of the A342.
- Hopefully there is enough information to facilitate an initial discussion. We want to work with the Parish Council rather than against them. If the scheme has a direct ‘no’ from the Parish then we will have to consider whether to pursue an application in the light of that. If it is a ‘maybe’ then we would look to address any concerns raised and submit a further design to the Parish for consideration before moving forward with an application.



**Planning Base Ltd December 2020**

**Email sent to Mr Cain on 19<sup>th</sup> November 2020**

Dear Mr Cain

As promised I have circulated your proposal to Councillors. Without commitment and without prejudice to any subsequent review of a formal planning application as consultee, you may care to note the following:

- UPC has an approved Neighbourhood Plan (NP). This site is not identified within Policy H1 (Housing Site Allocation). The main principle of the NP was to only allow building within the 'Urchfont Development Boundary' (UWLNP fig.2.1). The caravan site not only sits outside this development area, it is a green space and is within an Area of Outstanding Natural Beauty (AONB).
- Concern has been expressed about potential increased dangers imposed by vehicles exiting from the proposed development on to the A342 at what is already considered a dangerous location due in particular to the junctions with the road to Urchfont (for Planks Farm Shop etc.) and Ostlers Yard:
- Concern has also been expressed about the potential dangers of the nearby A342 for young children who could live on site:
- Councillors are particularly interested in the real nature of "affordability" for the 'affordable' housing.

To consider the above and better understand your proposals, the Council would like to invite you to make a pre-planning presentation at the next Planning Meeting on 9<sup>th</sup> December 2020 commencing at 7pm.

The meeting will undoubtedly be held virtually using Zoom due to the current COVID restrictions. Assuming you accept the invitation and in view of this being a virtual meeting, it would be beneficial if you could send me any presentation material that you intend to use by close of play on Wednesday 2nd December, I can then attach this to the agenda which will be issued on the 4th. You will be sent a link to the Zoom meeting nearer the time.

I would stress that this presentation and any discussion arising will be strictly without commitment and on a non-prejudicial basis in accord with the Parish Council Planning Policy and Procedures.

Kind Regards

**Bob Lunn**

Clerk to Urchfont Parish Council

Tel: 01380 848737

## APPENDIX 2 TO UPC PLANNING AMINUTES - DECEMBER 2020

### a. Email from Dave Mottram and Simon Holt to all councillors 4<sup>th</sup> December 2020 relating to discussion at 11<sup>th</sup> November Planning meeting at Item 7b:

To: Graham Day

Cc: Lewis Cowen, Bob Lunn, Trevor Hill, Maria Kemp, David Stevens, Steven Cottle, Martyn Hollyman, Mark Botham, Philip Cottell, Peter Rotherham, Andrea and Bill Donald, Simon Holt, Philip Whitehead

Graham,

Many thanks for your email below. There are 2 issues to be addressed:

- i) The statements made under Agenda Item 7b at the UPC Planning Meeting on 11<sup>th</sup> November
- ii) A potential informal presentation to all councillors about the development of the current UWLNP including progress against the plan and lessons learnt. We will address this at later date.

The purpose of this email is to address i) above.

We formally request that the following points are raised under 'Matters Arising' at the UWLNP Planning Meeting on 9<sup>th</sup> December and that the contents of this email are referenced in the minutes of the matters arising agenda item, and are appended to the minutes.

- i) The final amendments to the UWLNP were made at the insistence of the external examiner. In the final version, it is acknowledged that the sentence required by the examiner *'It is recognised that these measures are not development and use of land related and therefore do not form part of the Neighbourhood Plan, but will be treated as community aspirations and separately pursued by the Parish Council'* has inadvertently been inserted twice, once immediately following TIC1 and once on page 25 at the end of the paragraph headed: *'Urchfont Parish Council, on behalf of the community will:'* In his statement to UPC at the meeting on 11<sup>th</sup> November 2020, Philip Whitehead explained planning legislation states that developers can only apply for aspects within their land ownership, and cannot be held accountable for anything outside of the land being developed. As such there are a lot of similar examples of footpaths not being provided. He was trying to point out that this should have been worked on with the parish council and the developer outside of the planning conditions. This means that the potential negative impact of this dual entry of the sentence in the final version of the UWLNP on developments within the Parish is zero.
- ii) All current councillors should be made aware of the minutes of the UPC Meeting on 8<sup>th</sup> March 2017 where the following resolution was made:

<b>Proposal</b>	<b>Proposer</b>	<b>Seconder</b>	<b>Decision</b>
UPC gives full support to and approval of the Final Referendum Version of the Plan. BL to notify WC of this decision and to ask them to proceed to referendum on 20th April 2017. UPC are enormously grateful to the Steering Group for all their hard work during the production of this Plan and strongly encourage the Community to support the Plan at the referendum.	DM	GD	Unanimously Agreed

I'm sure current councillors don't need reminding that at the referendum held on 20<sup>th</sup> April 2017, 367 eligible voters voted for the plan and 43 against.

iii) The minutes of the 11<sup>th</sup> November meeting record the following statement:

*'TH, recognising that most of the current councillors were not on the Council when the neighbourhood plan was prepared, commented that concerns had been expressed at the time that insufficient transparency and accountability existed regarding Steering Group activities and decisions which were not shared with UPC.'*

In fact, it was TH himself, who was then lead councillor for planning, that expressed these concerns. They were discussed and addressed leading to the clear and unanimously agreed proposal shown above. If the UPC lead councillor for planning no longer wants to fully support the plan, then his suitability for this role on UPC is brought into question. He currently appears to be siding with a subset of the 43 who voted against the plan rather than representing the view of the majority of Urchfont residents.

Regards,

Dave Mottram & Simon Holt

## **b. Email response sent to all UPC councillors from Cllr Trevor Hill on 6<sup>th</sup> December 2020**

To: Graham Day, Lewis Cowen, Trevor Hill, Maria Kemp, David Stevens, Steven Cottle, Martyn Hollyman, Mark Botham, Philip Cottell, Peter Rotherham

cc. Philip Whitehead, Bob Lunn

Dear Councillors

I refer to the email sent to councillors dated 4th December 2020 by Messer's Holt (SH) and Mottram (DM) and offer the following as my response to the derogatory remarks levelled at me.



Firstly, my support for the UWLNP has been well documented and I would refer you to previous UPC meeting minutes (\*item 10i of UPC meeting 13<sup>th</sup> April 2016) when in support of the NP, I made the following statement; *“He (TH) urged councillors and the public to support and approve the final Plan, warts and all, following any changes recommended by the Examiner, to ensure that the Parish is protected from unwanted development”*. I also refer you to several planning minutes over the past 3 years when I, as Lead of Planning, have championed the UWLNP to influence and positively shape our response to planning applications.

In response to the acknowledgement by the two Steering Group members that the sentence required by the Independent Examiner, (*‘It is recognised that these measures are not development and use of land related and therefore do not form part of the Neighbourhood Plan, but will be treated as community aspirations and separately pursued by the Parish Council’*) had been ‘inadvertently’ inserted’. I would firstly like to correct their statement and point out that this sentence was actually entered three times into our NP, twice, as instructed by Independent Examiner on pages 23 and 25, and **thirdly** ‘inadvertently’ on page 24 after Policy TIC1.

It is suggested that the insertion of this sentence had ‘zero’ impact upon the NP. If that were the case you might ask why it was the only sentence (within a document of 60 pages) which was quoted by a Wiltshire Councillor at the Eastern Area Planning Committee meeting (dated 31.01.19) to undermine the efforts by members of the Parish Council and members of the public who argued that under Policy TIC1 the developers of the Uphill site should provide a public footpath from the site to the B3098?

This then begs the question, who, in the Steering Group was responsible for inserting the 43 corrections required by the Independent Examiner into our NP, and why was the damaging sentence ‘inadvertently’ inserted immediately following Policy TIC1. The Independent Examiners instructions were very clear and descriptive and the other 43 changes (some very minor) were **all** entered correctly?

Secondly, I make no apologies for questioning the transparency and accountability of the management of our NP, and I (and others) raised these concerns at several UPC meetings, which is well documented in UPC minutes.

I offer a couple of examples as to why I make this statement;

1. At UPC meeting held on the 13<sup>th</sup> April 2016, (\*Item 10ii) I questioned SH as to *‘the apparent lack of notes of Group meetings’* to be told by SH *‘that minutes had been kept of all meetings’*, but to date these minutes have never been produced to UPC or to be found on the ‘Neighbourhood Plan’ section within the Urchfont Parish Council website.

Therefore, neither UPC or the community has any record of how many meetings were held, how many of the original 14 members of the Steering Group attended and when or what business matters were discussed.

2. Why was UPC, as the Qualifying Body, asked to make the most important decisions on UWLNP by email and not at UPC meetings? The public were excluded and not able to question these decisions, a point raised by the public. (\*Item16(a), UPC minutes 19<sup>th</sup> Oct 2016). Why were these decisions rushed through with UPC members given only a few days to consider detailed and lengthy documentation?

It should be noted that after the NP was ‘made’ in April 2017, the UPC policy on ‘email decisions’ changed following the UPC Chairman’s comments; *“DM commented that the procedure was initiated some 18 months ago, his view is that it does not satisfy the transparency requirements for issues to be openly discussed and voted on at meetings where the public can be present. If decisions are genuinely urgent then a meeting should be convened, if no urgency then the issue can wait until the next scheduled meeting”* (\*Item 13, UPC minutes 14<sup>th</sup> June 2017).

There are so many more questions but our NP is now 'made' and therefore there seems little point in raking over old issues and we should all move on. However, our current UWLNP expires in 2026 and I expect WC will approach UPC within the next 12 months or so to consider the development of the next version.

The production of the current NP involved enormous effort and hard work by a few on the Steering Group, including SH and DM, and I applaud them, however, I would urge the council to give serious thought to the selection and appointment of those who will be responsible for the development of our next NP and ensure that they have the best interests of the community at heart. UPC must ensure that the next Steering Group are accountable to the council, and therefore the community, and that the process is totally transparent.

Councillor Trevor Hill

(\* all minutes of UPC meetings can be found on the Urchfont Parish Council website and within