

Berwick Bassett and Winterbourne Monkton Parish Council

Minutes of the meeting of the council held at Winterbourne Monkton Church on Wednesday 3rd February 2016 at 7.30 pm.

Present: Cllr Bill Buxton (chair), Cllr Lyn Bennett-Nutt, Cllr Stephen Fulford, Cllr Tony Iles, Cllr Jill Petchey
Mrs Janice Pattison (clerk)
Mr Bob Pawsey, Mr Tim Pearce, Mrs Rose Pearce, Mrs Sonia Buxton, Mrs Tricia Cosford, Mr Simon Petchey, Mr Cliff Pearce,
Mr Barry Jago, Mr Sean Tye, Mrs Deborah Dellar (part), Mr Aaron Smith (part)

1. Apologies for absence
Cllr Nick Burnet, Cllr Simon Mellor, Mr Richard Nutt, Mr Dan Mace, Ms Stella Hall
2. Declarations of Interest
Cllr Bill Buxton declared a pecuniary interest in the development at Manor Farm and took no part in that part of the meeting.
Cllr Bennett-Nutt declared a non-pecuniary interest in the development at Land behind Old School House

(Note for the minutes. The applications were discussed in order with residents present. The residents left the meeting and councillors then discussed the plans in reverse order to enable Cllr Buxton to remove to another part of the hall prior to the councillor discussion on the Manor Farm application Each section indicated by 'Council response' was held without public present)

3. Planning application 16/00151/FUL (14/02910/FUL)
Manor Farm Winterbourne Monkton, Wiltshire SN4 9NW
Demolition of agricultural buildings, conversion of Long Barn to form 3 no. dwellinghouses, conversion of cartshed to form single dwellinghouse, erection of 8 dwellings. Erection of community building (D1) erection of employment building (B1 & B8) extension to private way, car parking and associated landscaping . Revised application
Cllr Fulford assumed the chair of the meeting
Mr Aaron Smith spoke for the applicant. The previously presented plan for 10 properties and ancilliary works has already been granted permission. Since then developers have expressed concern that the redevelopment of the Long Barn into a single dwelling is not economically viable and the revised plan shows the long barn now as 3 smaller properties. In response to a query from Mr Tye Mr Smith confirmed that the barn does not have listed building status and that its lack of worthiness for listed building status has been verified
There has also been an alteration to a group of smaller affordable combined with standard homes which has been divided into 2 groups of houses in the amended plans. Mr Smith advised the meeting that some developers have already expressed an interest in acquiring the development site. Such a developer may apply for further changes to the plans.

Mr Smith confirmed that 73 parking places would be provided, 17 of these would be restricted for use by the Community Building
The plans for the Community Building and all section 106 agreements remain as in the approved application.

Mrs Buxton said that she was not against the development but that the original proposal was for 8 houses, the subsequent approved proposal was for 10 and the current application for 12. There are 49 bedrooms in the proposed development which could house up to 100 people increasing the population of the village by around 80%. The development is dominated by smaller properties not suitable for families. The village is poorly served by public transport so the houses are not suitable for older people. Mrs Buxton expressed the opinion that the rented property should be removed from the plan as there was no evidence of need from within the parish and problem families could be housed there.

Mr Smith responded that the provision of rented accommodation was a Wiltshire Council requirement and is intended for local people of need. Any scheme of 5 or more properties is required to provide social housing of 40% of the properties. The Government may change the definition of Social Housing to include starter homes but this is not the current legislation. (Mr Smith left the meeting at this point)

Council response . Councillors agreed that the increase in population suggested by the approved plan was already difficult to sustain with the current infrastructure and that further increase would make this worse. It was unanimously agreed to object to the amended plan as over development of the site.

4. Planning application 15/02818/OUT

Land at rear of Old School House, Winterbourne Monkton SN4 9NW
Erection of 3 bed dwelling with all matters reserved except for means of access
Appeal lodged.

This plan has already been refused by Wiltshire Council but an appeal has been lodged against this decision. The applicant has submitted a significant document giving their reasons. Cllr Bennett-Nutt advised the meeting that there were errors in this document including measurements given such as the width of the road. The suitability of the lane for Fire Engines was called into question

There were no alterations in circumstances since the last submissions by the Parish Council although it was acknowledged that the footpath here would see greater traffic if the Manor Farm development goes ahead.

Council response. Councillors unanimously agreed to confirm their previous objections and question the accuracy of appellants facts in their letter of objection

5. Planning application 16/00057/FUL
Christmas House, Winterbourne Monkton, Wiltshire SN4 9NW
Change to driveway to include hardscaping which may encroach upon land with agricultural planning status

The plan is a retrospective application for work carried out in December 2013. The guidance from Wiltshire Council is that the plan be considered as if the work had not yet commenced.

Mr Jago commented that the works at Christmas House were not necessary for access to Christmas House. He added that the changes were bad for walkers, in particular because the actual public footpath now required the traversal of steep steps.

Mr Cliff Pearce commented that the new plans resulted in access around the drive being permitted by the grace of Mr and Mrs Dellar which could be removed at any time. The new steps incorporated into the route of the public footpath were too steep to be accessible by most people so any removal of permissions to use the new drive would mean the public footpath would be impassable by most. Cllr Buxton replied that there was a stile on the footpath beyond the steps that needed crossing and this was just as difficult to cross. Mr Pearce added that the access to the field beyond was usually by the gate and that the stile had handrails making it easier to climb than the steps

Mrs Cosford commented that the public Right of Way was clearly shown on definitive maps as on the farm track that passed in front of Christmas House. This farmtrack had agricultural use and not domestic use. The public Right of Way was now narrowed by the formation of the bund and the incorporation of steps. While the applicant had made assurances that the drive would not be blocked by a gate or other obstacle they could not guarantee that a future owner would not.

Mr Pawsey suggested that the 2 stiles in the area could be replaced by kissing gates making access easier for all. Cllr Bennett-Nutt suggested the installation of a handrail on the steps.

Mrs Dellar confirmed to the meeting that the new driveway would be kept open to walkers. She advised the meeting that the driveway/farmtrack in front of their house had domestic use not agricultural. She also advised the meeting that the planning application referred only to a small part of the new driveway which departed from the original drive/track route as this was the only part of the plan which was not designated as domestic land.

Mrs Rose Pearce confirmed that whilst she had not lived in the village before the development she had been a regular user of the drive since moving to the area and never felt her passage impeded

Mr Petchey also pointed out that the owners have a right to protect their property against flooding and confirmed that in the 2 years since he moved to the village he had used the footpath on an almost daily basis and and not once had this been obstructed by the applicant

Council Response

The clerk suggested that the Parish Council advise Wiltshire Council that a public Right of Way was affected by the development due to the narrowing

and the installation of an obstacle on the Right of Way and, therefore, the Rights of Way officer should have been a consultee to the application.. Cllr Buxton did not consider any comment to Wiltshire Council to be required and recommended that councillors raise no objection to the application. Cllr Buxton's response was agreed by a majority of 4 councillors to 1. Cllr Fulford voted against the recommendation.

6. Planning application 16/00056/CLE
Christmas House, Winterbourne Monkton, Wiltshire SN4 9NW
Certificate of Lawfulness for use of office building as a Shiatsu and Acupuncture therapy room
Councillors were required to submit evidence of the existence of such a room for at least 10 years. Minutes of meetings 3rd March 2003 (4.2.9) and 7th May 2003 (2.1) were identified by the clerk as showing that the use of the office in the garage at Christmas House for therapy sessions was brought to the attention of the Parish Council in March 2003 .
Further written representation had been made to the Parish Council indicating the addition of Wiltshire Acupuncture Practice at Christmas House (ref minutes of meeting 5th March 2014 (8)).

Council response

The clerk recommended that the apparent material change of use during this 10 year period, from Shiatsu room to Shiatsu and Acupuncture clinic be brought to the attention of Wiltshire Council. Cllr Buxton recommended that this was unnecessary and a response be returned confirming that the office building had been in use as a Shiatsu and Acupuncture therapy room since 2002 using minutes of meetings in 2003 as supportive evidence. Cllr Petchey referred to a letter from Mike Wilmott dated 15th January 2016 which stated that any council response should be limited to facts supported by evidence such as photographs or correspondence rather than traffic or road safety . Thus no mention was to be made of the correspondence received in 2014 suggesting the material change of use as much of this correspondence referred to an increase in traffic and parking of clients. It was agreed to respond confirming that the office building had been in use as a Shiatsu and Acupuncture therapy room since 2002 using minutes of meetings in 2003 as supportive evidence agreed by a majority of 4 councillors to 1. Cllr Fulford voted against the recommendation