



Delivering a brighter, greener future for all

9th December 2024

AGENDA

Dear Councillor

You are summoned to a meeting of the:

Planning Advisory Committee
to be held on
Monday 16th December 2024 at 7.00pm,
at the Civic Centre, Sambourne Road, Warminster, BA12 8LB

Membership:

Clr Allensby (West)	Clr Kirkwood (Broadway)
Clr Fraser (West)	Clr Lee (Broadway)
Clr Jeffries (North) Vice Chairman	Clr Robbins (East)
Clr Keeble (West) Chairman	

Copied to all other members for information.

Members of the public are welcome to attend meetings of the council and committees, unless excluded due to the confidential nature of the business.

If you wish to contribute during public participation, please contact admin@warminster-tc.gov.uk prior to the meeting to enable this to be facilitated.

Yours sincerely

Tom Dommett (CiLCA)
Town Clerk and Responsible Financial Officer

1. **Apologies for absence**

To receive and accept apologies, including reason for absence, from those unable to attend.

2. **Declarations of Interest**

To receive any declarations of interest under Warminster Town Council's Code of Conduct issued in accordance with the Localism Act 2011.

3. **Minutes**

3.1 To approve and sign as a correct record, the minutes of the Planning Advisory Committee meeting held on Monday 18th November 2024; copies of these minutes have been circulated and Standing Order 12.1 provides that they may therefore be taken as read.

3.2 To note any matters arising from the minutes of the Planning Advisory Committee meeting held on Monday 18th November 2024.

4. **Chairman's Announcements**

To note any announcements made by the chairman.

5. **Questions**

To receive questions from members of the committee submitted in advance to the Clerk.

Standing Orders will be suspended to allow for public participation.

6. **Public Participation**

To enable members of the public to address the committee with an allowance of three minutes per person regarding any item on the agenda and **to receive** any petitions and deputations. The chairman may read out statements submitted in advance.

Standing Orders will be reinstated following public participation.

7. **Reports from Unitary Authority Members**

To note any reports received which are relevant to this committee.

8. **Planning Applications**

Responses available to the committee are:- Object, Support, No Objection, Comment, No Comment, Mixed, Called in by member or No objection subject to conditions.

[PL/2024/00190](#)

**The John Barleycorn, Weymouth Street, Warminster, BA12 9NP
Amended Plans/ Additional Information**

Conversion of the former public house to form 9 apartments over ground and second floors, demolition of the link building, continued Class E Use within the basement area and the development of a detached 2 storey townhouse within the existing car park area, with associated car parking, refuse and cycle parking storage.

[PL/2024/00571](#)

**The John Barleycorn, Weymouth Street, Warminster, BA12 9NP
Listed Building Consent**

Amended Plans/ Additional Information

Conversion of the former public house to form 9 apartments over ground and second floors, demolition of the link building, continued Class E Use within the basement area and the development of a detached 2 storey townhouse within the existing car park area, with associated car parking, refuse and cycle parking storage.

- [PL/2024/10138](#) **9 Ashley Place, Warminster, BA12 9QJ**
Demolish garage and lean to extension. Erect a storey and half extension, convert the loft space to living accommodation with dormer.
- [PL/2024/09526](#) **Land at Broxburn Road, Warminster, BA12 8EX**
Temporary pharmacy in a shipping container with welfare unit.
- [PL/2024/09870](#) **Land at the proposed West Warminster Urban Extension, North of Victoria Road & to the West of Bath Road, Warminster.**
Application for the Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) for various Infrastructure comprising the construction of Sports Area A, Sports Area B, Public Open Space, Ecology Area, Allotments and associated works following Outline Planning Permission [15/01800OUT](#)
- [PL/2024/10376](#) **3A Market Place, Warminster, BA12 9AY.**
Revised replacement windows to front elevation.
Listed building consent (Alt/Ext).
- [PL/2024/10469](#) **Shepherds Cottage, Eastleigh Wood Lane, Bishopstrow, Warminster, BA12 7BE**
Demolition of existing utility/WC/dining room and construction of replacement kitchen/ family room and utility room.
- [PL/2024/10924](#) **99 West Street, Warminster, BA12 8JZ**
Single storey rear extension.
- [PL/2024/10896](#) **49 Victoria Road, Warminster, BA12 8HB**
Replacement of existing double garage with one bed annex.
9. **Tree Applications (for noting)**
- [PL/2024/10525](#) **25 Portway, Warminster, BA12 8QG**
Cherry tree – re-pollard up to 4m in height.
- [PL/2024/10584](#) **The Organ Inn, High Street, Warminster, BA12 9AQ.**
T1 (Ash tree) - Remove.
- [PL/2024/11143](#) **3 Beavens Court, Warminster, BA12 9BS.**
T1 - Mature Acacia tree. Located outside of front door. Reduce back any limbs growing towards the house by approx. 3m. Up to and including top of crown. Reduction work aimed at reducing risks of limb failures, which could cause damage to property.
- [PL/2024/11147](#) **52A Woodcock Road, Warminster, BA12 9DQ.**
T1- Mature Ash tree located on boundary line of property. Large limb failed on this tree within the last 6 months. Reduce canopy by up to 50% to significantly reduce the chances of future limb failure.

10. Planning Inspectorate Appeal Decision – 20 Smallbrook Lane

Members to note the decision of the Planning Inspectorate to dismiss the appeal.

11. Communications

Members to decide on items requiring a press release and to confirm a spokesperson if required.

Minutes from this meeting will be available to all members of the public either from our website www.warminster-tc.gov.uk or by contacting us at Warminster Civic Centre.

Date of next meeting: Monday 20th January 2025.

Date recd Warm	Planning No	Description	Date reply due back to Wilts Council	Chair's decision 1. meeting (m) 2. no time for action (o) 3.extension (e)	Case Officer	Wiltshire Council decision
13.11.24	PL/2024/00190	<p>The John Barleycorn, Weymouth Street, Warminster, BA12 9NP Amended Plans/ Additional Information Conversion of the former public house to form 9 apartments over ground and second floors, demolition of the link building, continued Class E Use within the basement area and the development of a detached 2 storey townhouse within the existing car park area, with associated car parking, refuse and cycle parking storage.</p>	04.12.24	(e)	Steven Sims	
13.11.24	PL/2024/00571	<p>The John Barleycorn, Weymouth Street, Warminster, BA12 9NP Listed Building Consent Amended Plans/ Additional Information Conversion of the former public house to form 9 apartments over ground and second floors, demolition of the link building, continued Class E Use within the basement area and the development of a detached 2 storey townhouse within the existing car park area, with associated car parking, refuse and cycle parking storage.</p>	04.12.24	(e)	Steven Sims	
15.11.24	PL/2024/10138	<p>9 Ashley Place, Warminster, BA12 9QJ Demolish garage and lean to extension. Erect a storey and half extension, convert the loft space to living accommodation with dormer.</p>	13.12.24	(e)	Selina (Nina) Parker-Miles	
18.11.24	PL/2024/09526	<p>Land at Broxburn Road, Warminster, BA12 8EX Temporary pharmacy in a shipping container with welfare unit.</p>	16.12.24	(e)	Steven Sims	
20.11.24	PL/2024/10525	<p>25 Portway, Warminster, BA12 8QG Cherry tree – re-pollard up to 4m in height.</p>	12.12.24	(o)	Caroline Gamble	

20.11.24	PL/2024/09870	Land at the proposed West Warminster Urban Extension, North of Victoria Road & to the West of Bath Road, Warminster. Application for the Approval of Reserved Matters (Appearance, Landscaping, Layout and Scale) for various Infrastructure comprising the construction of Sports Area A, Sports Area B, Public Open Space, Ecology Area, Allotments and associated works following Outline Planning Permission 15/01800OUT	18.12.24	(m)	Kenny Green	
21.11.24	PL/2024/10584	The Organ Inn, High Street, Warminster, BA12 9AQ. T1 (Ash tree) - Remove	13.12.24	(e)	Beverley Griffin	
22.11.24	PL/2024/10376	3A Market Place, Warminster, BA12 9AY. Revised replacement windows to front elevation. Listed building consent (Alt/Ext).	20.12.24	(m)	Maureen Pearce	
28.11.24	PL/2024/10469	Shepherds Cottage, Eastleigh Wood Lane, Bishopstrow, Warminster, BA12 7BE Demolition of existing utility/WC/dining room and construction of replacement kitchen/ family room and utility room.	26.12.24	(m)	Selina (Nina) Parker-Miles	
04.12.24	PL/2024/10924	99 West Street, Warminster, BA12 8JZ Single storey rear extension.	01.01.25	(m)	Selina (Nina) Parker-Miles	
04.12.24	PL/2024/10896	49 Victoria Road, Warminster, BA12 8HB Replacement of existing double garage with one bed annex.	01.01.25	(m)	Steven Vellance	
05.12.24	PL/2024/11143	3 Beavens Court, Warminster, BA12 9BS. T1 - Mature Acacia tree. Located outside of front door. Reduce back any limbs growing towards the house by approx. 3m. Up to and including top of crown. Reduction work aimed at reducing risks of limb failures, which could cause damage to property.	27.12.24	(m)	Caroline Gamble	
06.12.24	PL/2024/11147	52A Woodcock Road, Warminster, BA12 9DQ. T1- Mature Ash tree located on boundary line of property. Large limb failed on this tree within the last 6 months. Reduce canopy by up to 50% to significantly reduce the chances of future limb failure.	30.12.24	(m)	Kate Tate	

Date agenda to be sent out: 9th December 2024

Date of Planning Advisory Committee Meeting: 16th December 2024



The Planning Inspectorate

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Your Ref: PL/2023/07590

Our Ref: APP/Y3940/W/24/3339371

Planning Appeals
Wiltshire Council
Monkton Park Office
Chippenham
Wiltshire
SN5 1ER

18 November 2024

Dear Sir/Madam,

Town and Country Planning Act 1990
Appeal by Mr F Tieman
Site Address: Woodlands, 20 Smallbrook Lane, WARMINSTER, BA12 9HP

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at <https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure>.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Sarah Hardy
Sarah Hardy

<https://www.gov.uk/government/publications/planning-inspectorate-privacy-notice>

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>



Appeal Decision

Site visit made on 29 October 2024

by Juliet Rogers BA (Hons) MA MRTPI

an Inspector appointed by the Secretary of State

Decision date: 18 November 2024

Appeal Ref: APP/Y3940/W/24/3339371

Woodlands, 20 Smallbrook Lane, Warminster, Wiltshire BA12 9HP

- The appeal is made under section 78 of the Town and Country Planning Act 1990 (as amended) against a refusal to grant outline planning permission.
 - The appeal is made by Mr F Tieman against the decision of Wiltshire Council.
 - The application Ref is PL/2023/07590.
 - The development proposed is the erection of a dwellinghouse.
-

Decision

1. The appeal is dismissed.

Preliminary Matters

2. The appeal scheme is for outline planning permission with all matters reserved for future approval except for access. As a result, I have treated any details relating to layout, scale, appearance and landscaping submitted with the application, including on the plans, as indicative only.

Main Issue

3. The main issue is the effect of the proposal on the safety of users of Smallbrook Lane and Boreham Road.

Reasons

4. The appeal site is accessed via Smallbrook Lane, a single-width road which serves several dwellings including the property known as Woodlands, located immediately adjacent to the site. Between 18 Smallbrook Lane (No.18) and Woodlands, hedgerows and mature trees define the boundary between the lane and fields beyond. Combined with narrow grassy verges to both sides of the carriageway, these landscape features enclose this stretch of the lane and limit the locations where pedestrians could move to a safe position should a vehicle be approaching.
5. The lane terminates for vehicles alongside the appeal site where it becomes a Public Right of Way (PRoW). Whilst a snapshot in time, several people were using the lane and PRoW for walking, with and without a dog, and jogging during my site visit. Whilst these may be residents or locals, and their visitors, who may be familiar with the conditions of the lane, this is not guaranteed. Moreover, an awareness of the conditions of the lane does not negate the need to ensure development does not harm the safety of the users of the lane.
6. Whilst the number of additional daily vehicle trips anticipated from the proposal is low and the width of the lane limits traffic speeds, nevertheless any increase would also lead to a heightened potential for conflict between

pedestrians and vehicles. Even if there have been no recorded accidents along the lane, nonetheless, additional traffic movements would be detrimental to the safety of other users. This is particularly the case within the section between No.18 and Woodlands where refuge places are lacking.

7. Similarly, the absence of formal or informal bays in this part of the lane also restricts vehicles from passing without driving on the verge or reversing to where verges are not present. Such manoeuvres could also be hazardous to pedestrians. Consequently, whilst this would not lead to severe residual cumulative impacts on the road network, the impact on highway safety would, nevertheless, be unacceptable and contrary to the principles set out in the National Planning Policy Framework (the Framework).
8. Irrespective of any conclusion on the turning space provided for vehicles on the site or the fact that vehicles already use the lane to access Woodlands, these are not reasons to permit unacceptable development. Even if I were to conclude that the access on to the appeal site from the lane is acceptable, this would not weigh in favour of the appeal scheme.
9. I have been referred to an appeal¹ for another proposal along the lane which was dismissed as the Inspector concluded the safety of users of the junction between Smallbrook Lane and Boreham Road would have been unacceptably reduced. The evidence before me, however, indicates that alterations have been made to this junction since this decision, including a reduction in the speed limit along the main road and the introduction of formal on-street parking spaces. Whilst vehicles parked in the on-street bays during my site visit does partially restrict visibility when leaving the lane, this was to a small degree which did not prevent drivers from making a safe exit. As such, the proposal would not harm the safety of users of Boreham Road.
10. Despite this, I conclude that the proposal would harm the safety of users of Smallbrook Lane and is contrary to policies 60 and 61 of the Wiltshire Core Strategy. In combination, these policies support and encourage the sustainable, safe and efficient movement of people within Wiltshire by ensuring development is capable of being served by safe access to the highway network, amongst other provisions.

Other Matters

11. The proposal would provide social and economic benefits from the construction and occupation of an additional dwelling, which supports the Framework's objective of significantly boosting the supply of housing. Whilst small-scale sites can have a meaningful impact in contributing towards this objective, nevertheless, the benefits from a net gain of one dwelling would be limited. No details of any environmental benefits which could be derived from the appeal scheme have been provided as part of the outline planning application. Therefore, no weight is attributed to this aspect, with limited weight given to the social and economic benefits of the appeal scheme.
12. Although the Council is unable to demonstrate a five-year supply of deliverable housing sites, the status of the emerging Local Plan² means that a minimum of four, rather than five, years' worth of housing supply is required by the Framework. The evidence before me indicates that the current position is

¹ APP/F3925/A/02/1088646

² Regulation 19

approximately 4.6 years. This is not disputed by the appellant and I have no reason to disagree. Any contribution to the supply of housing would be minimal and the presumption is favour of sustainable development does not apply.

13. The appeal site is located within the catchment of the River Avon Special Area of Conservation (SAC), a European Designated Site afforded protection under the Conservation of Habitats and Species Regulations 2017. The Council have indicated that sufficient information has now been provided by the appellant as part of the appeal to satisfy their concerns regarding the proposal's impact on the SAC. Nonetheless, if the circumstances leading to the grant of planning permission had been present, it would have been my duty, as the competent authority, to consider if the proposal would be likely to have a significant adverse effect on the integrity of the SAC. However, as I am dismissing the appeal on the main issue above, I have not found it necessary to consider this matter further.

Conclusion

14. The proposal conflicts with the development plan when taken as a whole and there are no material considerations, either individually or in combination, which indicate that a decision should be made other than in accordance with it. Therefore, I conclude that the appeal should be dismissed.

Juliet Rogers

INSPECTOR

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Notes for Planning Advisory Committee Agenda 16/12/24

1. Extract from minutes of Planning Advisory Committee Meeting held on 16 September 2024

[PL/2024/00190](#)

**The John Barleycorn, Weymouth Street, Warminster, BA12 9NP
Amended Plans/ Additional Information**

Conversion of the former public house to form 9 apartments over ground and second floors, demolition of the link building, continued Class E Use within the basement area and the development of a detached 2 storey townhouse within the existing car park area, with associated car parking, refuse and cycle parking storage.

It was resolved that there was no objection to the application.

[PL/2024/00571](#)

**The John Barleycorn, Weymouth Street, Warminster, BA12 9NP
Listed Building Consent**

Amended Plans/ Additional Information

Conversion of the former public house to form 9 apartments over ground and second floors, demolition of the link building, continued Class E Use within the basement area and the development of a detached 2 storey townhouse within the existing car park area, with associated car parking, refuse and cycle parking storage.

It was resolved that there was no objection to the application.

2. Extract from minutes of Planning Advisory Committee Meeting held on 13 April 2015

[15/01800/OUT](#)

Land at the proposed West Warminster Urban Extension, North of Victoria Road & to the West of Bath Road, Warminster.

Councillor Ridout as the Ward member spoke on the application making a request that it should remain on the Warminster Town Council agenda but responded to initially the same as the Redrow bid last autumn by simply registering a “holding objection”. The reasons that given are:

1. This application is not in accordance with the Core Strategy or the emerging Neighbourhood Plan.
2. There is no Master Plan for the whole site – the West Warminster Urban Extension is just one site in totality and will be developed as one from a Master Plan which has not been submitted by either agent Persimmon, Hannick or Redrow and they have been informed that is cannot be assessed until they do so.
3. A full scale drainage system has been requested for the whole site.
4. The Highways Agency has placed a holding directive for 3 months as it is not satisfied with the overall transport assessment and its impact on the A36.
5. Natural England objects to the landscape report.
6. The ecologists need more time to prepare a full report.

7. There are many concerns about provision of education, secondary as well as primary.

There are many other objections from residents and statutory consultees which can be reviewed on Wiltshire Council's planning website.

"I hope this gives the committee enough to submit a holding objection".

The Members had a lengthy debate about the application all agreeing that it was unacceptable in its current format. Councillor Fraser proposed refusal of this application as Warminster Town Council strongly object to 1200 homes on this site and will hold making discussions until the Master Plan is available, Seconded Councillor Fryer, **Voting unanimous in Favour for Refusal.**