

**Minutes of the Extraordinary Meeting of Potterne Parish Council  
held on Tuesday 22 June at 7.30pm at Rear Barn, Land at Devizes Road, Potterne**

**Present:** Cllr Peter Balls (Chairman) (PB); Cllr Nesta Pudney (Vice-Chairman) (NP); Cllr Richard Clark (RC); Cllr Robert Hunt-Grubbe (RHG); Cllr Phillip Abbatt (PA);

**Also present:** Karon Van Den Bergh (Clerk), 1 member of the public

**Apologies:** Cllr Carol Clifford (CC); Cllr Chris Twiney (CT); Cllr Simon Church (SC)

55/21/22	<b>Welcome and Apologies:</b> The Chairman welcomed Councillors and received apologies.		
56/21/22	<b>Declaration of Members' Interests:</b> Cllr Hunt-Grubbe noted that the owner of the property currently under discussion had previously carried out work at his current residence. This was carried out to an excellent standard without complaint and any discussion or decisions regarding this Planning Application and Appeal would be treated without personal consideration.		
57/21/22	<b>Open Session</b> 1 member of the public, in favour of the planning application, outlined the submission for consideration.		
58/21/22	<b>Residential Development:</b> a) The following applications were unanimously agreed:		
	a.	PL/2021/0493 9 Rear Barn, Land at Devizes Road, Potterne	Demolition of existing light industrial building and erection of single residential dwelling
<p style="text-align: center;"><b>Objection</b></p> <p>In this Notice the expression '<b>Previous Application</b>' means the Applicant's earlier Application ref no 20/07424FUL which was refused and is now the subject of an appeal, and the expression '<b>Class ZA</b>' is a reference to Class ZA under Schedule 2, Part 20 to the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended). The members of Potterne Parish Council unanimously OBJECT to this Application for the following reasons:</p> <ol style="list-style-type: none"> <li>1. It does not qualify as a 'permitted development' for the purposes of Class ZA because the barn in question was not '<i>established...for an industrial process falling within Class B1(c)</i>', Class B1(c) being the only relevant use in this particular case. This is amply evidenced inter alia by statements made by the Applicant or her agents in the following documents relating to the Previous Application: the <u>application form</u> describes the barn as a '<i>storage building originally constructed as an agricultural building but used as storage and builders yard since 1989 (31 yrs)</i>', and claims that 294 square metres out of a total of 1950 square metres (ie 15% only) is used as the requisite Class B1(c) (light industrial). By definition that means that 85% of the floorspace must be used as Class B8 (storage). In order to qualify as a permitted development the Class B1(c) use in this case must be 100%, and the Council simply does not accept the Applicant's agents' statement (letter 4 May 2021) that the barn is solely B1(c); the <u>Design and Access Statement</u> states '<i>the barns were used ... for hay and machinery storage, however this ceased in 1991 and the structure has remained broadly unused for the past 30 years</i>'; and the <u>Viability Appraisal Report</u></li> </ol>			

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	<p>states that <i>'the change of use and conversion of the Barn to provide workshop space suitable for Class B1(c) (Light Industrial Use) is not financially viable'</i> – thus accepting that the requisite light industrial use was not the actual use and that to make it so would constitute a change of use. It is therefore clear that the barn was 'established' as a barn for storage rather than 'for an industrial process falling within Class B1(c)', and that as such it does not qualify under Class ZA.</p> <p>2. Such development would contravene the Potterne Neighbourhood Plan and would fall within the 'green corridor' separating Potterne from Devizes, the preservation of which 82% of the Potterne residents responding to the pre-NDP questionnaire felt was the single most important aspect of new building.</p> <p>3. As mentioned in connection with the Previous Application, access from the A360 is very narrow and is a public footpath (POTT47) regarded as a safe walk to Devizes that avoids the dangerous main road. It is not accepted that the number of vehicle movements will remain the same as currently access the (vacant) Barn. The Application is silent on the number of proposed parking places so it is assumed there will be 4 plus a disability space, as with the Previous Application. It is felt that the increased traffic (including emergency and service vehicles) will not only constitute a danger to pedestrians using the right of way but also to vehicles using the A360, given the difficult access thereto.</p> <p>4.</p>		
b.	20/07424/FUL	Rear Barn, Land at Devizes Road, Potterne	Conversion and change of use from former storage building to single dwelling
	<p style="text-align: center;"><b>Objection</b></p> <p>The overarching concern of the Parish Council is violation of the Potterne Neighbourhood Plan. Responses to the village questionnaire showed that preserving the green gap between Potterne and Devizes from further development was the only planning matter on which residents of Potterne were united. 82% considered it to be the most important planning issue, bar none.</p> <p>The Potterne Parish Council wholeheartedly supports the unanimous decision of the Eastern Area Planning Committee that planning permission be refused. In our view the following key considerations are the most important for the Inspector to assess.</p> <p><u>Criteria for Core Policy 48, Supporting Rural Life</u></p> <p>This barn originally built in 1985 is not a heritage asset seeking preservation. There are five criteria with which this application must comply. Broadly these require that conversion is approved only if it is not a major reconstruction, its use will not detract from the character of the landscape, it has reasonable access for local services and the conversion helps to preserve a heritage asset.</p> <p>In our opinion, due to its location conflicting with a key criterion of the Neighbourhood Plan, its very poor access, current condition, and the Highways Officer's report, this project fails to achieve any of these objectives.</p>		

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Access to the Property

The council is very concerned about access which is via a long narrow country lane. The unmade track is over 500 metres long with a width between fences of 10ft of which 8ft is useable. There are no passing places over half its length.

This lane is also an important footpath (FP 47) providing the only safe pedestrian route to Devizes. The importance of this should not be underestimated. The footpath along the A360 is unsafe, even dangerous, because it is not only narrow but crosses the carriageway twice on blind bends. Any vehicular use of the lane is extremely disruptive to users on foot, noting that a standard large delivery truck of width 2.46m (8ft) would find it effectively impassible.

Information on historical vehicular movements has been supplied. However we consider it does not convey a true picture of life today. Dramatic increases in all traffic movements on the A360 has made traffic virtually continuous, and there has also been an increased volume of home delivery in all sizes of vehicle. There are two consequences to this. First the access to the property discussed above, and second, highway safety issues discussed below.

Highways Comments

10 Nov 2020

The Highways officer states "The visibility splay is significantly and severely substandard and as such I do not support an increase in movements even if these are not considered significant in their number."

"The geometry of the access on to the A road is one which makes a right hand turn move difficult to achieve without use of the adjacent carriageway and possible (only) with more than one manoeuvre. Any additional movement at this junction will introduce additional conflict at the risk to the safety of the users of the highway. I am minded that a refusal should be maintained."

The Highways officer later evaluated a video of manoeuvres supplied by the applicant, but could not visit the site to witness them due to covid. She then accepted that for a small anticipated number of vehicle movements the danger was acceptable.

We strongly disagree and concur with the initial statement of the Highways officer. On a trial visit on 20th June it was necessary to wait ten minutes to use the track because a DPD van blocked the lane as it delivered to the back of the house near the lay-by. It then slowly backed out of the lane over a distance of 50 yards. It was impossible for it to continue to Potterne as the lay-by is too narrow to turn round. It therefore took off north to Devizes narrowly missing a vehicle coming south over the brow of the hill as it crossed oncoming traffic. As this is a 40mph zone - which not all obey - we strongly recommend that the safety of likely manoeuvres by such vehicles be critically re-assessed on site.

**Date of next meeting:** Wednesday 7 July 2021

**The Chairman closed the meeting at 8.05pm**

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