

Devizes Town Council

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PLANNING COMMITTEE

You are summonsed to attend a meeting of the Planning Committee at the following, place and date.

Date: Tuesday 8th September 2020

Time: 6.00pm.

Join Zoom Meeting:

<https://us02web.zoom.us/j/85926199111?pwd=R3QrMkJFRzVkc3BPWmZKVFBGdWh5dz09>

Please note, this meeting may be recorded therefore if you do not want to appear on the recording, do not enable your camera

Meeting ID: 859 2619 9111

Passcode: 565652

Enquiries: Town Hall - Tel: 01380 723333

Chairman: The Mayor, Councillor Gay

Councillors:	Bridewell	Burton	Carter
	Corbett	P Evans	S Evans
	Geddes	Giraud-Saunders	Godwin
	Greenwood	Hopkins	Nash
	Parsons	Pennington	Rose
	Rowland	Stevens	Von Berg

AGENDA

1. **MINUTES**
2. **APOLOGIES FOR ABSENCE**
3. **DISCLOSURE(S) OF INTEREST**

To receive any disclosure(s) of interest by a Councillor or an officer in matters to be considered at this meeting, in accordance with provisions of Sections 94 or 117 of the Local Government Act 1972 or the National Code of Local Government Conduct.

4. PUBLIC PARTICIPATION

At the Chairman's discretion, members of the public attending the meeting will be allowed to ask questions, make a statement or address the Council upon a matter of concern to that person which is relevant to the Council. A time limit of 5 minutes per person will be permitted, but this may be extended at the Chairman's discretion and a maximum period of 20 minutes has been allocated by the Council for this item of business.

5. REPORT FOR DECISION – PLANNING APPLICATIONS FOR CONSIDERATION

Details of Planning Applications for Consideration are attached ([doc 5/1](#)).

Members wishing to make enquiries about any of the applications listed or inspect plans before the meeting are advised to do so on line at Wiltshire Council.

6. REPORT FOR INFORMATION – WILTSHIRE COUNCIL'S NOTICE OF PLANS GRANTED OR REFUSED

Attached ([doc 6/1](#)) a list of plans granted, refused or withdrawn.

7. REPORT FOR INFORMATION – WILTSHIRE COUNCIL'S RESPONSE TO TREE FELLING AT PINETUM CLOSE

Officers wrote to the Arboricultural & Landscape Officer at Wiltshire Council, expressing members' concern that the original intent to provide some level of protection to the overall importance of the Pinetum Close site was no longer understood, with trees being considered individually rather than as part of a woodland site. He was asked to clarify Wiltshire Council's understanding of the original intent of the planning condition and how many replacement trees had been planted.

In reply, David Wyatt noted that trees within gardens require some management as they outgrow their environment or are in poor condition, but where felling of trees under TPO is approved, a replacement planting condition is always attached. He advised that Pinetum Close was never intended to be a woodland designation, and the reclassification of its Area TPO should be reviewed. A copy of the email reply is attached ([doc7/1](#)).

8. REPORT FOR DECISION - NEW PREMISES LICENCE APPLICATION – Aroma Restaurant, 117-119 Southbroom Road

Recommendation

That the committee reviews the new licencing application for 117-119 Southbroom Road and provides comments to the licencing officers.

Purpose of the Report

To provide an opportunity for the Town Council to comment on a new licence application for the premises 117-119 Southbroom Road.

Background

The Town Council is being consulted on a new licence application for the Aroma Restaurant 117-119 Southbroom Road.

The restaurant has taken over the premises of the former Zumi restaurant and therefore requires a licence in its own name.

The application is for:

- **Section F.** Indoor recorded music - 12 noon to 11:30pm, seven days a week.
- **Section J.** Supply of alcohol on and off the premises – 12 noon to 11:30pm, seven days a week. Off sales are intended to be supplied with takeaway food.
- **Section L.** Opening hours – 12 noon to 11:30pm, seven days a week to include Christmas and New Year's Eve.

The Licencing application goes on to advise that the restaurant will operate an age verification policy, use CCTV to monitor disorder, use appropriate signage to ensure the safety of their customers, use signage to warn against public nuisance and train staff to ensure the protection of children from harm. A full copy of the application is circulated alongside this agenda.

Options Considered

The Committee needs to determine if there are any grounds to object to the application or if, under a test of reasonableness, changes to the application should be requested.

Implications and Risks

Financial and Resource Implications

Officers are unaware of any financial or resource implication for the Council associated with this decision

Legal Implications and Legislative Powers

The Council will be considering this matter under its General Power of Competence

Environmental Implications

Officers are unaware of any environmental implication for the Council associated with this decision.

Risk Assessment

Officers are unaware of any risk implication for the Council associated with this decision.

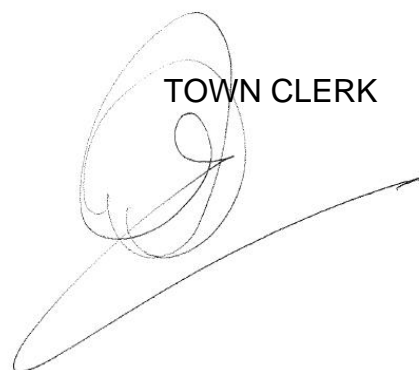
Crime and Disorder

Officers are not aware of any issues the Council should consider under Section 17 of the Crime and Disorder act 1998.

9. QUESTION TIME

A short time is allowed at the discretion of the Chairman for councillors to ask questions on matters which are not on the current agenda but which are related to matters which have been previously discussed on an agenda relevant to the committee.

At least 24 hours' notice must be given to officers of the intended question. All other matters should be raised on an agenda and the request should be submitted through the Town Clerk


TOWN CLERK

Devizes Town Council

PLANNING COMMITTEE

Committee Members :

DOC5/1

DOC5/1 . 20/06365/LBC Plot Ref :- Type :- LISTED
Applicant Name :- Mr Robert Gill Date Received :- 25/08/2020
Parish :- South Date Returned :-
Location :- Rowans Agent
Hillworth Road
Devizes
Proposals :- Alterations to two bathrooms
Observations :-

DOC5/1 . 20/06530/FUL Plot Ref :- Type :- FULL
Applicant Name :- Mr Richard Harford Date Received :- 24/08/2020
Parish :- Roundway Date Returned :-
Location :- 1 & 2 Cross Roads Agent
London Road
Devizes
Proposals :- Two proposed dwellings
Observations :-

DOC5/1 . 20/06573/FUL Plot Ref :- Type :- FULL
Applicant Name :- Mr Ryan Wallbridge Date Received :- 24/08/2020
Parish :- East Date Returned :-
Location :- 45 Eastleigh Road Agent
Devizes
Proposals :- Erection of a 2-bedroom 2.5 storey house
Observations :-

DOC5/1 . 20/06725/FUL Plot Ref :- Type :- FULL
Applicant Name :- Mr and Mrs Gee Date Received :- 25/08/2020
Parish :- South Date Returned :-
Location :- 7 Lawrence Close Agent
Devizes
Proposals :- Construction of new two storey extension to the rear of the property
and single storey extension to the side. Storm porch to the front
and render to the existing rear elevation. External landscape
alterations.
Observations :-

Link to plan 20/06365/LBC [here](#)

Link to plan 20/06530/FUL [here](#)

Link to plan 20/06573/FUL [here](#)

Link to plan 20/06725/FUL [here](#)

PLANNING COMMITTEE
8th September 2020

DOC5/1 . **20/06867/TPO** Plot Ref :- Type :- TPO
Applicant Name :- Aster Housing Date Received :- 27/08/2020
Parish :- Roundway Date Returned :-
Location :- Wyatt Court Agent
Thomas Wyatt Road
Devizes
Proposals :- T52 Lime tree, Clock Tower Court; T9 and T10 Lime trees,
Burnham Court, all previously pollarded - to remove growth from
ground to just under crown. T16 Lime tree, 12/14 Wyatt lose - to
prune away from building to give approx 3m clearance, raise
canopy to 4m and remove sections of major deadwood. T28 Red
horse chestnut - dead tree, remove to ground level
Observations :-

DOC5/1 . **20/06956/FUL** Plot Ref :- Type :- FULL
Applicant Name :- Mrs Jennie Holloway Date Received :- 01/09/2020
Parish :- South Date Returned :-
Location :- 50 Broadleas Road Agent
Devizes
Proposals :- Replace existing conservatory with single storey extension and
build above existing garage for additional bedroom to side of
property
Observations :-

DOC5/1 . **20/06983/TCA** Plot Ref :- Type :- TREE CONS
Applicant Name :- Perry Sharples Date Received :- 28/08/2020
Parish :- South Date Returned :-
Location :- Lansdowne House Agent
Long Street
Devizes
Proposals :- Lime tree (T1) - re-pollard the tree, cutting back to previous points
Observations :-

DOC5/1 . **20/07008/TPO** Plot Ref :- Type :- TPO
Applicant Name :- Mr John Knight Date Received :- 25/08/2020
Parish :- South Date Returned :-
Location :- Charnwood Agent
Old Park
Devizes
Proposals :- 3x field maple trees, 1x ash tree, 4x sycamore trees - remove all
overhang from Hartmoor Farmhouse garaging and parking areas
Observations :-

Link to plan 20/06867/TPO [here](#)

Link to plan 20/06956/FUL [here](#)

Link to plan 20/06983/TCA [here](#)

Link to plan 20/07008/TPO [here](#)

Return to main agenda [here](#)

PLANNING APPLICATIONS WHICH WILTSHIRE COUNCIL HAVE EITHER
GRANTED OR REFUSED PLANNING PERMISSION

Reference	Details	Applicant	Devizes Town Council Response	Granted or Refused
20/05672/TPO	T1 Oak 30% crown reduction, at 52 Broadleas Park	Andy Morgan	No objection, 30/07/2020	Granted, 11/08/2020
20/04680/FUL	Proposed single storey lounge extension, at Fallow Corner, Old Park	Mr & Mrs C Jones	No objection, 14/07/2020	Granted 17/08/2020
20/05301/FUL	Demolition of existing property and erection of two dwellings, at 17 West View Crescent	G A Construction Bath Ltd	Objection, 30/07/2020	Refused, 18/08/2020
20/05471/LBC	Minor internal alterations to the ground floor, at Gough's Solicitors, 30 Market Place	Goughs Solicitors	No objection, 11/08/2020	Granted, 21/08/2020
20/05844/TCA	T1 weeping silver birch tree – crown reduce and crown thin & cut back on neighbour's side by 1.5m, at 35 Victoria Road	Mr Bannerman	No objection, 11/08/2020	Granted, 20/08/2020
19/12030/FUL	Separation of residential annexe from main dwelling to form an independent dwelling, at Mayfield Lodge 99A Nursteed Road	Mr Ismet & Mrs Rosemary Auliar	No objection, 21/01/2020	Granted, 27/08/2020
20/04952/FUL	Kitchen side extension to house, pitched roof to garage, alterations to windows and doors, at Woodford House, Hillworth Road	Mr & Mrs Salter	No objection, 30/07/2020	Granted, 27/08/20

Sent: 24 August 2020 10:34

To: Simon Fisher <Simon.Fisher@devizes-tc.gov.uk>

Subject: RE: Felling of Trees at Pinetum Close, Devizes

Dear Simon,

Thank you for your email concerning tree removal at Pinetum Close, Devizes. I cannot comment on historical planning decisions that were objected to in the past or comment on previous officers decision making.

I am fully aware of the works within this site and one has to take into account that trees will out grow their environment at some point during their lifespan especially when they are in small gardens and congested.

Some of the recent applications have been for trees that have either fallen into other trees or are asymmetric in appearance or are dying back or have been implicated in a subsidence claim.

A planning condition does not give any tree an automatic life long protection, this is reserved for trees under TPO protection which, in this case the trees are under TPO.

As with all urban areas that have trees within gardens, will need some form of management at some point and we as a council will always attach a replacement planting condition to every TPO application where felling is being proposed.

The applicant has upto 4 years to replant a replacement tree once the object tree has been removed. Unfortunately, we do not have the resources to visit every TPO site to see if any trees have been planted, we have to assume that the applicant has undertaken this task within the timescales given.

Pinetum Close was formally a nursery and was never intended to be a woodland designation, it was given an area TPO for planning reasons or development and should have been reclassified following the completion of the scheme, again, unfortunately, this was historically overlooked.

Government guidance suggests that all councils who have AREA TPO's within their boundaries should have them reviewed and reclassified as either woodland, group or individual TPO's so that their realistic management and importance is more in keeping with modern legislation, Town and Country Planning (Tree Preservation) (England) Regulations 2012.

I hope this helps

Regards

David Wyatt

Arboricultural and Landscape Officer

Development Services

Economic Development and Planning

Wiltshire Council

[Return](#) to main agenda