

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 14 DECEMBER 2017 AT ALAMEIN SUITE - CITY HALL, MALHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Richard Britton (Vice-Chairman), Cllr Brian Dalton, Cllr Christopher Devine, Cllr Jose Green, Cllr Mike Hewitt, Cllr Sven Hocking, Cllr George Jeans, Cllr Ian McLennan, Cllr John Smale and Cllr Robert Yuill (Substitute)

229 **Apologies**

Apologies were received from:

- Cllr Matthew Dean who was substituted by Cllr Robert Yuill

230 **Minutes of the Previous Meeting**

The minutes of the meeting held on Thursday 16 November 2017 were presented.

Resolved:

To approve as a correct record and sign the minutes.

231 **Declarations of Interest**

There were none.

232 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

233 **Public Participation**

The committee noted the rules on public participation.

234 **Planning Appeals and Updates**

The committee received details of the appeal decisions as detailed in the agenda, for the period 03/11/2017 to 01/12/2017.

Resolved

To note the update.

235 **Planning Applications**
236 **17/02198/OUT - Rose Farm, Hurdcott Lane, Winterbourne Earls, Salisbury, SP4 6HR**

Public Participation

Gaenor Nokes spoke in objection to the application

Robyn Harper spoke in support of the application

The Senior Planning Officer, Georgina Wright, introduced the report, which recommended that the application for Outline Planning Permission Including Access Details for 2 Four Bedroom Detached Dwellings be refused.

It was noted that it had previously been refused due to access reasons and the site was also outside the village boundary of the adopted core strategy. The village has started the NHP process, however this was in the early stages and had not yet adopted.

Member then had the opportunity to ask technical questions of the Officer. It was clarified that the site was one of the 11 sites which had been identified as possible locations for development, but the 11 sites which were to be considered had not yet gone out for public consultation.

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member Cllr Mike Hewitt then spoke in support of the application, noting that the A338 ran through the village. It was always difficult to build in these villages without upsetting something. The proposal was for 2 houses which were needed. These could be used as accommodation by workers at Porton Down. The development included the proposal to expand the footpath. The only reason for refusal was due to the site being out of the Housing Boundary.

Cllr Hewitt then moved the motion of approval, this was seconded by Cllr Devine.

A debate followed where key issues raised included, that as the NHP had not been adopted it could not be used as a planning consideration, as it was too early in the development of the NHP to speculate what would or would not be included. The development was supported by the parish council.

The Committee then voted on the motion of approval.

Resolved:

That application 17/02198/OUT be approved, against Officer's recommendation with the following conditions:

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

- 3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

- 4 The development hereby permitted shall be carried out in accordance with the following approved plans:**

Application Form & Certificate

**Ref: REH/4374/101155/008 Rev A - Visibility Splay & Retained Hedge.
Received -
12.10.2017**

REASON: For the avoidance of doubt and in the interests of proper planning.

- 5 **No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 6 **No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**
- **location and current canopy spread of all existing trees and hedgerows on the land;**
 - **full details of any to be retained, together with measures for their protection in the course of development;**
 - **a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
 - **finished levels and contours;**
 - **means of enclosure;**
 - **car park layouts;**
 - **other vehicle and pedestrian access and circulation areas;**
 - **all hard and soft surfacing materials;**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 7 **All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 8 No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 9 The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 10 No part of the development shall be first occupied until the visibility splays shown on the approved plans (ref: REH/4374/101155/008 Rev A) have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

- 11 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 12 No development shall commence on site until details of the footway widening across the frontage of the site have been submitted to and approved in writing by the Local Planning Authority. The footway widening works shall be completed prior to first occupation of the development.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the

matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of highway and pedestrian safety.

- 13 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the northern elevation of plot No.1 of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

INFORMATIVES

- 1) Please note that the submitted illustrative elevation plans contain a number of errors. The matter of appearance is however a detailed reserved matter and this concern will therefore need to be addressed by any subsequent reserved matter application. The design of the dwellings hereby approved has not therefore been agreed at this stage and the Council will not be bound by the elevation plans that have been submitted to date.
- 2) The application involves the requirement of dropped kerbs to create the vehicular access. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.
- 3) The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

237 **17/00842/OUT - Land opposite Horefield, Idmiston Road, Porton, Wiltshire, SP4 0LD**

Public Participation

David Neal spoke in objection to the application
Adrian Dibden spoke in objection to the application
Valerie Creswell spoke in support of the application
Tony Allen spoke in support of the application
Simon Zielonka spoke in support of the application
Cllr James Humphries spoke on behalf of the Parish Council

The Senior Planning Officer, Lucy Minting introduced the report, which recommended that the application for Outline Planning Application for residential development of 16 dwellings with all matters reserved. Provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 15 public car parking spaces for Horefield residents/school use, be refused.

It was noted that the proposed site was outside the limits for development. The site was currently in agricultural use, and school parking had been identified as an issue.

The Parish Council was in support of the application and the site had been included in the NHP.

Attention was drawn to late correspondence circulated at the meeting, relating to a response to late submission of ecological data provided by the applicant. The reasons for refusal had been altered, as listed on late correspondence.

The Ecological Officer had considered the new submission and concluded there would not be an adverse impact.

Members then had the opportunity to ask technical questions of the Officer. It was clarified that the applicant did not have control over some sections of the land, which was why the planned footpath would cross over twice. Specific details of the type of crossing would be conditioned as part of the decision should the application be approved; however it was understood that the crossing would be unmanned.

The plan showed the proposal to retain the verge along the roadside, except where the accesses were to the front dwellings.

There was no right to park on the verge at present, so there would be no loss to residents. The proposal included 15 public spaces for use.

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member Cllr Mike Hewitt then spoke on the application, noting that it was not an easy application and if he had not called it in it would

have been refused. He believed there was a place for houses along the site, being built properly with appropriate consideration of the road.

The site was outside of the housing boundary, and there were flooding issues, but these could be overcome. The Water company had been working in the village, to make improvements over last few years. If the application was approved, there were still lots of questions to be asked. With additional parking and further consideration to the cars dropping children off for school along that road, as it was unsafe.

Cllr Hewitt then moved the motion of refusal, in line with Officer's recommendation, this was seconded by Cllr Britton.

A debate followed where key issues raised included the support of NHP Group and the Parish Council. The parking problem on this narrow road was a major issue. The extra spaces proposed would not go anywhere near solving the problem.

The proximity of the houses to the road compared to the houses on the diagram, was a material consideration. A proposal where the houses were set a little further back or perhaps less of them may be more favourable.

The right-hand side of road was open country, giving a country feel to the area, putting this number of houses there would change that feel.

There was a flooding issue on that stretch of road, if you build there the water would have to go somewhere else.

The Committee then voted on the motion of refusal in line with Officer's recommendation. This motion was not carried.

The Chairman then moved the motion of deferral until spring, in order to consider the application, once the additional ecology information was available, this was seconded by Cllr McLennan.

Resolved:

That application 17/00842/OUT be deferred until spring 2018 to allow for the ecology report to be submitted.

238 17/05578/FUL & 17/06125/LBC - 3 Silver Street, Wilton, SP2 0HX

Public Participation

Lucy Patterson spoke in support of the application

Melanie Latham spoke in support of the application

The Senior Planning Officer, Lucy Minting introduced the report, which recommended that the application for proposed alterations, replacement ground floor & new 1st floor rear extensions (Resubmission of 17/00328/FUL and 17/00693/LBC) be refused.

It was noted that the site was in the Wilton conservation area and the special regard to preserving listed buildings.

The application proposed to demolish all of the red brick range, and the demolition of the roof structure over the garden room.

Member then had the opportunity to ask technical questions of the Officer. It was clarified that the veranda would be re-roofed.

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member Cllr Pauline Church then spoke in support of the application, noting that this prop has laid derelict for 20 years, unloved and un-lived in. The proposed quality of materials craftsmanship and design was superb.

The rear elevation did not have the same grandeur as the front. Historic England had made their recommendations but had not been on site.

Cllr Westmoreland moved the motion of approval this was seconded by Cllr Hewitt.

A debate followed where key issues raised included that the proposed development was sympathetic to the building, which had been deteriorating quite rapidly, putting new life in to this building that could last another 100 years.

The Conservation Officer was not in support of the proposals. This was a major re-invention, far more major than an alteration to just window frames.

The Committee then voted on the motion of approval.

Resolved:

That application 17/05578/FUL be approved against Officers recommendation, with the following conditions:

Subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**
- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
Plan Reference: Design and Access Statement, received by this office 09/06/2017**

Plan Reference: Heritage Statement, received by this office 09/06/2017

Plan Reference: 16-05-02-01, received by this office 09/06/2017

Plan Reference: 16-05-02-02, received by this office 09/06/2017

Plan Reference: 16-05-02A-05, received by this office 09/06/2017

Plan Reference: 16-05-02A-04 , received by this office 09/06/2017

Plan Reference: 16-05-02A-06, received by this office 09/06/2017

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 **The development shall be undertaken in accordance with the Bat Survey report, dated 13 January 2017, prepared by Davidson-Watts Ecology Ltd which has already been submitted with the planning application and agreed in principle; and prior to the commencement of works on site, a detailed method statement and work schedule as per paragraph 5.3.4 of the aforementioned report shall be submitted to the local planning authority for review.**

REASON: To ensure appropriate and adequate protection and mitigation for bats.

Resolved:

That application 17/06125/LBC be approved against Officers recommendation, with the following conditions:

Subject to the following conditions:

- 1 **The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.**

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 **The development hereby permitted shall be carried out in accordance with the following approved plans:**

Plan Reference: Design and Access Statement, received by this office 09/06/2017

Plan Reference: Heritage Statement, received by this office 09/06/2017

Plan Reference: 16-05-02-01, received by this office 09/06/2017

Plan Reference: 16-05-02-02, received by this office 09/06/2017

Plan Reference: 16-05-02A-05, received by this office 09/06/2017

Plan Reference: 16-05-02A-04 , received by this office 09/06/2017

Plan Reference: 16-05-02A-06, received by this office 09/06/2017

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 **Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:**

- (i) Large scale details of all external joinery (including the lantern rooflight) and metal railings to comprise 1:5 elevation and 1:2 section plans;
 - (ii) Large scale details of proposed eaves and verges (1:5 section); (iii) Full details and samples of external materials.
- The works shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

- 4 The development shall be undertaken in accordance with the Bat Survey report, dated 13 January 2017, prepared by Davidson-Watts Ecology Ltd which has already been submitted with the planning application and agreed in principle; and prior to the commencement of works on site, a detailed method statement and work schedule as per paragraph 5.3.4 of the aforementioned report shall be submitted to the local planning authority for review.

REASON: To ensure appropriate and adequate protection and mitigation for bats.

239 **17/05736/FUL - Longacre Farm, Figsbury, Salisbury, SP4 6DT**

Public Participation

Naomi King spoke in support of the application
Susan Smith spoke in support of the application
Colin Burrows spoke in support of the application
Cllr Brian Edgeley spoke on behalf of Firsdown Parish Council

The Senior Planning Officer, Richard Nash introduced the report, which recommended that the application for Proposed portal frame building for hen house, service link, rearing shed and feedstore. Landscaping work. Work in connection with access. Stationing of mobile home all in connection with free range egg production flock, be refused.

Attention was drawn to late correspondence circulated at the meeting.

The site was accessed by a bridal way. The front of the site was in the same ownership of development site. The height of the newly proposed building was greatly reduced. The development would be screened by bund and planting on top of building.

A previous application including proposals for 2 mobile homes had been refused, this new proposal was for a smaller footprint single dwelling cabin style accommodation. The applicant had overcome the previous reasons for refusal.

The Parish Council had confirmed they support the proposal.

Member then had the opportunity to ask technical questions of the Officer. It was clarified that the planting on top of the bund was conditional, native species of trees and shrubs were suggested.

The dwelling was a full time dwelling, but this would be conditioned for staff use only.

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member Cllr Chris Devine then spoke in support of the application, drawing attention to the access in and out of the site. The applicant had gone out of their way to ensure the access was as safe as could be.

Highways were concerned that in the future the adjoining land owner may take back that section of the splay to the site. However that was highly unlikely. The applicant has a good proven track record and had a good business plan. The site was ideally suited to this type of business.

Cllr Devine then moved the motion of approval, this was seconded by Cllr Hewitt.

A debate followed where key issues raised included the concerns of Highways, were not just over ownership, but included highways safety. This would need to be considered.

The Committee then voted on the motion of approval.

Resolved:

That application 17/05736/FUL be approved against Officers recommendations subject to the following conditions:

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:
02917 1 (LDS/14107-TP3) (Topographic Survey showing Location Plan)
02917 3 A (Alterations to Access)
02917 4 (Proposed Buildings)
02917 4 (Plans showing ownership of land required for visibility splay)
REASON: For the avoidance of doubt and in the interests of proper planning.**

- 3** No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs of the development hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.
- 4** No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
location and current canopy spread of all existing trees and hedgerows on the land;
full details of any to be retained, together with measures for their protection in the course of development;
a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
boundary treatments;
finished levels and contours;
means of enclosure;
car park layouts;
all hard and soft surfacing materials;
REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.
- 5** All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6** No development shall commence on site until a scheme for the discharge of foul water from the site, including details/testing/calculations of effluent disposal system, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.
REASON: To ensure that the development can be adequately drained.
- 7** No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.
REASON: To ensure that the development can be adequately drained.
- 8** The development hereby permitted shall not be first brought into use or occupied until splays have been provided on both its sides of the access in accordance with the details shown on approved drawing 02917 3 A (Alterations to Access). The splays shall be kept free of obstruction above a height of 600mm at all times.
REASON: In the interests of highway safety.
- 9** The development hereby permitted shall not be first brought into use or occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.
REASON: In the interests of highway safety.
- 10** Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.
REASON: In the interests of highway safety.
- 11** No construction or demolition vehicles may access the site by way of FIRS3 without prior consultation with the Wiltshire Council Rights of Way Warden. Where appropriate any safety/mitigation/reinstatement measures must be approved by the Wiltshire Council Rights of Way Warden.
REASON: To ensure the Public Right of Way remains available and convenient for public use.

- 12** No materials, plant, temporary structures or excavations of any kind shall be deposited/undertaken on or adjacent to the Public Right of Way that obstructs the Public Right of Way whilst development takes place.
REASON: To ensure the Public Right of Way remains available and convenient for public use.
- 13** Before the first use of the agricultural building hereby approved, a manure disposal and fly management plan shall be submitted for the approval of the Local Planning Authority. The use of the building and site for keeping chicken shall not be subsequently carried out otherwise than in accordance with the approved plan.
REASON: In the interests of the amenity of the locality.
- 14** Within twelve months of the first occupation or use of the development hereby approved, the site shall be cleared of all building materials and related items in accordance with the Schedule of Works prepared on 17 July 2017.
REASON: In the interests of visual amenity and the character and appearance of the area.
- 15** The mobile home hereby permitted, and any ancillary works or structures associated with it shall be removed and the land restored to its former condition on or before 31 December 2020 in accordance with a scheme to be submitted to and approved by the Local Planning Authority.
REASON: Permission has been granted on a temporary basis to establish whether there is a functional need for permanent on site residential accommodation on this agricultural holding.

240 **17/06734/FUL - Former Piggery Buildings at Cotswold Farm, West Dean Road, West Tytherley, SP5 1QA**

Public Participation

Ian Donoghue spoke in support of the application

The Senior Planning Officer, Matthew Legge introduced the report, which recommended that the application for Conversion of former agricultural buildings to 9 residential dwellings be approved.

It was noted that the site had been used as a piggery and had been left derelict for a number of years.

The applicant already had permissions for development of other dwellings on the site. The site entrance was approved in 2013.

Attentions was drawn to the late correspondence circulated at the meeting.

Member then had the opportunity to ask technical questions of the Officer. It was clarified that the reason for the application coming to committee had been omitted from the report, it was detailed in the late correspondence as:

Councillor Chris Devine has called this application into the planning committee with the following concerns that the development is contrary to:

- *The Wiltshire Core Strategy – as published*
- *This is not in the `emerging` Neighbourhood Plan*
- *This is an Agricultural site*
- *The current planning policy does not state that agricultural brown field sites may become housing*
- *This is an SLA and such a development would detract from that*
- *The local highways infrastructure would not support another 35 cars*
- *Outside the current HPB*

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member Cllr Chris Devine then spoke in objection to the application, noting that this was never in the plans for Wintersow. There was an emerging NHP, which was due to go out on a final run around the village before going to Wiltshire Council for adoption.

The proposed site was way outside of the village, on a narrow road. There were issue with infrastructure in Winterslow. The parish council did not support this application. There would be 36 vehicles on this site, making up to 150 movements on and off the site each day, which would impact on the road which was used by horses.

These homes would bring lots of additional people into the area, which was next to Benley Wood. It was never meant for development. It could be turned back in to agricultural land. This was a corruption of CP48. There was not the highways infrastructure to take another 35 cars.

The NHP was nearly completed and identified other sites for development.

Cllr Devine then moved the motion of refusal this was seconded by Cllr McLennan.

A debate followed where key issues raised included that the site was not included in the emerging NHP and was not supported by the parish council.

The development was of an attractive design, an imaginative and was a good reuse of this land.

The NHP was never intended to stop things from being developed, Wiltshire Council had core policies designed to do that. The NHP was the communities option to add to that, not to detract.

This does not need the support of a NHP, the application stands or falls on CP48. We should have life in the countryside. The use of buildings was better than demolishing them.

The Committee then voted on the motion of refusal. The motion was not carried.

The Chairman then moved the motion of approval with conditions, this was seconded by Cllr Green.

Resolved:

That application 17/06734/FUL be approved with the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

DRG No. Site Location Plan	29/08/2017
DRG No. SL01C (Site Layout Plan)	24/10/2017
DRG No. SL02A (Drainage Layout)	24/10/2017

DRG No. P.1-5.pe (Proposed units 1-5)	03/08/2017
DRG No. P.6-7.pe (Proposed units 6-7)	03/08/2017
DRG No. P.8-9.pe (Proposed plots 8-9)	03/08/2017
DRG No. GAR.pe (Garage – plots 5&6)	24/10/2017

Demolition Plan in Page 9, Section 3.0 of the Planning Statement (Southern Planning Practice Ltd) received on 17 November 2017

Ecology Report by Kingfisher Ecology. Ref CFS-021117 and dated 29/11/2017

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment shall be carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.
REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

4. No part of the development shall be occupied/first brought into use until all the existing buildings on site (as identified for demolition within page.9/section 3.0 of the updated Planning Statement (Southern Planning Practice Ltd) received on 17 November 2017) have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area and neighbouring amenities.

5. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

6. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

7. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

8. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

9. No development shall take place on site, including site clearance, storage of materials or other preparatory work, until an Arboricultural Method Statement, has been submitted to the Local Planning Authority and approved in writing, Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as the Root Protection Area. Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in

Relation to Construction (BS.5837: 2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement should specifically include details of how demolition (of buildings and hard surfacing) will be carried out without causing root damage to adjacent trees.

The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

10. No part of the development hereby permitted shall be brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

11. The development hereby approved shall not be first occupied until a scheme for the future maintenance of the roads and other communal areas has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that satisfactory arrangements for the future maintenance of those areas are in place.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H shall take place on the dwellinghouses hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

13. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the

access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

14. No development shall commence on site until details of the works for the disposal of sewerage including the point of any connection to existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

15. The development hereby approved shall be carried out in strict accordance with the recommendations made in sections 4.4, 5, 7.3 and Appendix A of the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29th November 2017), and with liaison with a suitably qualified and competent ecological consultant. This must include precautionary working methods during site clearance as well as during the construction and operation of the development.

REASON: To ensure adequate protection and mitigation for wildlife including protected species, and to ensure compliance with wildlife legislation and Core Policy 50 of the Wiltshire Core Strategy.

16. There shall be no removal of trees or vegetation along the eastern margin of the application site as this habitat has been stipulated as being retained within the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29th November 2017). In the event that removal of trees or vegetation within this area is required, this cannot be undertaken without prior written approval from the local planning authority who will require the submission of plans accompanied by details of ecological mitigation measures.

REASON: To ensure retention of habitats likely to be used by wildlife, potentially including protected species.

17. No development shall commence on site until a detailed Ecological Mitigation and Enhancement Strategy has been submitted to, and approved in writing by the local planning authority. The strategy must include:

- i) Details of habitat retention and protection and illustrated on a plan.**

- ii) Pre-construction and construction method statements including full details of avoidance and mitigation measures and any pre-commencement checks and surveys required to provide adequate mitigation for wildlife, including protected species. This must include details of the 'destructive search' recommended with respect of B7 in section 7.3 of the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29th November 2017).
- iii) Comprehensive details of ecological enhancement measures recommended in section 5 of the approved Preliminary Ecological Appraisal, Preliminary Roost Assessment and Phase 2 Bat Survey Report (Kingfisher Ecology Ltd, updated 29th November 2017), including planting to encourage wildlife and bat roosting provision, with specifications and proposed numbers and positions to be shown on accompanying plan(s).

Development shall be carried out in strict accordance with the approved strategy.

REASON: To ensure appropriate protection and mitigation for ecological receptors, including species and habitats, and to provide biodiversity gain in line with NPPF and Core Policy 50 of the Wiltshire Core Strategy.

18. No new external lighting shall be installed at the application site without prior written approval from the Council. Any plans for new lighting must be submitted to the Council for consideration and approval and must include details of mitigation measures to minimise the potential for impacts on roosting bats at the site. Thereafter, new lighting must be installed and operated in strict accordance with the approved lighting plan.

REASON: To ensure appropriate mitigation for roosting bats, and to ensure compliance with wildlife legislation and Core Policy 50 of the Wiltshire Core Strategy.

19. Before development takes place, a lighting plan and design strategy for biodiversity shall be submitted and approved in writing by the local planning authority. The strategy shall:

- a) Identify those areas/features on site that are particularly sensitive for wildlife, especially bats, and that are likely to be sensitive to disturbance as a result of light spill, including commuting/foraging/dispersal routes and;
- b) Illustrate on associated plan(s), the position of proposed luminaires together with lux plot/lighting contour plans so that it can be clearly demonstrated that areas identified as likely used by protected species, notably bats, will not be subject to disturbance as a result of light spill.
- c) Specify luminaires, heights and positions of fittings, direction and other features, e.g. cowls, louvres or baffles

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

REASON: To minimise light spillage and to ensure no illumination of sensitive areas for protected species.

20. Before development takes place, a Landscape and Ecology Management Plan shall be prepared and submitted to the local planning authority for approval. The development site shall be managed and maintained in accordance with the measures set out in the approved plan in perpetuity unless otherwise agreed in writing with the local planning authority.

REASON: To ensure the appropriate management of priority habitats and mitigation for protected species.

INFORMATIVE

1. Wiltshire Council Waste Management will require an indemnity signed in order to operate on any roads that are not adopted and Wiltshire Council would need vehicle tracking to prove that Wiltshire Council's Refuse Collection Vehicles can move through the development and turn at the ends of roads.

2. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any [protected species](#), or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced [ecologist](#) and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's [website](#) for further information on protected species.

3. The applicant should note that the works hereby approved involve the removal and disposal of asbestos cement roofing. Should only be removed by a licenced contractor Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.

4. The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory

protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please visit the following websites for more information:

- <http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>
- <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>

241 **17/04001/OUT - Land off Firs Road, Alderbury**

Public Participation

E Harris spoke in objection to the application

B Sloane spoke in objection to the application

N Miles spoke in objection to the application

A Whalley (Agent) spoke in support of the application

Cllr Elaine Hartford spoke on behalf of Alderbury Parish Council

It was noted that the senior planning officer left the room for transparency, due to him residing within the community area for this application.

The Senior Planning Officer, Warren Simmonds introduced the report, which recommended that the application for Outline application for residential development of up to 50 dwellings, associated parking and access (off of Firs Road) , open space and infrastructure; relocated guide hut, new pre-school building and land to extend existing primary school playing fields be approved subject to the land owner entering into a S.106 agreement with the Council addressing the heads of terms as detailed in the report.

Attention was drawn to late correspondence circulated at the meeting.

It was noted that there would be pedestrian only access off the junction road. An already approved development of new sports pitches and a pavilion on the field beyond, had already commenced.

The site was outside of the housing boundary for Aldrebury, and did not meet any of the exceptional circumstances, however it did meet some of the community benefits.

The proposal included 9 Affordable Housing units, the relocation of the existing guide hut to a more suitable location with parking. The gifting of land to the school, and a source of new pupils for the school as it was currently undersubscribed. The roadway to the football pitches and club would double as an additional Drop off facility, at school times.

Member then had the opportunity to ask technical questions of the Officer. It was clarified that there was not a turning circle at the end of the drop off track for vehicles to turn and exit. The application site was quite boggy, but it was used for football.

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member Cllr Richard Britton then spoke in objection to the application, noting that the Policy reasons for refusal, don't just revolve around HPB but also CP1, which states that development will be restricted to infilling and small developments (10 houses or less).

Alderbury had several more sites for development in the pipeline and with the development at Matrons College of 28 dwellings, Alderbury would continue to develop.

He felt that there was no policy justification for this.

There were Highways considerations associated with the problems on the A36. Highways England said the road was operating at capacity and they would oppose significant development if put forward. This proposal was for 50 dwellings, which was a significant proposal.

There was already a rat run through Whaddon to bypass the traffic build up. A real and significant increase of traffic through the village was inevitable.

The recommendation for approval depended solely on the community benefits. A new guide hut and a preschool, would both be welcomed but not a benefit to the wider community.

More parking spaces were proposed, whether they would be used was another matter.

The lease on the new football fields was already signed and going ahead so not linked to this application.

The majority of the members of the football club did not come from the village but drive in on match days. It was recognised that the club did play an important role in the village.

A real benefit would have been the provision of 40% affordable homes, which would be 20.

Cllr Britton then moved the motion of refusal, this was seconded by Cllr Westmoreland.

A debate followed where key issues raised included that the community had refused the gains offered and the proposal was not supported by the parish council.

The applicant needed to talk to the community to see what they need and want. A 40% of affordable homes was the requirement everywhere else, the community wants that. It was not acceptable that the proposal for 18% had been signed off.

The site was wet and could get even worse. Ideal place near the school for affordable homes.

The Committee then voted on the motion of refusal.

Resolved:

That application 17/04001/OUT be refused, against Officer's recommendation for the following reasons:

The site of the proposed development is outside of the defined limits of development of the settlement of Alderbury - a Large Village as defined within the adopted Wiltshire Core Strategy (WCS). Within the WCS, Core Policy CP1 (The Settlement Strategy) envisages a limited level of development at Large Villages, predominantly in the form of small housing and employment sites within the settlement boundaries. Small housing sites are defined as "sites involving less than 10 dwellings (i.e. not a major application)". Development outside the settlement boundary will be strictly controlled.

The proposal to erect up to 50 new dwellings outside of the settlement boundary is considered contrary to Core Policies CP1 & CP2 of the adopted WCS and the aims and objectives of the NPPF & NPPG insofar as it would constitute an unsustainable form of development outside of the settlement boundary that would place undue strain on the limited existing services and facilities within the settlement.

The harm that would be caused by the unsustainable nature of the proposed development would not be outweighed by the community facilities and benefits put forward as part of the proposed development.

242 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 7.30 pm)

The Officer who has produced these minutes is Lisa Moore of Democratic Services, direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

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