

Northern Area Planning Committee

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 APRIL 2024 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Chuck Berry (Chairman), Cllr Howard Greenman (Vice-Chairman), Cllr David Bowler, Cllr Steve Bucknell, Cllr Gavin Grant, Cllr Jacqui Lay, Cllr Dr Brian Mathew, Cllr Mike Sankey, Cllr Elizabeth Threlfall, Cllr Clare Cape (Substitute) and Cllr Ashley O'Neill (Substitute)

22 **Apologies**

Apologies were received from:

- Cllr Nic Puntis – substituted by Cllr Ashley O'Neill
- Cllr Martin Smith – Substituted by Cllr Clare Cape

23 **Minutes of the Previous Meeting**

On the proposal of the Chairman, Cllr Chuck Berry, seconded by Cllr Gavin Grant, it was:

Resolved

To approve the minutes of the previous meeting held on 28 February 2024 as a true and correct record.

24 **Declarations of Interest**

There were no declarations of interest.

25 **Chairman's Announcements**

There were no Chairman's announcements.

26 **Public Participation**

The Committee noted the rules on public participation.

27 **Planning Appeals and Updates**

The Committee considered the contents of the appeals update for the period between 16 February and 5 April 2024.

Cllr Gavin Grant raised concerns about the decision of the Inspector to overturn the refusal of PL/2021/09852, Land to the East of Waitrose, A429, Malmsbury, a proposed self-build residential development. It was noted that Wiltshire Council's Highways Team had raised safety concerns, that the proposed development would breach the existing settlement boundary and that it would be contrary to the Malmsbury Neighbourhood Plan and Wiltshire Core Policy. There had been several road safety incidents at the supermarket entrance on the opposite side of the road to the proposed development and it was in close proximity to a roundabout. The Inspector had been critical of Wiltshire Council for their failure to respond to the need of self-builders.

In response to questions, the Development Management Team Leader, Adrian Walker, explained that there was a policy requirement for authorities to give suitable development permission for enough serviced plots of land to meet the demand identified for self-build housing. The Inspector had found that Wiltshire Council had not demonstrated that it has granted enough permissions to meet the demand for self-build development in its area, so had given significant weight to this factor in their decision making. The Development Management Team Leader shared the Committee's disappointment at the Inspector's findings. He explained that he would discuss with the Head of Development Management the cost implications and likely success of challenging the Inspector's decision. He also noted that Spatial Planning would be able to provide up to date figures of demand data for self-build housing to update the Committee.

The Committee discussed the possible wider implications of the Inspector's findings about self-builds in relation to Neighbourhood Plans and the emerging Local Plan.

On the proposal of Cllr Grant, seconded by Cllr Dr Brian Mathew, it was:

Resolved

To recommend that Development Management appeal the decision of the Inspector to overturn Wiltshire Council's decision to refuse the application for PL/2021/09852, Land to the East of Waitrose, A429, Malmsbury. The delegate the Development Management Team Leader to make further enquiries.

The Committee noted that they would like to receive the letter to the Inspector if Wiltshire Council did challenge the decision.

In response to a query about the costs awarded in relation to PL/2022/09773, Land adjacent to Rockwell Cottage, the Development Management Team Leader

explained that the awarding of costs at an appeal was not dependent on whether a decision was overturned but could be awarded in cases where there were unnecessary delays. The Vice-Chairman, Cllr Howard Greenman, noted that there had been changes to policy since the application was submitted including around the five-year land supply.

Cllr Steve Bucknell sought further information about his request for the Committee to be provided with an analysis of planning appeals, showing how many had been allowed and dismissed. Development Management Team Leader explained that he had made enquiries and passed the request on to the administrative team.

The Committee discussed the period about which they would like to receive information and felt that a rolling four-year timescale would be the most beneficial. They were also keen to see how the number decisions overturned compared those of the other Area Planning Committees.

On the proposal of Cllr Bucknell, seconded by Cllr Grant, it was:

Resolved

For the Committee to be updated on the success rate of appeals made against its decisions over a rolling four-year period.

At the conclusion of the discussion, on the proposal of Cllr Grant, seconded by the Vice-Chairman, it was:

Resolved

To note the appeals report for the period 16 February to 5 April 2024.

28 **PL/2022/05412: Land off Dog Trap Lane, Minety**

Public Participation

- Mr Ian Anderson spoke in objection to the application.
- Mr Martin Pollard spoke in support of the application.

The Development Management Team Leader, Adrian Walker, introduced a report which recommended that the application for a battery storage facility and ancillary infrastructure be approved. It was noted that the application was a revision of PL/2022/00404. Key details were stated to include the principle of development, as well as its impact upon agricultural land, heritage assets, the landscape and residential amenity.

Attention was drawn to a late representation regarding potential archaeological finds. The Development Management Team Leader confirmed that this

representation would not change his recommendation and that Wiltshire Council's archaeologist was satisfied that sufficient information had been provided.

The Development Management Team Leader noted that the proposed development would introduce an uncharacteristic industrial form of development to the site. However, he explained that the planning balance was in favour of the development, as it would bring clear public benefits by improving energy security, through storing excess energy, and saving carbon emissions. The proposed development was in a suitable location, not being in a protected landscape or on the best agricultural land. It would benefit from access to a National Grid point of connection as well as the highway network. The Development Management Team Leader highlighted that the site was bounded by woodland to the north and east as well as an area of scrubland to the south. Acoustic fences and additional planting would be also installed to further screen the development and enhance biodiversity. Given the existing woodland and mitigation measures to be put in place, he felt that there would be no unacceptable noise or visual impacts. Changes to the landscape character would be localised.

Members of the Committee then had the opportunity to ask technical questions of the Development Management Team Leader.

A large number of questions were asked about the environmental impact of the proposed development.

It was noted that in 2019 Wiltshire Council had resolved to seek to make the county of Wiltshire carbon neutral by 2030 and had committed to become carbon neutral as an organisation by 2030. Details were sought about the weight that should be given to these goals in the Committee's decision making when they sat alongside the Council's planning policies, adopted in 2015, and the National Planning Policy Framework (NPPF).

In response, the Development Management Team Leader explained that Core Policy 42 (Standalone Renewable Energy Installations) supported the principle of development. However, he explained that as the 2030 pledges were a policy of the Council, they did influence the weight that was given to certain planning policies. Wiltshire Council's Climate Strategy 2022-27 set out a clear commitment to increase the uptake of renewable electricity generation and storage. These goals also aligned with the government's commitment to enable energy to be used more flexibly and advice in the NPPF that Local Planning Authorities should help to increase the use and supply of renewable and low carbon energy.

The Development Management Team Leader confirmed that the Jubilee Woodland, planned to be planted as part of the scheme, would be in addition to the mitigation measures proposed by Wiltshire Council's landscape officer. The woodland was due to be funded by Mintey Parish Council on the applicant's land.

For these reasons, it would not be possible for the Committee to condition that the wood was planted.

Several questions were asked about the cumulative impact of existing and proposed renewable energy projects, including battery energy storage facilities, in the local area. Given that Wiltshire Council's landscape officer had identified that there would be a slight adverse impact, the Committee were keen to gain further insight into the demand for these projects both locally and nationally. The following points of clarification were provided by the Development Management Team Leader:

- A screening opinion was submitted to the Secretary of State for Environment, Food and Rural Affairs to consider whether the cumulative impact of the recent renewable energy applications would trigger the need for an environmental impact assessment.
- The Secretary of State had concluded that given the lack of intervisibility to other sites, and relatively small and heavily screened nature of the proposal, an environmental impact assessment was not required.
- Each application in the area should be judged on its own merits; however, the Committee could consider the cumulative impacts.
- He did not have statistics about the contribution that renewable energy and battery storage schemes in Wiltshire would have towards national or local environmental targets.
- The applicant was not required to prove the demand for renewable energy battery storage, so that could not be a reason for refusal. Information from the National Grid showed that there was clear demand to increase capacity.
- The UK Net Zero Strategy projected that there would be a 40 to 60 percent increase in demand for electricity by 2035.
- The purpose of the proposed development was to store power from the National Grid at times of excess supply. It would feed this power back into the grid at times of high demand or reduced generation capacity.
- It would be difficult to confirm whether the proposed development would be recommended for approval if the Council's and government's carbon goals were not in place. However, Core Policy 42 did support the principle of development.

Some members of the Committee stated that they would welcome an audit of the lifetime carbon-costs and projected savings of the proposed development to establish how much weight to put on this factor in the planning balance.

Details were sought on why batteries were stored in shipping containers and why solar panels had not been incorporated into the design of the battery storage facility. The Development Management Team Leader explained that the aesthetics of the project were dictated by it being a temporary storage facility, with a maximum operation of 40 years. It was clarified that battery storage facilities could be incorporated into solar farms, as well as being located further away.

However, he was unable to confirm why the proposed development did not contain solar panels.

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

The Unitary Division Member, the Chairman, then spoke about the application. He recognised the usefulness of battery storage but questioned the cumulative impact of a large number of local projects. He reported objections raised by the local community and raised concerns about the location of the proposed development given the elevated position of Dog Trap Lane in relation to the site.

The Development Management Team Leader then had the opportunity to comment on the points raised by the public and Unitary Division Member.

So that the Committee had something to debate, Cllr Elizabeth Threlfall, seconded by Cllr Clare Cape, proposed that the development be granted for the reasons outlined in the report.

A debate followed where the cumulative impact of large scale proposed renewable energy projects on the area, such as Lime Down Solar Park, were discussed. Other issues raised included the screening of the proposed development, its contribution to Net Zero targets and loss of greenfield land.

Following a vote, the motion was lost. A motion to defer the application, pending further information about the carbon emissions that would be saved and caused by the proposed development over its lifetime, was moved by Cllr Steve Bucknell and seconded by Cllr Gavin Grant.

At the conclusion of the debate, it was:

Resolved

To DEFER the application for the battery storage facility and ancillary infrastructure.

Reasons

So that the Committee could receive an audit showing the projected carbon savings over the lifetime of the project (not just in Wiltshire but overall) compared to the carbon costs, including the construction of the concrete bases, containers and batteries, as well as the running and disposal costs.

29 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00 - 3.57 pm)

The Officer who has produced these minutes is Matt Hitch of Democratic Services,
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