

Eastern Area Planning Committee

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 2 NOVEMBER 2023 AT WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Philip Whitehead (Chairman), Cllr Paul Oatway QPM (Vice-Chairman), Cllr Adrian Foster, Cllr Dr Brian Mathew, Cllr Kelvin Nash, Cllr Stuart Wheeler, Cllr Dominic Muns (Substitute) and Cllr Caroline Thomas (Substitute)

Also Present:

Cllr Tamara Reay and Cllr Iain Wallis

51. **Apologies**

Apologies for absence were received from:

- Cllr Iain Wallis, who attended only in his capacity as the Local Unitary Division Member, substituted by Cllr Dominic Muns.
- Cllr Anthony Pickernell, substituted by Cllr Caroline Thomas.

52. **Minutes of the Previous Meeting**

On the proposal of the Chairman, Cllr Philip Whitehead, seconded by the Vice-Chairman, Cllr Paul Oatway QPM, it was:

Resolved

To approve the minutes of the previous meeting, held on 5 October 2023, as a true and correct record.

53. **Declarations of Interest**

There were no declarations of interest.

54. **Chairman's Announcements**

The Chairman welcomed Cllr Adrian Foster to the Committee. Cllr Foster would be replacing Cllr Sam Pearce-Kearney, who would now be a substitute.

55. **Public Participation**

The Committee noted the rules on public participation.

56. **Planning Appeals and Updates**

On the proposal of the Chairman, seconded by Cllr Kelvin Nash, it was:

Resolved

To note the appeals report for the period between 22 September and 20 October 2023, subject to an amendment to note that the officer recommendation was to approve PL/2022/00977 Land to the north of Horton Road.

57. **PL/2023/02789: North Lower Park Farm, Whistley Road, Potterne, SN10 5TB**

Public Participation

- Mr William Jameson – spoke in opposition to the application.
- Ms Kerry Coleman – spoke in opposition to the application.
- Ms Justine Hanson – spoke in opposition to the application.
- Richard Cosker (RCC Town Planning) – spoke in support of the application.
- Mr Will Harley (WH Landscape) – spoke in support of the application.
- Mr Albert Wooldridge (Devizes Men's Shed) – spoke in support of the application.
- Potterne Parish Council – Cllr Richard Clark – spoke in opposition to the application.

The Senior Conservation and Planning Officer, Jonathan James, introduced a report which recommended that the application for the creation of a community farm, including a farmhouse, farm track, rural employment units and associated works, be rejected for the reasons outlined in the report. Key details were stated to include the principle of development, the quality of design, as well as the landscape, environmental, historical, drainage, parking and highway impacts.

Attention was drawn to the late correspondence that had been received in relation to the application, a letter of objection relating to issues such as access and housing provision. The Senior Conservation and Planning Officer confirmed that the points raised in this letter had already been considered in the report.

It was highlighted that the site fell primarily within the divisions of Devizes North, Devizes Rural West, but with part of the proposed farm track being in Devizes South. It was also noted that the Committee and Local Members had had the opportunity to attend a formal visit to the site as well as the nearby vantage point of Gilletts Farm.

The Senior Conservation and Planning Officer explained that the site was outside of the defined limits of development in Devizes and Potterne, so would have urbanising effect on the character and appearance of the countryside, a historical and attractive landscape. The overall development would therefore

contradict a number of Wiltshire Core Strategies as outlined in the report, including Core Policy 51 (Landscape), Core Policy 34 (Additional Employment Land), Core Policy 2 (Delivery Strategy), Core Policy 1 (Settlement Strategy) and Core Policy 12 (Settlement Strategy for the Devizes Community Area). In addition, the proposals would contradict aspects of the Devizes Neighbourhood Development Plan as well as the principles set out in the National Planning Policy Framework 2023.

However, the Senior Conservation and Planning Officer, did note that, despite a number of objections based on road safety grounds, Wiltshire Council's Highway Officer did not believe that there would be such a severe impact as to justify road safety as a reason for refusal. Whilst the Highway Officer acknowledged that the scheme would likely lead to an increase in traffic movements along Whistley Road, the increase would not have a significant detrimental effect.

It was noted that the proposal included the creation of a new access track to the east of the community farm towards the Hillworth Road area of Devizes, designed to provide all weather access for animals. The track would be approximately 1.3km long and join an existing right of way through the site, although the width of the path had not been specified. The existing access tracks leading from Whistley Road would remain in place.

Members of the Committee then had the opportunity to ask technical questions of the Senior Conservation and Planning Officer.

In response to a question about the relationship between the employment units and the community farm, the Senior Conservation and Planning Officer explained that they may be intended to support the community farm. He was not aware that the nearby community farm at Caenhill Countryside Centre had any plans to relocate to the proposed development, so it would provide an additional facility in the area.

As the application comprised of different elements, the community farm, rural employment units and farm track, it was asked whether the Committee would be able to approve some elements in isolation. The Senior Conservation and Planning Officer confirmed that the application would have to be considered as a whole.

Details were sought about the proposed parking facilities on site. The Senior Conservation and Planning Officer reported that there were spaces associated with the employment units and community farm. The farmhouse would also have sufficient parking. The spaces were not all clearly identified on the plan, but it was anticipated that the site manager would probably allocate spaces.

When asked about whether it would be possible to sub-divide the proposed community farm building, the Senior Conservation and Planning Officer stated that it would. He explained that the proposed community farm building was approximately 452m² on the ground floor and would contain a dedicated office space, kitchen and toilet facilities as well as the main work area. It would be

possible to further sub-divide the building as long as it involved an approved change of use. Whilst it would be possible to keep horses in the community farm building, it would not be classed as an agricultural use.

The Committee noted that floorplans of Units 6 and 7 of the proposed development indicated that they would each be divided into three units. The Senior Conservation and Planning Officer explained that the application had described Units 6 and 7 as two units, so that is what would be approved if the Committee were to grant permission for the development.

Further clarity was sought about the status of the farmhouse on the site given that it was an existing structure. The Senior Conservation and Planning Officer explained that there had previously been a dilapidated farmhouse on the site and that planning permission had been obtained to demolish it and replace it with a new dwelling and associated garage. The garage unit that had been approved was then expanded and built out as a residential dwelling without permission. However, as the structure was then lived in for a period in excess of four years, it was retrospectively given a certificate of lawfulness. This structure was the farmhouse listed as part of the application being brought to the Committee.

Members of the public then had the opportunity to present their views to the Committee as listed above. A representative from Potterne Parish Council spoke in opposition to the application.

The Unitary Division Members, Cllr Iain Wallis (Devizes North) and Cllr Tamara Reay (Devizes Rural West) then presented their views to the Committee, Cllr Wallis speaking, in support of, and Cllr Reay, in opposition to, the application.

The Senior Conservation and Planning Officer then had the opportunity to respond to points raised by the public, Parish Council and Unitary Division Members.

So that the Committee had something to debate, the Chairman, seconded by Cllr Adrian Foster, proposed that the application be refused, for the reasons outlined in the report.

A debate followed where issues such as road safety, compliance with previous applications and the demand for the proposed development was debated. The Chairman noted that compliance issues with previous applications could not be considered.

Some Members of the Committee welcomed the idea of creating a community farm, feeling that it would benefit the local area and help to support rural economy. However, some of those in support of the scheme felt that they would only be able to support the community farm in isolation from the other parts of the application, whilst others did not feel that it was an appropriate location for this type of development. At the conclusion of the debate, it was:

Resolved

That the planning application be REFUSED for the following reasons:

- 1. The site lies outside the Limits of Development of Devizes or Potterne within what is defined as countryside, whereby under Core Policies 1 and 2 of the Wiltshire Core Strategy, development is not permitted other than in circumstances permitted by other policies within this plan, as identified in paragraph 4.25.**

Core Policy 34 of the Wiltshire Core Strategy supports the provision of additional employment land; however, the proposal does not fall within any of the criteria i) to iv) and so it fails to comply with this policy. In addition, the site is considered not to meet the sustainable development objectives of the Wiltshire Core Strategy policies and the National Planning Policy Framework (2023), is not commensurate in scale with its location, and would thereby adversely affect the local area, with inadequate justification for the economic and social needs and questions over whether it is supported by adequate infrastructure. The site occupies what is deemed to be an unsustainable location for the type of development proposed, outside of the defined Limits of Development for Devizes. The strategic policies for development do not support the creation of the type of development proposed within this location.

Core Policy 48 supports proposed residential development where it enables workers to live at or in the immediate vicinity of their place of work, in the interests of agriculture, forestry or other employment essential to the countryside. This policy is broadly in line with the requirements of the NPPF (para. 80) for such development, which states that planning policies and decisions should avoid the development of isolated homes in the countryside unless there is an essential need for a rural worker. No agricultural assessment has been provided in support of the application to justify that there is an essential need, including a functional or financial need for a rural workers' dwelling in this location.

The site falls outside of any defined Limits of Development and has not been brought forward under either the Neighbourhood Plan or allocated through the development plan document for the area. Therefore, the development fails to comply with the requirements of Core Policies 1 and 2 and thereby Core Policy 12, and is not supported by exception policies 34 and 48 of the Wiltshire Core Strategy.

- 2. The proposed development, by reason of its urbanising effect, would have an adverse impact on the character and appearance of the area, causing irreversible loss of an attractive and historic landscape. It would therefore fail to protect, conserve and where possible enhance, landscape character, which is contrary to the provisions of the policies of the development plan and more**

specifically Core Policy 51, Core Policy 52, Core Policy 57 and Core Policy 58 of the Wiltshire Core Strategy 2015; policies H1 and ESD1 of the Devizes Neighbourhood Development Plan 2016-2026 December 2015; as well as the principles set out within the National Planning Policy Framework (2023).

58. **Urgent items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.16 pm)

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