

Strategic Planning Committee

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 10 JANUARY 2024 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Howard Greenman (Chairman), Cllr Ernie Clark, Cllr Sarah Gibson, Cllr Stewart Palmen (Substitute), Cllr Pip Ridout, Cllr Elizabeth Threlfall and Cllr Robert Yuill

Also Present:

Cllr Allison Bucknell, Cllr Tony Jackson and Cllr Dominic Muns

Tribute to Councillor Tony Trotman

Before the start of the meeting a minute's silence was held in honour of Cllr Tony Trotman, Vice-Chairman of the Strategic Planning Committee and Member for Calne Chilvester and Abberd Division, who had sadly passed away on 30 November 2023 following a short illness.

Cllr Howard Greenman, as Chairman, paid tribute to Cllr Trotman as a much valued colleague and friend who would be deeply missed. It was noted Cllr Trotman had also served as Chairman of the Northern Area Planning Committee since 2009.

1 **Apologies**

Apologies were received from Councillors Carole King, Christopher Newbury, and James Sheppard.

Cllr King was substituted by Cllr Stewart Palmen.

2 **Minutes of the Previous Meeting**

The minutes of the meetings held on 1 November and 29 November 2023 were presented for consideration, and it was,

Resolved:

To approve and sign the minutes as a true and correct record.

3 **Declarations of Interest**

There were no declarations.

4 **Chairman's Announcements**

There were no announcements.

5 **Public Participation**

The procedure for public participation was noted.

Mr Francis Morland made a statement regarding the Secretary of State's announcement updating the National Planning Policy Framework (NPPF), and the implications for Wiltshire Council. In particular he made comments relating to decisions which had been considered by committees but where formal approval had not yet taken place, and how he believed these would need to be reconsidered, including four applications recently subject to resolutions from the Strategic Planning Committee. He sought clarity on the impact, if any, on the updated NPPF on the application being considered at the meeting.

The Chairman stated in response that he had written to the relevant Cabinet Member about the matter and whether there would be reconsideration of certain applications and made additional reference to applications permitted by the council or on appeal. He noted that the Committee often delegated applications for approval subject to various agreements being made before a formal decision was issued, and that as raised by Mr Morland some applications considered at Committee had not yet had decisions issued.

Officers confirmed Members would be briefed on the impact of the updated NPPF, and legal advice was being sought in relation to applications which had not had decision notices issued. In relation to the application on the agenda, the need to apply a four-year housing land supply did not apply to Gypsy and Traveller sites, which was explained in the officer's report.

6 **Planning Appeals and Updates**

No updates were received.

7 **PL/2022/05221 - Clackhill Yard, Bradenstoke**

Public Participation

Shendie Green spoke in opposition to the application.
Cllr Stuart Barnard, Lyneham and Bradenstoke Parish Council, spoke in opposition to the application.

Callan Powers, Senior Planning Officer, presented a report which recommended approval be granted for a change of use to a private Gypsy/Traveller site and associated works at Clackhill Yard, Bradenstoke. Details were provided on the site location and extent, and on the process of notifications when the application was submitted, and correcting a typo in the report, confirming there was no conflict with Core Policy 58.

Key issues were stated to include the principle of development, and information was provided on the level of unmet need for Gypsy and Traveller sites within Wiltshire, as well as recent appeals decisions. It was stated that highways officers had raised no objections to the application subject to appropriate conditions.

Members of the Committee then had the opportunity to ask technical questions of officers. Details were sought on the surfacing of the site and if this was permeable, on the fencing which had been installed on the site, and confirming the road to the site was currently one way following a major landslide in 2022 on the B4069 Lyneham Banks, which was to be subject to repairs.

Members of the Public then had the opportunity to address the Committee with their views, as detailed above.

Cllr Allison Bucknell, Unitary Division Member for Lyneham, then spoke in objection to the application, noting concerns raised by residents and the parish council in relation to enforcement actions around the site, impact on character and amenity, sustainability of the site, vehicle and pedestrian access and other issues.

The Committee then discussed and debated the applications. Questions were raised around the fencing and brickwork on the site, and officers confirmed this had been investigated and amounted to permitted development for the site. It was confirmed that if the change of use were approved this would permit the stabling of several horses on the site. In response to queries it was stated that there had been an assessment in 2022 which had updated the figures of unmet need for Gypsy and Traveller sites, and that in previous appeals this had been considered a relevant factor even for windfall sites under the Local Plan.

During debate on a motion to refuse the application there was discussion of water provision and waste treatment and collection, concerns relating to highways and particularly pedestrian access, stability of the land for permanent structures, and the nature and sustainability of connections with Bradenstoke and Lyneham. It was confirmed concerns raised regarding behaviour should be given very limited to no weight in planning terms.

On the motion of Cllr Elizabeth Threlfall, seconded by Cllr Sarah Gibson, and at the conclusion of debate, it was then,

Resolved:

To REFUSE planning permission for the following reasons:

- 1) Wiltshire Core Strategy [WCS] Core Policy 1 (Settlement Strategy) sets out a 'Settlement Strategy' where "... sustainable development will take place to improve the lives of all those who live and work in Wiltshire". Under this policy sustainable locations are defined as 'Principal Settlements', 'Market Towns', 'Local Service Centres' and 'Large and Small Villages', and their roles and extent are defined within the policy and/or the Local Plan maps; beyond these sustainable locations is countryside. WCS Core Policy 2 (Delivery Strategy) defines how new development will be delivered in line with the Settlement Strategy; the policy states that development will not be permitted outside the defined settlements "other than in the circumstances as permitted by other [exceptions] policies**

within this plan ...”. The other exceptions policies of the WCS allow development outside the settlements under certain very limited circumstances; the exceptions policies include WCS Core Policy 47 (Meeting the needs of gypsies and travellers). WCS Core Policy 19 identifies the settlements for the Royal Wootton Bassett and Cricklade Community Area and directs that development should take place within the Community Area in accordance with the Settlement Strategy set out in Core Policy 1.

WCS Core Policy 47 (Meeting the needs of gypsies and travellers) requires proposals for new gypsy and traveller sites to be situated in sustainable locations; the policy then sets out general criteria for such proposed developments. Criterion (v) states that proposals should be located in or near to existing settlements within range of local services and community facilities, in particular schools and essential health services; and criterion (ii) states that proposals should be served by a safe and convenient vehicular and pedestrian access, without causing significant hazards to other road users. The proposal fails to comply with criterion (v) and (ii).

With regard to criterion (v), the application site is not located in or near to an existing settlement(s) within range of local services and community facilities, and as such it is not a sustainable location in the overarching context of the policy. Specifically, the application site lies approximately 200m from the village of Bradenstoke. Under WCS Core Policy 1 Bradenstoke is defined as a ‘Small Village’; and according to the policy, Small Villages have only “... a low level of services and facilities, and few employment opportunities”. The nearest next tier settlement is Lyneham (a ‘Large Village’) which is c. 2km from the application site; higher-tier settlements such as Royal Wootton Bassett are much further afield. In view of the low level of services at Bradenstoke and the considerable distance between the application site and Lyneham and the other higher-tier settlements, the proposal conflicts with criterion (v) of WCS Core Policy 47. This is because the application site is not near to a range of services and so is an unsustainable location for this reason; access to a range of services would require ‘out-commuting’ from the site (and from Bradenstoke generally) to the more distant higher-tier settlements, and this would in all probability be by private motor vehicle. This conflict with WCS Core Policy 47 means that the proposal also fails against WCS Core Policies 1, 2 and 19.

Specifically with regard to criterion (ii) of WCS Core Policy 47, the site is located along a relatively narrow and unlit country lane which has no segregated pedestrian path or pavement. Pedestrians entering and leaving the site would be limited to walking in the lane, and in view of the narrow width, this would lead to potential conflict with vehicular traffic with limited opportunities for avoidance. The potential for conflict would be heightened at nighttime in view of the lane being unlit. In terms of criterion (ii), this would be a significant hazard for road users, creating neither a safe nor convenient situation for both the vehicular users and the site-generated pedestrian users of the lane.

The proposal, therefore, conflicts with Core Policies 1, 2, 19 and 47 ((v) & (ii)) of the Wiltshire Core Strategy. The proposal also conflicts with paragraphs 22 – 25 of the national Planning Policy for Travellers Sites for related reasons.

- 2) The Planning Policy for Traveller Sites requires, at Paragraph 26, that weight should be attached to “... sites being well planned or soft landscaped in such a way as to positively enhance the environment and increase its openness... [and] ... not enclosing a site with so much hard landscaping, high walls or fences, that the impression may be given that the site and its occupants are deliberately isolated from the rest of the community”. Whether deliberately or not, the site is fronted by a high level close board fence creating a sense of separation from the community and the development in no appreciable way increases its openness. In this way the proposal conflicts with the Planning Policy for Traveller Sites at Paragraph 26.

It was noted that the decision to refuse planning permission was unanimous.

8 Urgent Items

There were no urgent items.

(Duration of meeting: 10.35 am - 12.10 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail committee@wiltshire.gov.uk

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