

Eastern Area Planning Committee

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 8 SEPTEMBER 2022 AT WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Philip Whitehead (Chairman), Cllr Paul Oatway QPM (Vice-Chairman), Cllr Dr Brian Mathew, Cllr Kelvin Nash, Cllr Tony Pickernell and Cllr Iain Wallis

Also Present:

Cllr James Sheppard, Cllr Jane Davies and Cllr Dominic Muns

31. **Apologies**

Apologies were received from Cllr Sam Pearce-Kearney and Cllr Stuart Wheeler.

32. **Minutes of the Previous Meeting**

The minutes of the meeting held on 24 March 2022 were presented for consideration.

Resolved:

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

33. **Declarations of Interest**

Cllr Iain Wallis declared a non-pecuniary interest in relation to agenda item 7a – Mill Lane, West Lavington, SN10 4HS, as he was a tenant of Aster, the applicant. Cllr Wallis confirmed that he would judge the application on its merits, and he spoke and voted on the application.

34. **Chairman's Announcements**

There were no Chairman's announcements.

35. **Public Participation**

The Chairman detailed the procedure for the meeting and the procedures for public participation which were set out at item 5 of the agenda.

36. **Planning Appeals and Updates**

Resolved:

To note the report on completed and pending appeals.

37. **Planning Applications**

The following planning applications were considered:

38. **PL/2021/11543 - Mill Lane, West Lavington, SN10 4HS**

Public Participation:

- Clive Durrant – spoke in objection to the application
- Matt Holmes – Agent – spoke in support of the application
- Cllr Julia Ford, West Lavington Parish Council – spoke in objection to the application

Nick Clark, Senior Planning Officer introduced the report which recommended that planning permission be approved, for reasons detailed in the report, for the demolition of the existing buildings and construction of 19 affordable homes together with associated parking, access and landscaping.

The officer advised that the principle of redevelopment of the site is supported both by the Wiltshire Core Strategy and the West Lavington Neighbourhood Plan. The main concerns raised by objectors relate to the loss of a dedicated development for elderly accommodation, impacts in terms of traffic, neighbour amenities and the character of the area. The site is currently vacant and there is little apparent prospect of it being brought back into use in its current form. There will be a change in the residential character of the site, particularly in terms of the replacement of bungalows with 2-storey buildings. The development will continue to provide affordable housing, including housing suitable for the elderly. The proximity of the development will be noticeable to neighbours and there will also be some increase in vehicle movements resulting from the development. The impacts however are assessed as not being material in the context of the site and would not support refusal of the application.

The officer explained that his conclusion is that the scheme is considered to accord with the development plan policy and is acceptable, therefore planning permission is recommended subject to the conditions set out in the report.

In response to technical questions asked by the Committee, the officer was unable to supply information about the residents who previously occupied Hedges House; the use of solar panels were not detailed in the application

plans; the existing dwellings were felt to be too small for future occupancy and not appropriate for modern living standards.

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

The unitary division member, Cllr Dominic Muns spoke in objection to the application. Cllr Muns asked the Committee to consider the visual impact, the relationship to adjoining properties, design (bulk, height, general appearance), environmental and highway impact and the 'loss of the current property status (supporting elderly residents) in favour of young families catered for as part of the 50 houses going into Lavington Lane site.

In response to issues raised during public participation and the Unitary Member statement, the planning officer explained that the road junction served a number of dwellings in the vicinity of the site and highways did not raise any objections in relation to this; detail about elderly accommodation is set out in the Neighbourhood Plan, which also comments on affordable homes; the planning application refusal in the vicinity of the application site related to an application for a proposed glamping site in an adjacent field and therefore of a dissimilar nature to this application.

So that the Committee had something to debate Cllr Brian Mathew proposed a motion to refuse the application, with reasons in relation to height and massing, that the application was contrary to Core Policies 51 and 57, and Policy NE2 of the West Lavington Neighbourhood Plan, and the application would fail to provide housing for the elderly – contrary to Core Policy 46.

A debate followed where Members commented on the need for elderly housing in the West Lavington area and the visual impact of the proposals on the eastern side of the site.

At the conclusion of the debate, it was

Resolved:

That Planning Permission is refused for the reasons stated below:

- 1. By reason of the height and massing of the development at the eastern end of the site (plots 14 to 19) the development would impose upon and harm the landscape setting of the village and the sense of openness between the recreation ground to the north of the site and the farmland to the south. As such the proposal fails to demonstrate a high quality of design that is appropriate to the local context or that would make a positive contribution to the character of the area, contrary to Wiltshire Core Strategy Core Policy 51 and Core Policy 57 and policy NE2 of the West Lavington Neighbourhood Plan.**

2. **The development would fail to provide sufficient housing for the elderly contrary to the aims of Wiltshire Core Strategy Core Policy 46 and the West Lavington Neighbourhood Plan.**

39. **PL/2022/04255 - O and S Self Storage Units, Lockeridge, SN8 4ER**

Public Participation:

- Andrew Oram – spoke in support of the application
- Cllr David Woolley, Kennet Valley Parish Council – spoke in objection to the application

Jonathan James, Senior Conservation/Planning Officer introduced the report which recommended that planning permission be approved, for reasons detailed in the report, for the demolition of existing open sided, steel-framed storage barn (54 sqm) and the installation of 10 x storage containers (144 sqm).

The officer stated that the main considerations for the application included the scale of development, the visual impact on the surrounding area, the design of the scheme and the environment/highway impact.

The officer advised that the site is located outside the village of West Overton in a relatively exposed position on raised ground above the Kennet valley within the North Wessex Downs AONB. There is an existing mature tree belt along the western boundary of the site and an existing mature hedgerow with trees forming the northern boundary. There is a well-established linear former chicken shed building on the site, which benefits from planning permission for self-storage use, and adjoining steel storage containers which also benefit from planning permission. There is access into the site off the adjoining highway at the north-west corner of the site. The proposed units would be set at the same level as the existing containers.

The officer explained that his conclusion is that the benefits outweigh any limited harm that the proposal might have within this area and that the application complies with Core Policies 34, 51, 57, 60 and 61 of the Wiltshire Core Strategy (2015) and the policies of the National Planning Policy Framework (2021). Consequently, the development is considered acceptable in this instance.

The report detailed the responses to the consultation and representations received. It was noted that the concerns raised related to visual impact and nuisance on the amenity of the area.

In response to technical questions asked by the Committee, the officer explained that the existing containers had been in their current location for 4-6 years; condition 7 detailed in the report indicates that the development shall be used as a self-storage facility only and for no other reason.

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

The unitary division member, Cllr Jane Davies spoke in objection to the application. Cllr Davies commented on the scale of development, visual impact on the surrounding area, design of the scheme and the environmental/highway impact.

In response to issues raised during public participation and the Unitary Member statement, the planning officer explained that highways supported the application, and that visual impact would not be an issue as the proposed containers would be well screened by the existing structures, trees and hedgerow within the area and the removal of the 'Dutch' barn would be a visual enhancement.

So that the Committee had something to debate the Chairman proposed a motion to grant the application, with conditions detailed at pages 45-46 of the agenda, as per the officer recommendations.

A debate followed where Members commented on the role of enforcement officers, the impact of additional traffic movements and the management of the storage containers.

At the conclusion of the debate, it was

Resolved:

That planning permission is granted subject to the conditions set out below:

- 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 details:**

- Plans**
- Application form**
- Design and Access Statement**
- Site location Plan**
- Existing Block Plan**
- Proposed Block Plan**
- Proposed Storage Containers – Plan and Elevations**
- Sections and Plan**

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

- 3. No part of the development shall be first brought into use until all the existing 'Dutch' barn has 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.

- 4. No external lighting shall be installed on-site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals in their publication "The Reduction of Obtrusive Light" Guidance Note 01/21 (reference GN01/21), have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.**

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 5. This consent relates to a maximum of 10 storage containers that shall not be placed other than as shown on the approved drawings, and individually these shall measure no more than 2.4m x 2.4m x 6.0m, and shall all be placed at ground level and finished in dark green.**

REASON: To ensure an appropriate scale of development and the associated activity and to minimise vehicle movements on the local highway network in the interests of highway safety and the amenities of the area.

- 6. The external materials and finishes to be used in the conversion of the building as hereby permitted shall not be other than as shown on the approved drawings.**

REASON: In the interests of amenity, the agricultural character of the building and the rural character of the site within the AONB.

- 7. Notwithstanding the provisions of The Town and Country Planning (General Permitted Development)(England) Order 2015 (or any statutory instrument revoking or re-enacting that Order with or without modification), the development hereby permitted shall be used as a self-storage facility only and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment)**

(England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the local planning authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

40. **PL/2022/04676 - Bourne Farm, Preston, Ramsbury, Marlborough, SN8 2HF**

Public Participation:

- Simon Chambers – Agent - spoke in support of the application

Ruaridh O'Donoghue, Senior Conservation/Planning Officer introduced the report which recommended that planning permission be approved, for reasons detailed in the report, for the erection of 1 No new dwelling in lieu of renewed temporary permission of use of mobile home as agricultural workers accommodation.

The officer stated that the main issues to be considered included:

- The principle of a new countryside dwelling in this isolated position, with particular regard to the functional need and financial 'tests' established in former PPG7 Annex A which appeal inspectors have satisfied to use as a framework for establishing the justification for such dwellings (CP 48);
- Whether the scheme constitutes high quality design (CP 57);
- Whether the scheme would have an acceptable landscape impact (CP 51); and,
- Whether the proposal would have a negative effect upon highway safety including if there is sufficient parking for the proposed development (CP 61 and 64).

The officer advised that the site is located in the hamlet of Preston near Ramsbury. The applicant's freehold ownership at the site extends to 3.2 ha (8 acres); in addition, the applicant has the option to hold a further 2.4ha (6 acres) of land under a Farm Business Tenancy (FBT) but, has no need for it at this present moment in time. The freehold land is mainly flat, with an extensive frontage to the B4192; The site lies in the open countryside to the east of the B4192 within the North Wessex Downs AONB and a Public Right of Way runs to the east of the site (ALD46). Part of the site lies within Flood Risk Zones 2 and 3.

The officer explained that his conclusion is that the proposal complies with the development plan as a whole. The application is therefore recommended for approval subject to any conditions outlined in this report.

The report detailed the responses to the consultation and representations received. It was noted that there were 2 letters of objection and 12 in support of the application.

In response to technical questions asked by the Committee, the officer explained that this application had received support from the Agricultural Advisor, whereas another application had not received this support.

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

The unitary division member, Cllr James Sheppard questioned the essential need for a rural worker's dwelling on the site. Cllr Sheppard commented on his concern in relation to the long term viability and sustainability of the farm, the design of the proposal and how it didn't enhance the ANOB, the small scale of the farm and location of the dwelling.

In response to issues raised during public participation and the Unitary Member statement, the planning officer explained that an application cannot be refused on speculation of future events, the applicant and owner had provided accounts to indicate that the business was viable for the next 3 years, and made reference to Core Policy 51 that the application must protect the landscape character rather than enhance it.

So that the Committee had something to debate the Chairman proposed a motion to grant the application, with conditions detailed at pages 61-62 of the agenda, as per the officer recommendations.

A debate followed where Members commented on the length of time that the business would be in operation and the difficulties being experienced in the sector.

At the conclusion of the debate, it was

Resolved:

That planning permission is granted subject to the conditions set out below:

- 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 has been permitted in accordance with the following plans and documents:**

Dwg Ref: Application Form

Dwg Ref: Location Plan 1:2500

Dwg Ref: LPC 2627 PR 01 Site Plan – Proposed
Dwg Ref: LPC 2627 PR 02 Plan Proposed
Dwg Ref: LPC 2627 PR 03 Elevations Proposed

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

- 3. No development shall commence on site above ground floor slab level until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. The dwelling shall not be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans/details.**

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 4. No development shall commence on site above ground floor slab level until 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. The development shall be carried out in accordance with the approved details.**

REASON: In the interests of visual amenity and the character and appearance of the area which is within the AONB.

- 5. The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.**

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

- 6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.**

REASON: To safeguard the character and appearance of the area which is within the AONB.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.3) (England) Order 2020 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area which is within the AONB, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations as the scale of the dwelling approved was considered in line with the functional need it was meeting.

41. **Urgent items**

There were no urgent items.

(Duration of meeting: 3.00 - 4.55 pm)

The Officer who has produced these minutes is Stuart Figini of Democratic Services, direct line 01225 718221, e-mail stuart.figini@wiltshire.gov.uk

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