

Eastern Area Planning Committee

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 2 DECEMBER 2021 AT THE ASSEMBLY ROOM, THE TOWN HALL, ST. JOHN'S STREET, DEVIZES, WILTSHIRE, SN10 1BN.

Present:

Cllr Philip Whitehead (Chairman), Cllr Paul Oatway QPM (Vice-Chairman), Cllr Dr Brian Mathew, Cllr Kelvin Nash, Cllr Sam Pearce-Kearney, Cllr Iain Wallis, Cllr Stuart Wheeler and Cllr James Sheppard (Substitute)

Also Present:

Cllr Caroline Thomas, Cllr Jane Davies and Cllr Laura Mayes

21. **Apologies**

Apologies were received from Cllr Anthony Pickernell. Cllr Pickernell was replaced for this meeting by Cllr James Sheppard.

22. **Minutes of the Previous Meeting**

The minutes of the meeting held on 7 October 2021 were presented for consideration.

Resolved:

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

23. **Declarations of Interest**

There were no declarations of interest.

24. **Chairman's Announcements**

There were no Chairman's announcements.

25. **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.

26. **Planning Appeals and Updates**

Resolved:

To note the report on completed and pending appeals.

27. **Planning Applications**

The following planning applications were considered:

28. **PL/2021/06348 - Rabley House Poulton nr. Marlborough SN8 2LW**

Public Participation:

- Meryl Ainslie spoke in objection to the application
- Corinne Ashbee spoke in objection to the application
- Alison Gill spoke in support of the application
- Lissa Green spoke in support of the application
- Cllr Brian Devonshire, Deputy Chairman of Mildenhall Parish Council spoke in objection to the application

Jonathan James, Senior Conservation/Planning Officer presented the report which recommended that the planning permission be approved with conditions and informatives for the retrospective installation of stable windows and external door to tack room to existing barn and external lighting.

The officer stated that the main issues for consideration by the Committee included (i) the impact on visual amenity, including Area of Outstanding Natural Beauty, and design; and (ii) impact on residential amenity.

The officer advised that the site is located on a hill to the north of Mildenhall and north-east of Marlborough, up a single-track lane within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). The area is primarily agricultural fields with a few dwellings and buildings located within the local area. Adjacent to the site are a pair of semi-detached dwellings which face onto the southern boundary of the site, with an access road to a garage between the boundary of the site and the frontages of the dwellings. The gardens associated with the cottages are to the rear of the dwellings, sloping down the hill. The barn is designated for equestrian purposes.

The officer detailed the responses to the consultation and representations received. It was noted that highways and public protection had no adverse comments to make on the application, the ANOB unit did not make any representations and comments from Mildenhall Parish Council were detailed in the report. A summary of the 27 letters of representation, 25 objecting and 2 in support, were detailed in the report.

The Committee noted that a number of windows had been inserted on the south west and north east elevations of the building along with a single door. In addition, five external sensor lights have been installed on the building, two either end of the building and three along the north east elevation. The planning officer considered that the works undertaken to the barn are acceptable in planning terms, although it was acknowledged there is a degree of impact on the neighbours but not to such an extent as to warrant the refusal of planning permission, particularly if the suggested conditions were imposed.

In response to technical questions asked by the Committee the officer confirmed that the original floor height had not changed from the previous application, the new windows on the north east elevation face onto the 2 cottages, and the inspection by officers were undertaken during the daytime (the Environmental Health Officer visited later in the afternoon/early evening).

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

The unitary division member, Cllr Caroline Thomas spoke in objection to the application. Cllr Thomas urged the Committee to consider the current application in light of on-going non-compliance with key original conditions and a disregard for the neighbour's amenity; suggested that the changes represent an unacceptable level of harm from the loss of amenity and privacy with added noise, smell and light pollution which the proposed conditions would not mitigate; highlighted relevant policy – Core Policy 51 and 57, National Policy NPPF 176 and 177; commented specifically about windows, door and lights and their impact on neighbours.

In response to public statements the officer stated that the issue of raised floor levels was not a matter for debate under this application; officers confirmed that comments had not been received from the ANOB and therefore they could not comment on this matter further; the Ecologist had not been consulted as the scheme was classed as minor; and the scheme was in accordance with Core Policy 51 and 57.

So that the Committee had something to debate the Chairman proposed a motion to approve the application, with the conditions stated at pages 26-27 of the agenda, as per the officer recommendations. This was seconded by Cllr Stuart Wheeler.

A debate followed where Members expressed differing opinions on the application, including concern about light pollution and possible solutions, the prominence of the building especially at night time with lights on, the design of the building, lack of natural airflow, applicants awareness of existing conditions when purchasing the property, negative impact on the ANOB and impact of the development on neighbouring properties and residents.

The vote for approving the application was lost three in favour and four against. Therefore, a further motion was proposed to refuse the application on the grounds detailed below.

At the conclusion of the debate, it was

Resolved:

That planning permission is refused for the following reason:

- 1. The installed lighting, by reason of light spill from the vents and openings of the barn and from the lights fitted to the external walls of the barn, is incompatible with the users of the adjoining residential properties, thereby detrimentally impacting on the amenities of the existing occupiers. This is contrary to the requirements of Core Policy 57 of the Wiltshire Core Strategy (2015) and Paragraph 130 of the National Planning Policy Framework (2021). Furthermore, the external lights and the creation of the openings have led to an unacceptable level of light spill, which is harmful to the designated dark sky reserve of the North Wessex Downs Area of Outstanding Natural Beauty (AONB) and therefore fails to respect and enhance the importance of this protected landscape. This is unsympathetic to the historic landscape of the AONB and therefore fails to comply with Core Policies 51 and 57 of the Wiltshire Core Strategy (2015), Paragraphs 176 and 185 of the National Planning Policy Framework (2021) and with the requirements of the Guide to Good External Lighting in the Dark Skies of the North Wessex Downs (2021).**

29. **PL/2021/08195 - Rose Villa, Roundway, Devizes, SN10 2HY**

Public Participation:

- Chris Coombe, the applicant spoke in support of the application

Jonathan James, Senior Conservation/Planning Officer presented the report which recommended that the planning permission be refused for the erection of a pair of semi-detached dwellings, car parking, access and associated works.

The officer stated that the main issues for consideration by the Committee included concerns about the location of the site, in a location that would be wholly reliant on the private motor car for access to everyday facilities, job opportunities and services and would be contrary to the requirements of both local and national policy in directing development to sustainable locations. The development would also have an urbanising effect on the rural character of the area. There are no benefits that would outweigh this harm.

The officer advised that the site is located in the hamlet of Roundway and comprises the garden of 'Rose Villa', an existing semi-detached house set within a very generous plot. The area has a distinct rural character, with a single track road running through the hamlet and properties set within generous, spacious plots. These enhance the appearance of the area. Access into the site exists at present, off the adjoining highway through Roundway from the south. There is an existing garage associated with the main dwelling at the southern end of the garden and further parking to the rear of the existing dwelling, to the east of the site.

The officer detailed the responses to the consultation from Devizes Town Council, Highways and Archaeology. There were also comments from CPRE and a neighbour.

Further detailed comments on the principle of development, visual impact, impact on heritage assets and highway safety impact/parking were contained in the report. The officer concluded that overall, the application is not sustainable development. On balance it is considered that the proposed development would be contrary to the policies of the Wiltshire Core Strategy (2015) and guidance set out in the National Planning Policy Framework (2021).

In response to technical questions asked by the Committee the officer confirmed that a motor vehicle would be necessary to travel to Devizes as there was no particularly safe route to walk, the application site was outside the settlement boundary and classified as a small village, and the proposal could not be considered as infill development as it was not between two properties.

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

The unitary division member, Cllr Laura Mayes spoke in support of the application. Cllr Mayes confirmed that it would take 20 minutes to walk into Devizes town centre from Roundway, the development was very sustainable and close to employment sites, schools, parks and shops. There had been no objections from village residents.

So that the Committee had something to debate Cllr Brian Mathew proposed a motion to approve the application. This was seconded by Cllr Kelvin Nash.

A debate followed where Members expressed their support for the application. Comments included references to Core Policy 45, ideal location for development and the type of development needed in villages of this size,

At the conclusion of the debate, it was

Resolved:

That planning permission is granted 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:**
 - Location Plan Block Plan, Dwg No. 1010-01 Rev A**
 - Proposed Roof Plan, Dwg No. 1010-03 Rev A**
 - Proposed Plans and Elevations, Dwg No. 1010-04 Rev A**

- **Car Port, Dwg No. 1010-05 Rev A**

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

- 3. 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: To ensure that the development can be adequately drained.

- 4. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the 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: 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.

- 5. 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;**
 - **means of enclosure;**
- **all hard and soft surfacing materials;**

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, to ensure that enhanced opportunities for biodiversity are provided and in the interests of the character of the area and to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 6. 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.

7. No development shall commence within the area indicated by application PL/2021/08195 until:
 - (a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
 - (b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

8. No development shall commence on site until details of the accesses, car parking and turning areas have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until the accesses, car parking and turning areas have all been constructed and laid 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 highway safety.

9. No development above slab level shall take place 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. 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.

10. 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To secure the retention of adequate parking provision, in the interests of highway safety.

Informatives:

11. The applicant should note that the costs of carrying out a [DELETE as appropriate] programme of building recording and/or watching brief and/or archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred.

30. PL/2021/04650 - Land south of West Kennett Farm, East Kennett

Public Participation:

- Lucy Ralph, agent on behalf of the applicant, spoke in support of the application
- Mark Humphries, on behalf of East Kennett Parish Council, spoke in objection to the application

Ruaridh O'Donoghue, Senior Conservation/Planning Officer presented the report which recommended that the planning permission be approved with conditions for temporary rural worker dwelling and replacement stabling.

The officer stated that the main issues for consideration by the Committee 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);
- Whether the scheme would impact upon any attributes of Outstanding Universal Value within the Avebury WHS (CP 69);

- Whether the proposal will have an acceptable impact upon any Archaeology on the site; 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 concerned land off byway EKEN2 which is located to the south of West Kennet and to the north-west of East Kennet. The byway can be accessed via Gunsite Road and adjoined on all sides by agricultural land. It is considered to be open countryside, and its surroundings lie within the North Wessex Downs AONB and Avebury World Heritage Site.

The officer explained that in principle, the application meets the requirements of Core Policy 48 in that there is a functional and financial justification for the dwelling. In addition, support is met from paragraph 84 of the NPPF which seeks to ensure a prosperous rural economy. As such, there is no 'in principle' objection to the development.

Officers consider the design of the scheme to be in broad accordance with the requirements of Core Policy 57 of the WCS – the dwelling itself being temporary and the stables being of similar appearance and scale to the existing ones on the site. A reason for refusal would therefore not be warranted on design grounds.

Overall, the visual impact of the scheme upon the AONB landscape would not be significant. This conclusion is drawn when taking account of existing planting, the undulating topography, and the limited public vantage points of the site. Landscape character would thus be reserved in accordance with Core Policy 51 of the WCS. For similar reasons, and the fact the site itself does not contain any archaeological or monumental features, it is not considered that the scheme would harm the Avebury World Heritage Site or any of its attributes of Outstanding Universal Value to an extent that would justify refusing planning permission. Therefore, the scheme is considered to comply with Core Policy 59 of the WCS.

Whilst accepting that access onto the site from the BOAT is not the most suitable, given the proposal will result in far fewer vehicle movements than at present, the local highway authority has not objected to the scheme. Officers consider that the development accords with Core Policy 61 of the WCS and that a reason for refusal would be difficult to substantiate.

The report detailed the responses to the consultation from Avebury Parish Council, East Kennet Parish Council, Highways, CPRE, Thames Water and Archaeology. Representations were received from four objectors and one supporter, with comments detailed in the report.

In response to technical questions asked by the Committee the officer confirmed that the planning permission was proposed for three years to allow the applicants to establish the business as an ongoing concern and to become financially sound, if evidence was provided along these grounds then a further

application could be submitted to make the original application permanent, the proposal was for an 'off-grid' dwelling as solar panels would provide the necessary power and it was stated that the tie to an equestrian worker could be removed if it could be demonstrated that there was no longer an essential need for the dwelling.

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 considered that the scheme would harm the Avebury World Heritage Site and the ANOB, the site is visible from the highway, the Council has a duty to protect the heritage site and Cllr Davies supported the concerns raised by the village.

So that the Committee had something to debate the Chairman proposed a motion to approve the application, with the conditions stated at pages 63-64 of the agenda, as per the officer recommendations. This was seconded by Cllr Brian Mathew.

A debate followed where Members commented on the existing stables on site, the temporary nature of the application, objection from the Parish Council in relation to the temporary building, concern about the potential for light pollution at a World Heritage Site and the permanency of the rural worker dwelling if the business is not successful in the future.

At the conclusion of the debate, it was

Resolved:

That planning permission is approved subject to the following conditions:

- 1. The mobile home hereby permitted shall be removed and the land restored to its former condition within 3 years of the date of this permission.**

REASON: In the interests of the landscape character and appearance of the AONB and World Heritage Site and in order to secure the restoration of the land upon removal of a building for which permission can be justified only on the basis of a special temporary equestrian need.

- 2. The development hereby permitted shall be carried out in accordance with the following approved plans and documents:**
 - Dwg Ref: Application Form**
 - Dwg Ref: Location Plan 1:2500**
 - Dwg Ref: Proposed Site Plan 1:500**
 - Dwg Ref: AGMRE – 001 Proposed Accommodation Elevations**

- Dwg Ref: AGMRE – 002 Proposed Accommodation Unit Floor Plan
- Dwg Ref: AGMRE – 003 Proposed Stable Elevations 1
- Dwg Ref: AGMRE – 004 Proposed Stable Elevations 2
- Dwg Ref: AGMRE – 005 Proposed Stable Floor Plan

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

3. No further development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:
 - (a) the parking of vehicles of site operatives and visitors;
 - (b) loading and unloading of plant and materials;
 - (c) storage of plant and materials used in constructing the development;
 - (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
 - (e) wheel washing facilities;
 - (f) measures to control the emission of dust and dirt during construction;
 - (g) a scheme for recycling/disposing of waste resulting from demolition and construction works;
 - (h) measures for the protection of the natural environment; and,
 - (i) hours of construction, including deliveries.

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out other than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects upon the Public Right of Way that is used to access the site.

4. Once the current stables are demolished, the remaining footprint of the new stabling shall be made the subject of excavation prior to its erection. This shall include:
 - (a) A written programme of archaeological investigation, which should include onsite work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and,
 - (b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

- 5. The occupation of the accommodation hereby permitted shall be limited to a person solely or mainly working, or last working, in the training/keeping/breeding of horses, in agriculture or in forestry in the locality, 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. 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.

- 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), 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.

31. PL/2021/07750 - Soley House, West Soley, Chilton Foliat, RG17 0GW

Public Participation:

- Adrian Gott, applicant, spoke in support of the application.
- Steven Abbott, agent on behalf of the applicant, spoke in support of the application.

Ruaridh O'Donoghue, Senior Conservation/Planning Officer presented the report which recommended that the planning permission be refused for the erection of a farm manager's annexe (gate house) to Soley House.

The officer stated that the main issues for consideration by the Committee 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 related to Soley House, near Chilton Foliat. The property is a large, detached dwelling with extensive grounds lying within the open countryside in the North Wessex Downs Area of Outstanding Natural Beauty.

The officer confirmed that the application seeks full planning permission for the provision of an annexe / Gate Lodge at Soley House, West Soley, Hungerford. The proposed unit of accommodation would be physically detached from the main dwellinghouse and its occupiers would not be reliant on the main dwellinghouse due to the proposed accommodation and facilities to be provided within the unit. As such, the unit of accommodation cannot be classed as ancillary accommodation. A new unit of accommodation is proposed, which would function independently from the main dwellinghouse. Whilst it is recognised that the security function the dwelling could provide has been designed to support the primary use of the planning unit i.e., provide security to the country house, its primary role is intended to be that of an agricultural worker's dwelling.

Based on the information submitted as part of the application the Local Planning Authority did not consider that there was a robust justification, or valid planning 'need' based on local planning policy, resulting in the requirement for the erection of a Gate Lodge to accommodate a farm worker/security personnel.

It is recognised that a unit of accommodation could be sensitively designed to respond to the context of the site and reduce its visual impact, however the provision of a new building and a more formal entrance would undoubtedly impact on the existing open character of the site and the visually subtle entrance to the country house. Whilst the AONB Unit does not object to the proposal due to its landscape impact the principle of the development cannot be supported.

The surrender of planning permission ref E/10/1481/FUL for the new indoor swimming pool and 20/04295/FUL for the ancillary accommodation do not justify the provision of the proposed Gate House.

The report highlighted that there were no responses to the consultation from Wiltshire Council Highways and Wiltshire Council Agricultural Consultant.

In response to technical questions asked by the Committee the officer confirmed that the sanction could be taken if the property was sold and the annexe was used for a different purpose to that which planning permission had been granted, and the dwelling was not technically an annexe in the true sense of the word, it was more of a gate house.

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

The unitary division member, Cllr James Sheppard spoke in support of the application. Cllr Sheppard explained that the application enhanced the ANOB and the Parish Council had not raised any objections.

In response to public statements the officer stated that information had been submitted after the committee report had been completed and sent off for checking and publishing, which was not helpful; the building is an agricultural workers dwelling and the main issue is a matter of principle.

So that the Committee had something to debate Cllr Brian Mathew proposed a motion to approve the application, in line with Core Policy 48. This was seconded by Cllr Sam Pearce-Kearney.

A debate followed where Members commented on Core Policy 48, the dwelling being an annexe to the site rather than just the main dwelling and/or a security gate house to the main dwelling.

At the conclusion of the debate, it was

Resolved:

Defer and Delegate to the Head of Development Management to grant full planning permission subject to the conditions set out below and to the prior completion of a Section 106 legal agreement to ensure the owner will not claim any compensation upon the Council revoking the planning application, granted under reference 20/04295/FUL:

- 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 and documents:**

- Dwg Ref: Application Form**

- Dwg Ref: 2076-080 Rev A Location Plan Dwg Ref: 2076-090 Rev B Proposed Site Plan
- Dwg Ref: 2076-085 Rev A Topographic Survey
- Dwg Ref: 2076-091 Rev B Proposed Block Plan
- Dwg Ref: 2076-095 Rev A Proposed Plan and Elevations
- Dwg Ref: 2076-097 Rev Proposed Sections/Elevations in Context

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

3. 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;
- all hard and soft surfacing materials;

REASON: To ensure a satisfactory landscaped setting for the development which is within the North Wessex Downs AONB where, in accordance with paragraph 176 of the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty.

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 North Wessex Downs AONB.

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 which is within the North Wessex Downs AONB where, in accordance with paragraph 176 of the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty.

6. 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.

7. The accommodation hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as Soley House and it shall remain within the same planning unit as the main dwelling.

REASON: The development is in a position where the Local Planning Authority, having regard to the planning policies pertaining to the area would not normally permit a wholly independent dwelling, but approval is warranted in this instance solely due to the circumstances of the use of the building as set out in the application.

8. No part of the development hereby permitted shall be first 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.

9. 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 North Wessex Downs AONB where, in accordance with paragraph 176 of the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty, and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

10. 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 North Wessex Downs AONB where, in accordance with paragraph 176 of the National Planning Policy Framework, great weight should be placed on conserving and enhancing its landscape and scenic beauty.

11. The mitigation and enhancement measures detailed in the approved Ecological Assessment by Envirotech and dated 28th May 2021 shall be carried out in full prior to the first occupation of the development.

REASON: To mitigate against the loss of existing biodiversity and nature habitats and to ensure biodiversity net gain is achieved in accordance with the requirements of paragraph 180 of the National Planning Policy Framework.

(Note: Cllr James Sheppard did not take part in the Committee's consideration of this item as he called the planning application to Committee to allow for discussion over the principle of providing a gate house/farm manager's dwelling at Soley House.)

32. **Urgent items**

There were no urgent items.

(Duration of meeting: 3.00 - 5.45 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

Press enquiries to Communications, direct line ((01225) 713114 or email
communications@wiltshire.gov.uk