

## Southern Area Planning Committee

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### MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 20 JUNE 2024 AT MARLBOROUGH ROOM, THE RED LION HOTEL, 4 MILFORD STREET, SALISBURY, SP1 2AN.

#### **Present:**

Cllr Andrew Oliver (Chairman), Cllr Sven Hocking (Vice-Chairman),  
Cllr Richard Budden, Cllr Sam Charleston, Cllr Brian Dalton, Cllr Charles McGrath,  
Cllr Bridget Wayman, Cllr Rich Rogers and Cllr Ricky Rogers

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#### 26 **Apologies**

The Committee noted the following membership changes:

- Councillor Ian McLennan to come off the Committee as a full member and to become a substitute.
- Councillor Ricky Rogers to become a full Member of the Committee

Apologies for absence had been received from:

Councillor George Jeans  
Councillor Nabil Najjar

#### 27 **Minutes of the Previous Meeting**

The minutes of the meeting held on 16 May 2024 were presented.

#### **Resolved:**

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

#### 28 **Declarations of Interest**

In relation to Item 7 – High View and Bonakers Farm, Councillor Andy Oliver, noted for openness, that he lived near to the application site, but that he was not impacted by the proposed development in any way.

In addition, he stated that he had assisted in the development of the Idmiston NHP but that he would consider the application on its merits, with an open mind.

#### 29 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

30 **Public Participation**

The committee noted the rules on public participation.

31 **Planning Appeals and Updates**

The committee received details of the appeal decisions as detailed in the agenda.

It was;

**Resolved:**

**To note the Appeals report.**

32 **Application Number: PL/2023/08067- High View and Bonakers Farm, Idmiston Road, Porton, Salisbury, SP4 0LD**

Public Participation

Cllr Kirsty Exton, Chair of Idmiston Parish Council spoke in objection to the application.

The Senior Planning Officer, Julie Mitchell introduced a report which recommended that the application for demolition of existing dwelling and annexe and the Construction of 4 dwellings be approved subject to conditions and a s106 legal agreement to secure the proposed mitigation for phosphates.

Key details were stated to include the principle of development, Landscape/visual impacts, Residential amenity, Highways, Archaeology, and Ecology/River Avon SAC catchment.

Of the four proposed dwellings, plot 2 would have an agricultural occupancy condition, to replace the existing agricultural worker's dwelling to be demolished and allow for ongoing management of the adjacent farmland.

As part of the required nutrient mitigation for the site, the applicant had proposed to set aside a section of land for planting.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the planting for the mitigation plot which would be included within the s106 agreement, the cutting back of vegetation to improve visibility onto the Highway and the Idmiston Parish Council Neighbourhood Plan (IPCNP).

It was noted that the IPCNP and Wiltshire Core Strategy made up the Development Plan for the area and that the application site was in accordance with policy.

The Core Strategy set out designated settlement boundaries of which the application site was within and was considered acceptable by the Officer.

The IPCNP however had identified sites for future development, of which the application site was not included.

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

The Unitary Division Member, councillor Rich Rogers then spoke in objection to the application.

Cllr Rogers noted that significant development had already taken place which met and exceeded the IPCNP requirement of 32 dwellings and stated that there would need to be a statement regarding the maintenance of the proposed visibility displays.

Reference was also made to the size of the proposed dwellings in that the executive style homes did not meet the local need and that the site was more appropriate for a single dwelling with an agricultural tie.

Traffic issues were highlighted, with specific areas of congestion on Idmiston Road during school drop off and pick up times. Noncompliance to CP60, sustainable transport was raised.

Councillor Rich Rogers then moved a motion of Refusal against Officer recommendation stating the reasons as, Highways Safety, Conflict with Core Policies CP1, CP45, CP48 and CP60 and paragraphs 9, 10, and 14 of the IPCNP.

The motion was seconded by Councillor Sven Hocking.

A debate followed where the scale of development, the Environmental/highway impact of the proposal was discussed.

The Committee noted the comments of the local member relating to the production of the IPCNP and the local objection to development on the application site and discussed the level of weight a Neighbourhood Plan carried in planning considerations.

It was clarified for Members that the site was within the settlement boundary.

Some points raised included that there was no objection from Highways, and whether once the target figure for housing numbers had been reached, there was justification to object on those grounds to further development. The style and design of the proposed dwellings was also considered.

The Officer clarified that a set figure of 32 was a target to work towards and not a limit which could not be exceeded. Therefore, applications for developments

within the settlement boundary must continue to be considered where they aligned with planning policy.

The Committee noted the frustration for those who contributed to adoption of a Neighbourhood Plan and the comments regarding a local need for smaller homes as opposed to the larger executive style as proposed.

At the close of debate, the Committee voted on the motion of refusal for the reasons as stated above.

It was;

### **Resolved**

**That planning permission for application PL/2023/08067 be Refused for the following reasons:**

**The proposed redevelopment of the site would provide three additional 4-bedroom dwellings together with a smaller replacement 2-bedroom dwelling to replace the existing agricultural workers' dwelling on the site. Whilst the site is located within the defined settlement boundary of a large village, as set out in the Wiltshire Core Strategy (Core Policies 2 and 4), the proposed increase in the number of dwellings would generate additional traffic in the centre of Porton and the application fails to demonstrate how this traffic will be managed in terms of congestion and highway safety, particularly given the road is heavily trafficked at school drop off and pick up times from St Nicholas Primary School in the same road and with traffic from the nearby Porton Down campus, as such the proposal is contrary to the Idmiston Neighbourhood Plan Policies 9 and 10. The development would lead to an oversupply of larger dwellings in the settlement in excess of the number of homes planned in the Idmiston Parish in the Neighbourhood Plan period 2015-2026, contrary to the Policy 19 of the Neighbourhood Plan. Consequently, the increase and type of dwellings would be contrary to the aims of WCS Core Policy 1 which requires that development at large villages is limited to that needed to help meet the housing needs of the settlement, WCS Core Policy 45 which requires that the size and type of new housing is well designed to address local housing need of the community in which the site is located and WCS Core Policy 60 which requires mitigation of the impact of developments on transport users, local communities and the environment.**

33 **Application Number: PL/2024/02910 - The Gables, Dean Lane, Whiteparish, Salisbury, SP5 2RJ**

#### Public Participation

Mr Gideon Aymes (Agent) spoke in support of the application.

The Senior Planning Officer, Joe Richardson, introduced a report which recommended that the application for Variation of condition 1 of planning

consent PL/2022/07632 to allow for design changes to porch and the erection of gates and fencing be approved.

The report noted that the scheme of delegation confirmed that due to the relationship of the applicant to the Council, any objection received to the proposal required the application to be determined by the relevant area planning committee rather than under delegated powers to officers.

The applicant was the mother of the leader of the Council, Cllr Richard Clewer and the relevant area planning committee was the Southern Area Planning Committee.

Key details were stated to include the principle of development, policy and planning history, land ownership matters, design, scale, heritage/conservation matters and impact to the amenity of the area and parking/Highways Impact.

The Officer summarised the changes to the previously awarded 2022 consent, which included a slight increase to the porch and the erection of gates and fencing at front of the property.

Separate to the application and not for consideration, the Officer also noted that there was a retaining wall, which had been created by the applicant on an area of land next to the property, in the ownership of Highways.

Objections had been received from Parish Council on three grounds, Highways, work having already started and there not being enough detail on how the gates would open inwards.

A objection by Highways had related to the retaining wall, however this matter had since been resolved due to the movement of the red line.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought the ownership of the land next to the property where the retaining wall had been built, where it was noted that ongoing discussion between the applicant and Highways and that the matter did not form part of the consideration on the application for variation.

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

As the application had not come to Committee due to member call in, the unitary division member was not in attendance.

The Chairman invited a member of the Committee to move a motion for debate.

Councillor Sven Hocking moved the motion of approval in line with Officer recommendation.

This was seconded by Councillor Rich Rogers.

A debate followed where the Committee sought clarification on the reason the application had been brought to Committee.

At the close of debate, it was;

**Resolved**

**That planning permission for application PL/2024/02910 The Gables, Dean Lane, Whiteparish, Salisbury, SP5 2RJ be granted, with 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:**

**Site Location Plan Date Received 04.06.24**

**DWG No: 154 103 Rev E Proposed Block Plan Date Received 26.04.24**

**DWG No: 154 017 Rev C Proposed Elevations with Ecological Mitigation Date Received 19.04.24**

**Proposed Garage Elevations and Floor Plan Date Received 20.03.24**

**DWG No: 154 016 Rev B Proposed Ground Floor and First Floor Plans Date Received 19.04.24**

**DWG No: 154 018 Rev A Proposed Roof Plan Date Received 26.04.24**

**DWG No: 1352/05 Proposed Dormer Detail Date Received 26.04.24**

**DWG No: 154 317 Rev A Retained Dwellinghouse Elevations Date Received 26.04.24**

**DWG No: 154 104 Rev E Proposed Street View of Fencing and Gates Date Received 26.04.24**

**DWG No: 154 106 Rev A Proposed Gate Section Date Received 26.04.24**

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

**3.The materials to be used in the extension of the porch hereby permitted shall match in material, colour and texture those used in the existing dwellinghouse.**

**REASON: In the interests of visual amenity and to preserve and enhance the appearance of the Conservation Area.**

**4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no extensions, alterations or further window openings inserted to the roofslopes or first floor elevations to the dwelling other than as approved as part of a formal planning application by the Local Planning Authority.**

**REASON:** In the interests of the amenity of the area.

**5. Before the development hereby permitted is first brought into use the dormer window in the southern roofslope as shown in approved drawing DWG No: 154 017 Rev C Proposed Elevations with Ecological Mitigation/Enhancement Proposals (serving the ensuite bathroom) shall be glazed with obscure glass only (to level 5 obscurity) and shall be maintained with obscure glazing in perpetuity.**

**REASON:** In the interests of residential amenity and privacy.

**6. No part of the development hereby permitted shall be first occupied until the access, turning areas and parking spaces have been completed in accordance with the details shown on the approved plans.**

**REASON:** In the interests of highway safety.

**7. Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.**

**REASON:** To ensure that the highway is not inundated with private water.

**8. The development shall be carried out in strict accordance with Section 3.6 of the Bat Survey Report by Daniel Ahern Ecology Ltd dated March 2022 and DWG No: 154 017 Rev C Proposed Elevations with Ecological Mitigation. The installation of the bat and bee bricks and bird box as showing on the approved drawing shall be supervised by a professional ecologist and these enhancement measures will continue to be available for their target species for the lifetime of the development.**

**REASON:** For the avoidance of doubt and for the protection, mitigation and enhancement of biodiversity.

INFORMATIVE TO APPLICANT(S):

1. The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website:

[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)

## **2. Breeding birds**

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

## **3. Artificial lighting**

The habitat within the proposed development site and the surrounding area is suitable for roosting, foraging and commuting bats. An increase in artificial lux levels can deter bats which could result in roost abandonment and/or the severance of key foraging areas. This will likely result in a significant negative impact upon the health of bat populations across the region. Artificial light at night also negatively affects humans' health and has a substantial adverse effect on biodiversity. Therefore, any new external artificial lighting as part of this development should only be for the purposes of security and safe access. Any new lighting should be in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication GN01:2021, 'Guidance for the Reduction of Obtrusive Light' (ILP, 2021), and Guidance note GN08-18 "Bats and artificial lighting in the UK", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

## **4. Bat roosts**



There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

5. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

6. Whilst this application no longer considers the retaining wall located within the highway, the applicant is advised to contact the Local Highway Authority to discuss an appropriate resolution to the retaining wall, in accordance with the requirements of The Highways Act 1980.

#### 34 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 4.10 pm)

The Officer who has produced these minutes is Lisa Alexander of Democratic Services, direct line 01722 434560, e-mail [lisa.alexander@wiltshire.gov.uk](mailto:lisa.alexander@wiltshire.gov.uk)

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