

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 3 NOVEMBER 2016 AT SARUM ACADEMY, WESTWOOD ROAD, SALISBURY, WILTSHIRE, SP2 9HS.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian Tomes and Cllr Ian West

Also Present:

Cllr Bridget Wayman

96 Minutes of the Previous Meeting

The minutes of the meeting held on Thursday 13 October 2016 were presented.

Resolved:

To approve as a correct record and sign the minutes.

97 Declarations of Interest

There were none.

98 Chairman's Announcements

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

99 Apologies

100 Public Participation

The committee noted the rules on public participation.

101 **Planning Appeals and Updates**

The committee received details of the appeal decisions as detailed in the paper circulated at the meeting, for the period 30/09/2016 to 21/10/2016.

Resolved

That the report be received and noted.

102 **Planning Applications**

103 **16/06154/OUT: Land Adjacent 1 Longhedge Cottages, Longhedge, Salisbury, SP4 6BP**

Public Participation

Tony Allen (Agent) spoke in support of the application.

The Senior Planning Officer drew attention to late correspondence circulated at the meeting and introduced the outline application for 4 detached dwellings with garages, noting that the application had previously come to Committee on 13 October 2016, where it had been deferred for further information in respect of the provision of a footpath/cycle lane along the Western boundary of the site, extending southwards. The application was recommended for approval, subject to a S106 Legal Agreement and subject to conditions.

Members of the Committee then had the opportunity to ask technical questions of the Officers, it was noted that the section 106 only related to a small section of land, and did not cover the land proposed for preservation for the aspiration of a future path. The application was for 4 dwellings, and a development of that size did not warrant the provision of a footpath.

The land was partly owned by Highways and partly by the land owner, so any future development of a footpath on that reserved land would need negotiation with the landowner. A footpath was originally offered as part of the initial housing development at Longhedge, however there were now 673 houses on the site, and it was now considered a sustainable location.

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

The Unitary Division Member; Councillor Ian McLennan noted that he felt that in terms of the footpath/cycle path, the wider site should be looked at as a whole, as most of the employment land had not been sold to anyone yet. The housing development ended with connection to the Longhedge employment land, he felt there was every case to be made for a path to go to that land, creating a connection, with possible access to the park and ride somehow.

Councillor Ian McLennan proposed Refusal against Officers recommendation, due to the non provision of a footpath/cycle path. This was seconded by Cllr Ian Tomes

The Committee discussed the application, noting that it was unsure how a development of this size could have been allowed to take hold without ensuring there were footpaths and access points to the city, however the application for consideration was for 4 dwellings and was not responsible for the provision of a footpath.

The Longehedge development was now considered as a sustainable development. The ownership of a footpath, if the land was developed at a later date was largely a civil matter, and so unless it was incorporated in to a S106 legal agreement, this was not a planning consideration.

There was no policy background for a cycleway and no evidence that there was a Community aspiration for one.

The Committee voted on the motion put forward by Cllr McLennan, it was not carried. Cllr Westmoreland then put forward a second motion for Approval with conditions in line with Officer's recommendation; this was seconded by Cllr Hewitt.

Resolved

That application 16/06154/OUT be approved subject to all parties entering into a S106 legal agreement which secures the following:

- **A 2 metre wide footway shall have been constructed and made permanently available for use by pedestrians, adjacent the A345 road, and to link from the access to the proposed development, to the adjacent pathway network, to allow pedestrian access to adjacent services and facilities.**

Then delegate to the Head of Development Management to APPROVE subject to the following conditions:

01. This permission relates to the detailed approval of the access and layout only. Approval of the details of the scale, appearance of the buildings, and the landscaping of the site (herein called the reserved matters) shall be obtained from the Local Planning Authority in writing as per condition 03 below.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

02. Plans and particulars of the reserved matters referred to in condition 01 above, relating to the scale, appearance of any building to be erected,

and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

03. Applications for the approval of the reserved matters shall be made to the Local Planning Authority before the expiration of 3 years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

04. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

05. The development shall be carried out in general accordance with the following plan(s):

Drawing 0771/01 Rev S dated September 2013, as deposited with the local planning authority on 23.06.16.

REASON: For the avoidance of doubt

06. No part of the development hereby permitted shall be first occupied until the turning areas 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.

07. No part of the development shall be first brought into use until the visibility splays shown on the approved plans (ref: 0771/01 Rev S) have been provided with no obstruction to visibility at or above a height of 0.9m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

08. No development shall commence on site until details of the access including improved junction radii, kerbs, surfacing (not loose stone or

gravel), drainage and an extension to the existing footway have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until the access improvements detailed above have been provided in accordance with the approved details.

Reason: To ensure that the development is served by an adequate means of access.

09. No development shall commence on site until a scheme of acoustic insulation for the purposes of preventing the ingress of road traffic noise and noise from the proposed business park has been submitted to and approved in writing by the Local Planning Authority. This scheme shall include details of acoustic glazing and ventilation systems. Any works which form part of the approved scheme shall be completed prior to the premises being occupied and shall be maintained in accordance with the approved details at all times thereafter.

REASON: In the interests of the amenities of future occupiers of the proposed dwellings.

10. No development shall commence on site until a scheme of acoustic screening for the purposes of protecting the residential properties and their external amenity space from road traffic noise and the proposed business park has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed prior to the premises being occupied and shall be maintained in accordance with the approved details at all times thereafter.

REASON: In the interests of the amenities of future occupiers of the proposed dwellings.

11. No construction work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In order to limit the impact of works on residential amenity

12. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In order to limit the impact of works on residential amenity

13. No development shall take place within the application site until a written programme of archaeological investigation, has been submitted to, and approved in writing by the Local Planning Authority. The approved programme of archaeological mitigation has been carried out in accordance with the approved details.

REASON: To safeguard the identification and recording of features of archaeological interest.

14. Before development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which secures protection of habitats and species during the construction period, including pollution prevention measures. The development shall be carried out in accordance with the agreed CEMP.

REASON: In order to prevent pollution of the water environment and to protect habitats and species during the construction period so as to limit the impacts of the development

15. 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 brought into use/occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained
Informatives

1. With regard to archaeology (Condition 13 above) the work should be conducted by a professionally recognized archaeological contractor in accordance with a written scheme of investigation agreed by this office and there will be a financial implication for the applicant.

2. The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by Wiltshire Council.

Should you require further information with regards to CIL please refer to the Council's website.

104 **16/04126/OUT: Land at Hilltop Way, Salisbury, SP1 3QX**

Public Participation

Keith Leslie spoke in Objection to the application.

John Gately (Agent) spoke in support of the application.

Kate Blakemore spoke in support of the application.

The Senior Planning Officer presented the Outline application for the proposed erection of 10 semi detached bungalows, new footpath link, and creation of public open space (resubmission of 15/11350/OUT) incorporating 20 off street parking spaces and 5x laybys to Hilltop Way. The application was recommended for Refusal.

Members of the Committee then had the opportunity to ask technical questions of the Officers, it was noted that they specific type of affordable housing to go on the site was not yet determined. The land was currently deemed as open countryside.

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

The Unitary Division Member; Councillor Mary Douglas spoke in Objection to the application, noting that it had been called in due to local concern, as there had been 22 letters of concern relating to this application. She drew attention to the policies in place to protect residents from certain future planning issues. Nothing had changed with this application since the previous occasion it had come to committee, the impact of this development on Pauls Dene would be negative. The Committee were urged to refuse the application.

Councillor Ian McLennan proposed the application be refused in line with Officers recommendation. If we pre-judge and agree a site outside of the housing allocation site we would open up the floodgate. We should wait to see what the outcome of the Strategic Housing Land Availability Assessment (SHLAA) process was. This motion was then seconded by Cllr Richard Britton.

The Committee discussed the application noting that despite the application being supported by Salisbury City Council's (SCC) Planning Committee, the shared ownership bungalows did not fit with affordable housing, as retired people would find it hard to get a mortgage.

The Chairman took issue with the Open Space Study and hoped that SCC would look at what they were asking for in terms of open space. He added that bungalows on a hill were not best placed for older people's housing.

Resolved

The application 16/04126/OUT be Refused in line with Officers recommendation, for the following reasons:

- 1 The site lies outside the defined limits for development and the proposed residential development for affordable housing in this location would be contrary to the Wiltshire Core Strategy Policies 1 and 2 and NPPF para 11, 12, 14 and 49. Although the site is under consideration as part of the Site Allocation process, no decisions have been taken on the likely site choices, and therefore no conclusions can be drawn on the likelihood of**

this site's designation. Therefore it would be premature to cite this as justification for allowing development contrary to the Core Strategy. By virtue of its scale and nature, the proposal is not considered to meet any of the criteria for exceptional development as set out in the Core Strategy and there are no overriding reasons to treat the land as an appropriate windfall site, because the Council can demonstrate a 5 year housing land supply, which would deliver affordable housing provision under the appropriate policies.

- 2 The site currently makes a positive contribution to the character of the Paul's Dene Estate and marks a degree of transition between the urban and rural landscapes. The closing of the open area would materially detract from the character of the estate and reduce the attraction of the adjoining bridleway for users, contrary to Core Policy 57 and para 56 of the NPPF.**

105 16/06309/FUL: 1 Manor Farm Cottages, The Street, West Knoyle, Wiltshire, BA12 6AG

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting, and introduced the retrospective application for Erection of an open fronted garage to cover two existing car spaces. There had been one objection received from the local Parish Council on four aspects. The application was recommended for Approval.

Members of the Committee then had the opportunity to ask technical questions of the Officers, it was noted that there had been a structure previously in the exact position, however a replacement would still require permission as time has elapsed.

There were no public speakers for this application.

The Unitary Division Member; Councillor George Jeans spoke on the application, noting that he respected both of the view from the Parish Council, and the Officers report.

Councillor Westmoreland proposed approval in line with Officers recommendation. This was seconded by Cllr Devine.

Resolved

That application 16/06309/FUL be APPROVED with the following condition:

- 1. The development hereby permitted shall be carried out in accordance with the following approved plans:**

Site Location Plan Date Received 28.06.16

DWG No: MC2 Existing Layout Date Received 28.06.16

DWG No: MC3 Elevations Date Received 28.06.16
Side Elevations Date Received 28.06.16

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

106 **16/06888/OUT: Farmer Giles Farmstead, Teffont, Salisbury, Wiltshire, SP3 5QY**

Public Participation.

Pamela Fisher spoke in Objection to the application.

Cally Troup spoke in Objection to the application.

Mary Corrie (Applicant) spoke in Support of the application

Chris Beaver (Agent) spoke in support of the application

Cllr David Wood (Chairman) Teffont Parish Council spoke in support of the application in principle.

The Area Team Leader drew attention to the late correspondence circulated at the meeting and presented the application, noting that this was an Outline application for the erection of 1 dwelling and associated works following demolition of redundant outbuildings. The application follows an application made in March 2015 for a similar proposal, which was refused by the Southern Area Planning Committee in June 2015. The application was recommended for approval subject to conditions.

Members of the Committee then had the opportunity to ask technical questions of the Officers, it was noted that the retained barn as shown on the plan could be removed under Grampian style permission as it was on part of the applicants land.

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

The Unitary Division Member; Councillor Bridget Wayman spoke in Objection to the application, noting that she was a Wiltshire Council representative on the CC&WWDAONB Partnership Panel which was an alliance of 18 local, national and regional organisations that guides the implementation of the Management Plan.

Cllr Wayman felt that the proposal was contrary to the policies CP1 & 2 of the Wiltshire Core Strategy and the exception policies CP44 for Rural Exception sites and CP48 Supporting Rural Life. Adding that Local Planning Authorities should avoid granting permission for new isolated homes in the countryside unless there were special circumstances, such as the essential need for a rural worker, the use of a heritage asset, where the development would lead re-use redundant or dis-used buildings and lead to an enhancement of the immediate setting, or the exceptional quality or innovative design of a building, however she felt that none of these exceptions applied in this instance.

A decision on whether the development was of exceptional quality of innovative design could not be determined as only an outline application had been submitted. Both the AONB and the parish council had expressed their concern at supporting such type of application.

The likelihood of the visitor centre ever reopening was very unlikely as it had been closed for 3 years now, so this was a minor concern.

The master plan which accompanied the application stated that elements of the vision would need to be revisited if this section of the application was approved.

Originally the Lodges were permitted subject to the condition that upon Farmer Giles Farmstead ceasing to trade or operate from the land and/or ceasing to be open to the public, the lodges shall be removed and the land reinstated to grassland in accordance with a scheme to be submitted and approved by the LPA. Yet despite it being mentioned on two occasions, this had not been addressed.

The applicant already had a house within a couple of hundred yards of the site, and had managed to run the visitor centre and the holiday lodges from there for more than a decade.

The Committee should see a full and detailed application not an outline application so it could see exactly what was proposed in order to be able to see the design and how it might fit into and complement the landscape.

Cllr Wayman felt that the application was contrary to so many policies, and asked the Committee to refuse it.

However, if the Committee was mindful to approve, Cllr Wayman asked that the issue of the removal of the holiday lodges if tourist attraction was close be actioned. Or enforcement action needed to be taken.

Councillor Mike Hewitt noted that with any application there was always a bit of give and take. He proposed that an additional condition be included to ensure the house was linked to the farm and could not be sold separately. Councillor Hewitt then proposed the application be approved in line with Officers recommendation. This was seconded by Councillor Jeans.

The Committee then discussed the application where it was noted that a master plan or site vision had not been provided. In the previous application some Members had supported the proposal for the removal of some rundown farm buildings, this application now did not include this as part of the proposals and so it was felt that reduced the justification to permit the development in the AONB.

It was suggested that there had not been an overwhelming show of community support or of an up and coming NHP to support the development. It was felt that an outline application for this site did not help when considering the development as it was too vague.

The Committee noted that the parish council had listed 8 conditions they would like to see included if the application was to be approved, some of which were not within the scope of the Committee.

It was felt that the Lodges should be removed if the Farmer Giles Farmstead had close, and enforcement should take place now to have them removed.

It was acknowledged that the applicant had already indicated that they would be happy for the barn to be demolished under Grampian conditions. This was supported by the Committee.

The Committee then voted on the motion put forward by Cllr Hewitt, this was lost. Cllr Devine then put forward a second motion of refusal, against Officers recommendation for the existing reasons for refusal of the previous application. This was seconded by Cllr Mike Hewitt.

Resolved

That application 16/06888/OUT be refused for the following reasons:

- 1. The application site lies in open countryside and an Area of Outstanding Natural Beauty. Within the countryside there is effectively a presumption against new residential development except in limited circumstances not relevant in this case. This presumption is in the interests of sustainability and amenity. It follows that as a matter of principle the proposal comprises unacceptable development. In terms of harm, the proposal would introduce a house and its curtilage with inevitable domestic paraphernalia, and these would be visually intrusive and alien in such an isolated rural location, distant from other residential properties or any settlement. By reason of their visibility and alien appearance, the house and its curtilage would detract from the wider appearance of the landscape, neither conserving nor enhancing its status as an Area of Outstanding Natural Beauty. There are no exceptional circumstances which outweigh the harm to the countryside.**

The proposal is, therefore, contrary to Core Policies 1 and 2 (the settlement and delivery strategies) of the Wiltshire Core Strategy, Core Policy 51 (Landscape) of the Wiltshire Core Strategy, and guidance in the National Planning Policy Framework - paragraphs 109 and 115.

- 2. The application site supports three holiday lodges. These lodges were given planning permission subject to conditions requiring**

their removal in the event of Farmer Giles Farmstead Ltd ceasing to trade or operate from the land and/or ceasing to be open to the public. The description of development set out on the application forms is "Demolition of some existing buildings and cessation of business and erection of a dwelling all matters reserved save for access, scale and siting". The supporting Design and Access Statement further states that "the 'tourist' use cabins [the lodges] would remain on site".

Having regard to the conditions on the earlier permissions relating to the lodges it is considered to be unclear from the current application how the lodges can remain. Notwithstanding the additional statement received during the application from the applicant.

107 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 8.40 pm)

The Officer who has produced these minutes is Lisa Moore, of Democratic Services, direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

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