

Strategic Planning Committee

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 3 NOVEMBER 2022 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Howard Greenman (Chairman), Cllr Tony Trotman (Vice-Chairman), Cllr Ernie Clark, Cllr Adrian Foster, Cllr Sarah Gibson, Cllr Carole King, Cllr Elizabeth Threlfall, Cllr Robert Yuill and Cllr Bridget Wayman (Substitute)

Also Present:

Cllr Tony Jackson, Cllr Kelvin Nash, Cllr Philip Whitehead, Cllr Simon Jacobs, Cllr Iain Wallis, Cllr Johnny Kidney and Cllr Nick Botterill

128 **Apologies**

Apologies for absence were received from:

- Cllr Christopher Newbury
- Cllr Pip Ridout who was substituted by Cllr Bridget Wayman
- Cllr James Sheppard

129 **Minutes of the Previous Meeting**

The minutes of the meeting held on 5 October 2022 were presented for consideration, and it was;

Resolved:

To approve and sign as a true and correct record of the minutes of the meeting held on 5 October 2022.

130 **Declarations of Interest**

There were no declarations of disclosable pecuniary interest.

131 **Chairman's Announcements**

There were no Chairman's announcements.

132 **Public Participation**

The procedures for public participation were detailed and noted.

133 **Planning Appeals and Updates**

The appeals report in the agenda was detailed.

Head of Development Management, Andrew Guest noted that the Committee had previously requested a report and an update on the 5-year land supply position but updated that this had not been done yet and would potentially take place as training.

Head of Development Management, Andrew Guest referred to a further appeal decision, which had not been included in the report due to the appeal being allowed on 31 October 2022, involving land to the north of Whychurch Farm and to the south of Filands, Malmesbury. It was noted that this appeal covered similar issues to what would be discussed by the Committee during the meeting on 3 November 2022, with it stated by the inspector that Wiltshire Council cannot deliver a 5-year land supply but rather a 4.7-year land supply. The tilted balance was also engaged in this appeal.

The Chairman also referenced two applications in Malmesbury which had been lost at appeal stage, with it stated that the Committee could only look at the planning issue in front of them. It was noted that the instruments available to the Committee to make decisions were the local and neighbourhood plans. The Chairman stated that in the case of these applications the inspector had also felt that in context of the tilted balance that these applications were right to be approved.

In response to the update on planning appeals, the following comments were made, but were not limited to, that the over-delivery of housing in Wiltshire does not seem to be referenced when the 5-year land supply is discussed. The Chairman stated that he had asked for updated figures for the land supply, to which Head of Development Management, Andrew Guest stated that the housing land supply statement is produced annually, with the next update set to be expected in early 2023.

Further comments included statements as to whether or not the council were implementing a strategy to overcome the 5-year housing land supply and that if the Council was to come up with a plan that it might have greater control over strategic developments. Reference was drawn to the Ashton Park development in Trowbridge, with it acknowledged that progress had stalled due to matters relating to Section 106. It was clarified that Wiltshire Council are not the only local authority in this position with the housing land supply and that it could be worth considering in the training what other local authorities are doing to work towards the issue.

Resolved:

To note the update on appeals.

134 **Planning Applications**

The following planning applications were considered.

135 **PL/2022/00867 - Land West of Hillworth Road / John Rennie Close,
Devizes, Wiltshire, SN10 5HD**

Public Participation

Steve Cole spoke in objection to the application.

Keith Millington spoke in objection to the application.

Jeremy Stokes spoke in objection to the application.

Alan Pearce spoke in support of the application.

Alex Wozniczko spoke in support of the application.

Tom Vaughan Jones spoke in support of the application.

Cllr Richard Ormerod spoke on behalf of Devizes Town Council.

Senior Conservation/Planning Officer, Jonathan James presented a report which outlined a planning application for residential development of up to 59 dwellings together with access and associated works. With the mix of units to be determined by Reserved Matters. All matters reserved except access. The planning officer noted that late correspondence had been received but no issues had been raised which had not been included within the report.

The site consisted of several agricultural grassed fields bounded by a mixture of fencing, hedgerow and mature trees. In addition, it was stated that the topography of the land sloped down across the site from east to west, with a plateau in the north/east and which sloped steeply down to the south to the lower paddock. To the east of the site were existing residential properties.

The planning officer presented the slides for the meeting (published as an agenda supplement). The proposed means of access was to the northeast of the site onto John Rennie Close. It was noted that the application has undergone amendments and revisions, including a reduction in number of units from 65 down to 59, following points raised on the scheme. The recommendation before the Council was based on this revised scheme. The planning officer also noted that strategic policies could not be applied to this application in full weight due to the tilted balance.

Reference was drawn to the development limit of Devizes, with it shown that part of the site would lie within the neighbourhood plan and that as the development would be within these limits, it would be policy compliant. Reference was also made that the site would be sustainable due to its walking distance from the town centre, with the scheme also looking to deliver at least 30% affordable housing which would create additional housing, investment locally as well as jobs during the construction phase.

The planning officer referred to the illustrative masterplan provided by the applicant, which highlighted a drainage basin proposed to the southwest and sewage disposal to the north, with all proposed housing removed from a 250m boundary to the sewage works. It was also noted that an odour modelling assessment from Wessex Water and a sniff test had been conducted by appropriately qualified assessors. The officer also noted that in regard to the

land, this was identified as grade 1 agricultural with the topography identified as sub-grade 3b.

Concerns about visual impact were acknowledged, with it noted that the view had been agreed by Wiltshire Council's landscape officer and that over time the impact would decrease to be neutral. Additionally, the Wiltshire Council urban design officer had been satisfied with the masterplan. It was also raised that though there had been concerns about highways safety from residents, this would not constitute a reason for refusal. Additionally, that no concerns had been raised by the Wiltshire Council Bio-diversity team in regard to the impact on protected species, dark corridors and woodland maintenance.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on, but not limited to that the 30% of social housing provided would be in line with the policy for the local area of Devizes and that the layout of the social housing would be identified at approval of reserved matters stage. Clarity was sought in regard to what percentage of the site would be outside of the area allocated by the neighbourhood plan, with it suggested that around 60% of the development would be on non-allocated land. In regard to further development, it was clarified that the land that would not be built on within the proposal would take significant engineering in the future in order to enable future development due to the topography. Reference was drawn to potential highways issues, to which the planning officer stated that the highways department had not raised any concerns about the impacts of the development. The planning officer also noted that the highways impact had already been established for the initial 47 homes in the proposal, which had increased to 59.

Further technical questions included but were not limited to whether the Wiltshire Council housing officer had approved the allocation of social housing, to which the planning officer clarified that the officer had identified recommendations in relation to the considered application and that the requirements of types of housing set by the housing officer would have to be met at reserved matters stage. A point was raised about the sniff test and whether this was carried out in accordance with Wessex Water procedures and whether it would have been better to have been carried out over a period and not just one day. The planning officer stated that the assessment had been carried out by specialists and the results satisfactorily met the Wessex Water assessment, so no objections were raised and the Wiltshire Council environmental officers agreed. In addition, a further point was raised in relation to odour modelling and that though all proposed housing would be outside of the 250m buffer zone, it was noticed that the edge of gardens of existing homes would be very close to the buffer.

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

Neighbouring Local Unitary Member, Councillor Iain Wallis then spoke regarding the application. Cllr Wallis raised the following points including that as neighbouring division member he had grown up on the farmland adjacent to the

site. Cllr Wallis referenced the 112 letters of objection to application which had been placed before noting that he would focus on the following three areas:

In regard to pressure on local highways, Cllr Wallis stated that he disagreed that the development would only produce one additional vehicle per hour during peak times, with the road already being used by over 50 existing homes, local businesses and users of the main park in Devizes. Cllr Wallis stated that the road is currently busy with on street parking, with the development potentially leading to further delays at the junction, with the road unable to be widened. The impact on air quality management was also referenced.

In regard to the landscape and environment, Cllr Wallis referenced that the land had been used for sustainable farming, which could not be ignored during the current economic crisis. It was noted that the land consisted of Carbon-rich soil as well as habitats for creatures and that should the development take place 40% of this landscape would be concrete. Cllr Wallis also referenced that the development would potentially cause Nitrate run off to a farmer below the development and that the visual impact would be extremely negative and visible from the west.

In regard to the 5-year land supply, Cllr Wallis stated that he did not feel as though this was achievable and that deliverability should instead be considered, with Devizes having delivered plenty of local housing previously. Cllr Wallis concluded by stating that Devizes does not object to more homes but insists that they be in the right places.

The Local Unitary Member, Councillor Simon Jacobs then spoke regarding the application. Cllr Jacobs raised the following points that having been the Local Division Member for the past 10 years, one of the things he was proud of in his ward was the greensand escarpment, which was rare landscape and unique in Wiltshire. Cllr Jacobs stated that it was the duty of councillors to protect such landscapes and that to build on this site would be detrimental to this landscape. Cllr Jacobs drew attention to the heritage, history and culture of Devizes, which has grown rapidly over the last 25 years, with the town ahead in fulfilling its own local 5-year land supply, with agreed and previous developments listed. Cllr Jacobs emphasised that Devizes is not against development but rather embraces it when it is in the right place.

The Chairman then opened the debate and requested that the first Member to speak proposed a motion that the Committee could debate.

At the start of the debate a motion to reject the officer's recommendation to Defer and Delegate to the Head of Development Management to grant outline planning permission subject to the conditions set out below and to the prior completion of a Section 106 legal agreement to cover the contributions identified in Section 10 of the report was moved by Cllr Tony Trotman and seconded by Cllr Bridget Wayman.

The reason for refusal was that the application would be in conflict with Core Policies 1, 2, 51 and 58 of the Wiltshire Core Strategy (Jan 2015).

During the debate, issues were raised, but not limited to that had the application been for 47 houses within the neighbourhood plan boundary, then the application would have been difficult to object to. Attention was also drawn to how the land was a historic area and that the application would conflict with Wiltshire Core Strategy (Jan 2015) Core Policies 51 and 58. Contrary to this, a point was raised that part of this land had been allocated by the neighbourhood plan and that though sites like this were being brought to committee it would be difficult to object given that the area had been included within the neighbourhood plan. A counterargument was raised that though part of the site had been allocated within the neighbourhood plan, the majority of the site would be outside of this boundary and that it could be therefore suggested that the site would constitute over-development as it was more than what was initially allocated. This was further supported by a member who noted that the additional 12 homes would be an increase of 25% on the original plan and significantly different to what had been allocated in the neighbourhood plan.

Attention was drawn to the tilted balance and that though Wiltshire may not have a 5-year land supply, the county had been overdelivering, especially in the case of Devizes, which in comparison to other towns did not have good connectivity due to being highly congested and without a rail station. The value of greensand escarpment was also stated.

A member suggested that as a result of the failure of national planning policy, in regard to the 5-year land supply, the Council were obliged to decide on something which was out of their hands, with it noted that a huge number of other local authorities have also failed to meet the 5-year supply. Frustration was expressed in the respect that though developers had said the application was within the allocated site, only 40% of the application would be within the allocated site and that it would therefore open up a difficult position at appeal stage. It was suggested that that the application could potentially be deferred in order to reduce the number of dwellings outside of the allocated site in order to maintain access to arable land. Regarding the allocation of land from the neighbourhood plan, it was referenced by a member that 60% of the development would be without the Council framework boundary and additionally it was suggested that the development would not work due to both landscape and traffic issues.

A member drew further attention to the vertical line through the site which represented the boundary of the plan, with it stated that they found it strange that this line had been put in this place and that it could be assumed that this had been done for a specific reason as there didn't seem to be a natural boundary.

The local members and residents who had provided their comments were commended, with further reference given to the farmer who had stated without his current access he would not be able to farm the rest of his land. It was therefore queried why this had not been included within the report as though the development would provide short-term employment during the building phase, it would also jeopardise the farmer's employment.

At the conclusion of the debate, it was,

Resolved:

To refuse the application for the following reasons:

1. Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the County, and identifies four tiers of settlement - Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Within the Settlement Strategy Devizes is defined as a Market Town. The Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined boundaries, or 'limits of development'. Beyond the limits of development is countryside. A large part of the application site lies beyond / outside the limits of development of Devizes, and so is in the countryside.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier. The policy states that within the limits of development of those settlements with defined limits there is a presumption in favour of sustainable development; but outside the defined limits – that is, in the countryside – other in circumstances as permitted by other policies of the Plan, development will not be permitted, and that the limits of development may only be altered through identification of sites for development through subsequent Site Allocations Development Plan Documents and Neighbourhood Plans. Although part of the application site lies within the limits of development of Devizes and is also allocated in the Devizes Area Neighbourhood Plan, that large part lying outside the limits is not.

Core Policy 12 of the Wiltshire Core Strategy sets out the 'Spatial Strategy' for the Devizes Community Area in which Devizes lies. It states that development in the Devizes Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1.

The proposal is for outline planning permission to erect 59 dwellings, etc. on the application site, a large part of which would be on the land which is in the countryside. Under Core Policies 1, 2 and 12, this does not comply with the Settlement and Delivery Strategies as a matter of principle. The Strategies are designed to ensure new development satisfies the fundamental principles of sustainability and so it follows that where a proposal such as this does not accord with them then it is unsustainable in this overarching context. The site is not identified for development in a Site Allocations Development Plan Document, and it is only partly allocated in a Neighbourhood Plan. Furthermore, there are no material considerations or exceptional circumstances, including set out in other policies of the Plan, which override the core policies position. The proposal is, therefore, contrary to Core Policies 1, 2 and 12 of the Wiltshire Core Strategy, the Devizes Area Neighbourhood Plan and

paragraphs 2, 7-15 and 47 of the National Planning Policy Framework (NPPF). In accordance with paragraph 11d(ii) of the NPPF the benefits of the proposal have been fully considered but the adverse impacts, including those set out in reason for refusal no. 2 below, and the serious undermining of public confidence in the Devizes Area Neighbourhood Plan, would significantly and demonstrably outweigh those benefits, when assessed against the policies in the NPPF taken as a whole.

2. By reason of its urbanising effect, that part of the proposed development located in the open countryside would have an adverse impact on the character and appearance of the countryside, causing irreversible loss of an attractive and historic landscape. The proposal, therefore, fails to protect, conserve and where possible enhance landscape character, contrary to Core Policies 51 and 58 of the Wiltshire Core Strategy and paragraph 174 of the NPPF.

3. The application fails to provide and/or secure any mechanism to ensure that the provision of essential infrastructure, services and amenities made necessary by the development are delivered, these being affordable housing, recreation/open space, education facilities, refuse collection facilities, and sustainable transport improvements. This is contrary to Policies CP3, CP43, CP45, CP51, and CP52 of the Wiltshire Core Strategy and Policy HC34 of the 'saved' Kennet Local Plan, and paragraphs 8, 34, 56, 64 and 92 of the NPPF.

The meeting adjourned at 12:40pm and resumed at 12:50pm.

Cllr Adrian Foster left the meeting at 12:45pm.

136 **PL/2021/04774 - Land off Coate Road, Devizes**

Public Participation

Rod Evans spoke in objection to the application.

Cllr Richard Ormerod spoke on behalf of Devizes Town Council.

Cllr Eric Clark spoke on behalf of Bishops Cannings Parish Council.

Senior Planning Officer, Nick Clark presented a report which outlined an application seeking consent for residential development of up to 200 dwellings, and a local centre of 0.3ha (0.75 acres) (comprising commercial business and service uses (Use Class E), drinking establishment and hot food takeaway (sui generis) with a gross internal floor area limit of 1,000m² of which no more than 725m² would be used for retail (Class E(a)). No single retail (Class E(a)) unit shall comprise of more than 325m² gross internal floor area. Associated works, infrastructure, ancillary facilities, open space and landscaping. Vehicular access from Windsor Drive with the western end of Coate Road re-aligned to form the minor arm of a junction with the site access road.

The site consisted of a triangular plot of farmland forming 2 fields with hedged boundaries, set between the Kennet & Avon Canal to the north and Coate Road to the south, with open farmland to the east. It was noted that there was a c. 2m

high raised bund of land within the site running alongside the southern side of the canal and a local overhead power line runs along the line of the bund. On the opposite side of the canal was the residential development of the former Le Marchant Barracks and on the opposite side of Coate Road is farmland and the former slaughterhouse site.

The application site also included adjoining roads as needed for associated road improvements, and in total amounts to an area of 9.82 hectares, within which the two fields accounted for c. 8.54 hectares. The site was outside the recognised Limits of Development for Devizes, with the North Wessex Downs AONB nearby to the east and south-east

The planning officer outlined the planning history of the application, with it noted that the site previously formed part of a larger site that was subject to an 'Outline planning application for residential development of up to 350 dwellings, local centre of up to 700sqm of class A1 retail use, open space, access roads, cycleway, footpaths, landscaping and associated engineering works' (E/2013/0083/OUT). Following a public inquiry, the appeal against refusal was dismissed by the Secretary of State on 21st September 2016 (the 2016 decision). The Secretary of State in agreement with the inspector that amongst other reasons there was then no shortfall in 5-year housing land supply, the development would be contrary to policies of the Wiltshire Core Strategy and Devizes Neighbourhood plan.

Attention was drawn to planning balance and the previous appeal, with both the benefits and adverse impacts of the current proposal outlined in relation to the planning balance.

The planning officer drew attention to the addendum to the published report, which made amendments to the conditions that had been previously recommended within the officer's report.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on, but not limited to whether the site would include a large bund along the side of the canal, to which it was clarified that it was proposed that this would be removed with part of it used to level out the land and some taken off of the site. Clarity was sought around the environmental impact assessment, with it clarified by the planning officer that the applicants applied for a screening opinion to determine whether an environmental impact assessment was required and like the application in 2013, it was concluded that an assessment was not required.

It was queried whether all of the properties along the canal would be 2.5 or 3 storey buildings, to which the officer stated that the provided plan was just indicative at this stage however the Wiltshire Council urban development officer had supported the plan to give it better frontage. It was queried whether officers were content that there had been no reduction in size to the local centre, though it would be supporting a lower number of homes and whether this might be a precursor for another development. It was clarified by the officer that the size of

the local centre could be no more than 0.3 hectares and that this wouldn't just serve the development but would also serve the residents of Windsor Drive.

It was clarified that agricultural land classification did not go down to field level however as a broad classification it would likely be classified between 3a or 3b. In addition, reference was drawn to the report, which suggested that the neighbourhood plan had identified better options for land allocation, to which the planning officer stated that the neighbourhood plan is currently in its early stages with the first consultation scheduled for late spring 2023.

Questions were also raised about the access point, with it stated that the plan would be to take access from Coate Road and that there would be a detailed plan for access as part of the reserved matters stage.

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

Neighbouring Local Unitary Member, Councillor Philip Whitehead then spoke regarding the application. Cllr Whitehead stressed the importance of the local plan which took ten years to produce and would never get out of date due to being replaced. Cllr Whitehead expressed frustration with the current land supply number being a shortfall of 4.72 and how this had caused the local plan to be discarded with Ashton Park cited as an example of how the number can be influenced and determined by developers.

Cllr Whitehead stated that Windsor Drive was a barrier to development and once breached this would cause further applications to come forward, with a current perimeter road then becoming a spine road.

Attention was drawn to recent appeals, where Wiltshire Council was not ordered to pay costs, with it stressed that the committee did not have to make the inspector's decision but should rather represent residents and what they wish to do. In addition, Cllr Whitehead stated that Devizes had delivered more in comparison to other places within the county, due to being easier and not having infrastructure problems like in areas such as Chippenham.

Cllr Whitehead stressed the importance of neighbourhood plans and how they had given residents the power to decide what they would like to do with their town. Additionally, it was argued that neighbourhood plans don't become out of date as things do not move that rapidly and that towns such as Devizes replace their neighbourhood plans to ensure they do not go out of date. Therefore, the Wiltshire Council Local Plan, neighbourhood plan, town councillors and residents should be the guide in deciding.

The Local Unitary Member, Councillor Kelvin Nash then spoke regarding the application. Cllr Nash raised the following points including that since 2016 there had been an accumulation of other developments in Devizes including along London Road and Quakers Walk, which had already stretched infrastructure. Cllr Nash stated how Devizes was a beautiful place to live and how he believed it was his duty to hand this heritage over to future generations. It was noted that

the proposed site was little over 100m from the North Wessex Downs (AONB), with rolling chalk hills, streams as well as the Kennet and Avon Canal to the rear.

Cllr Nash stated that in 2016 the planning inspector recognised that this development would be outside of the settlement boundary and that he agreed that Windsor Drive is the line for development that should not be breached, which could ultimately set precedent for further developments. Reference was made to the primary schools listed in the report, with it noted that though Southbroom St James Primary was listed, this would be double the distance from other primary schools which had already met their capacity. Additionally, there would not be a local need for retail in this area due to their already being a convenience store within the petrol station on London Road.

Cllr Nash concluded by stating that each unitary and town council member stood against this application and that Devizes was not against development, though it must be within the right place. In addition, Devizes had played its part in contributing to the 5-year land supply and would continue to do so with plans up to 2036.

The Chairman then opened the debate and requested that the first Member to speak proposed a motion that the Committee could debate.

At the start of the debate a motion to reject the officer's recommendation to Defer and Delegate to the Head of Development Management to GRANT outline planning permission subject to the conditions set out below and to the prior completion of a Section 106 legal agreement to cover the obligations identified in Section 11 of this report was moved by Cllr Howard Greenman and seconded by Cllr Bridget Wayman.

The reason for refusal was that the development would be in conflict with Core Policies 1, 2, 51 and 57 of the Wiltshire Core Strategy (Jan 2015), section H1 of the Devizes Neighbourhood Plan and Section 106.

During the debate, issues were raised, but not limited to how being swayed by the potential skew of appeal costs would not make for good democracy and that there had been a similar situation in Chippenham where there was a belief that to breach the A350 would set precedent for further development. It was suggested that the application did not meet with the wishes of the community and would provide no benefit to Devizes, which had gone beyond its remit for housing delivery. It was suggested by a member that being so close to the AONB, this urban sprawl could not be accepted, with there being potential detriment to the canal and tourist route of narrowboats.

A member suggested that in relation to the Devizes Town Council Neighbourhood plan that the development could be in conflict due to causing further congestion to the town with additional cars seeking to get through Devizes.

It was stated that though the plan was only in outline form, the retail element would not be required for the number of planned houses and that the 2.5 or 3 storey elements along the side of the canal would not provide good place shaping or design, in conflict with Wiltshire Core Strategy Core Policy 58. Further emphasis was placed on Wiltshire Core Strategy Core Policy 58, with it suggested that the indicative masterplan was vague and that the commercial aspect would not thrive. In addition, the open side of the development could potentially be left exposed to further development and that the historic road would be rerouted in order to give priority to the new development. It was also suggested that in comparison to the previous site layout, the new proposal did not seem to have as much green space.

At the conclusion of the debate, it was,

Resolved:

To refuse the application for the following reasons:

1. Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the County, and in doing so identifies four tiers of settlement - Principal Settlement, Market Town, Local Service Centre, and Large and Small Village. Within the Settlement Strategy Devizes is defined as a Market Town. The Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined boundaries, or 'limits of development'. Beyond the limits of development is countryside. The application site lies beyond / outside the limits of development of Devizes, and so is in the countryside.

Core Policy 2 of the Wiltshire Core Strategy sets out the 'Delivery Strategy'. It identifies the scale of growth appropriate within each settlement tier. The policy states that within the limits of development of those settlements with defined limits there is a presumption in favour of sustainable development; but, outside the defined limits – that is, in the countryside – other than in circumstances permitted by other policies of the Plan, development will not be allowed. The policy further states that the limits of development may only be altered through identification of sites for development through subsequent Site Allocations Development Plan Documents and Neighbourhood Plans. The application site is not identified for development in a Development Plan Document or Neighbourhood Plan.

Core Policy 12 of the Wiltshire Core Strategy sets out the 'Spatial Strategy' for the Devizes Community Area in which Devizes lies. It states that development in the Devizes Community Area should be in accordance with the Settlement Strategy set out in Core Policy 1.

Policy H1 of the Devizes Area Neighbourhood Plan states that its 'Settlement Framework Boundary' for Devizes equates with the limits of development defined by Core Policy 2 of the Wiltshire Core Strategy, although the Settlement Framework Boundary also allows for allocations

in the Neighbourhood Plan under Policy H3. It follows that the application site, lying outside the Core Strategy's limits of development, also lies outside the Neighbourhood Plan's Settlement Framework Boundary. The Neighbourhood Plan states that the Settlement Framework Boundary defines the limits within which sustainable development should take place.

The proposal is for outline planning permission to erect up to 200 dwellings, a local centre, etc. on land which is in the countryside. Under Core Policies 1, 2 and 12, this does not comply with the Settlement and Delivery Strategies as a matter of principle. The Strategies are designed to ensure new developments satisfy the fundamental principles of sustainability, and so it follows that where a proposal such as this fails to comply with them then it will be unsustainable in the overarching context. The application site is not identified for development in a Site Allocations Development Plan Document, and it is not allocated in a Neighbourhood Plan. Furthermore, there are no material considerations or exceptional circumstances, including those set out in other policies of the Plan, which override the core policy position. The proposal is therefore contrary to Core Policies 1, 2 and 12 of the Wiltshire Core Strategy, the Devizes Area Neighbourhood Plan and paragraphs 2, 7-15 and 47 of the National Planning Policy Framework (NPPF) since it comprises unsustainable development. In accordance with paragraph 11d(ii) of the NPPF, the benefits of the proposal have been fully considered but the adverse impacts, including those set out in reason for refusal no. 2 below, and the serious undermining of the Devizes Area Neighbourhood Plan, would significantly and demonstrably outweigh those benefits, when assessed against the policies in the NPPF taken as a whole.

2. By reason of its urbanising effect, the proposed development, located in open countryside and close to an Area of Outstanding Natural Beauty, would have an adverse impact on the character and appearance of the countryside, causing irreversible loss of an attractive landscape. This objection is compounded by an illustrative masterplan which shows an unsatisfactory layout, and which is indicative of poor place-making. The proposal therefore fails to protect, conserve and, where possible, enhance landscape character, contrary to Core Policies 51 and 57 of the Wiltshire Core Strategy and paragraph 174 of the NPPF.

3. The application fails to provide and/or secure any mechanism to ensure that the provision of essential infrastructure, services and amenities made necessary by the development are delivered, these being affordable housing, recreation/open space, education facilities, refuse collection facilities, and highway works sustainable transport improvements. This is contrary to Policies CP3, CP43, CP45, CP51, and CP52 of the Wiltshire Core Strategy and Policy HC34 of the 'saved' Kennet Local Plan, and paragraphs 8, 34, 56, 64 and 92 of the NPPF.

There were no urgent items.

(Duration of meeting: 10.30am – 2.00pm)

The Officer who has produced these minutes is Ben Fielding of Democratic Services, direct line 01225 718656, e-mail Benjamin.Fielding@wiltshire.gov.uk
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