

## Northern Area Planning Committee

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### MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 27 APRIL 2022 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

#### **Present:**

Cllr Tony Trotman (Chairman), Cllr Chuck Berry, Cllr Steve Bucknell, Cllr Gavin Grant, Cllr Jacqui Lay, Cllr Dr Brian Mathew, Cllr Nic Puntis, Cllr Martin Smith, Cllr Elizabeth Threlfall, Cllr Peter Hutton (Substitute) and Cllr Bob Jones MBE (Substitute)

#### **Also Present:**

Cllr Allison Bucknell

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#### 24 **Apologies**

Apologies for absence were received from Councillor Howard Greenman, who arranged for Councillor Peter Hutton to attend the meeting in his absence. Additionally, apologies for absence were received from Councillor David Bowler, who arranged for Councillor Bob Jones MBE to attend the meeting in his absence.

#### 25 **Minutes of the Previous Meeting**

The minutes of the meeting held on 2 March 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 2 March 2022.**

#### 26 **Declarations of Interest**

There were no declarations of disclosable interest or dispensations granted by the Standards Committee.

#### 27 **Chairman's Announcements**

The Chairman informed those in attendance of the procedures in place if there was to be a fire alarm.

28 **Public Participation**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

29 **Planning Appeals and Updates**

Development Management Team Leader, Lee Burman noted that there had been an amendment to the Planning Appeals Report, with the final item on page 18 of the agenda (PL/2021/08453) being a hearing rather than written representations.

Councillor Tony Trotman moved that the Committee note the contents of the appeals report included within the agenda. It was seconded by Councillor Chuck Berry.

**Resolved:**

**To note the Planning Appeals Update Report for 27 April 2022.**

30 **Planning Applications**

The Committee considered and determined the following planning applications:

31 **PL/2021/08063 - Meadow View, The Common, Minety, Malmesbury, SN16 9RH**

**Public Participation**

Richard Cosker spoke in support of the application.

Ged Brockett spoke in support of the application.

Andy Richardson spoke in support of the application.

Development Management Team Leader, Lee Burman presented a report which outlined demolition of existing residential dwelling and garage, and construction of a replacement dwelling and garage plus associated works

Details were provided of the site and issues raised by the proposals, including the principle of development, impact on the character and appearance of the site & locality, impact on residential amenities, highways safety, ecology, lawfulness.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on whether the fire had taken place within the house itself, with it clarified by the officer that the fire had taken place within the house and that this would not render the building incapable of retention and could be repaired. Furthermore, it was questioned where the boundary starts and ends for buildings being appropriate for repair, it was clarified by the officer that the latest submissions provided by the applicant

suggested it would be more cost effective to completely replace the building. Additionally, it was clarified by the officer that the current building was not insulated up to modern standards with it acknowledged that the proposed replacement would have greater energy efficiency.

Additional technical questions were received in relation to Policy H4 with examples cited of 1950s bungalows being purchased and then knocked down to be replaced by a new house. It was clarified by the officer that Policy H4 only deals with developments in the countryside. Additionally, it was clarified by the officer that the building was currently occupied and was not abandoned. Further questions were asked as to whether it would be possible to add a condition surrounding the use of an air source heat pump, to which the officer stated that this would not be possible but the property itself would demonstrate energy improvements. It was also confirmed by the officer that the property was in the countryside and outside of any framework boundaries.

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

The Local Unitary Member, Councillor Chuck Berry then spoke regarding the application. Cllr Berry raised the following points that having listened to the applicant the reasoning behind the replacement property was clear, however he did have an understanding why the officer had applied the policies within their recommendation. Cllr Berry acknowledged that within a year's time, this application could fall within the policies in place and that time could have been lost in terms of reducing Carbon Dioxide. Cllr Berry noted that as a wider community, Minety has been contributing to this reduction by having larger numbers of battery and solar farms. In addition, the road in which the property is located on already has a number of properties on both sides.

At the start of the debate a motion to refuse the officer's recommendation was moved by Councillor Chuck Berry and seconded by Councillor Gavin Grant. The reasoning being that Members heard presentations from the applicant team and considered that the energy efficiency benefits of development and the financial costs benefits of a rebuild as opposed to repair were sufficient material considerations to support approval and an assessment that the proposals accorded with saved policy H4 of the North Wiltshire Local Plan.

During the debate, issues were raised such as the need to consider the policies in place at the time of consideration and not to be speculative to future policy changes. Policy H4 was discussed in relation to the application, with it acknowledged that in order for Policy H4 to be applied, all three of its criteria needed to be met. Policy H4 2.b was identified as a point of criteria that could not be met, with an argument placed that though if millions of pounds were to be spent on the property it would make it capable of retention, the property is a domestic home and therefore an expert assessment of the costs suggest there would be no real financial benefit of completing repairs. It was stated that the application would not be an attempt to build for benefit of profit but rather for family use; therefore suggesting that the current building would be incapable of retention due to the repair costs.

Further issues that were debated included the need to create properties that are more environmentally friendly and the importance of taking every opportunity to promote such developments. In addition to this, it was stated that the applicant could have potentially gone further in their proposal from an environmental perspective, with it acknowledged that it would have been positive to have seen a passive house design with the lowest Carbon footprint possible.

At the conclusion of the debate, it was,

**Resolved:**

**To delegate authority to the Head of Development Management to grant planning permission subject to appropriate conditions to be prepared by officers and following presentations to Committee and debate for the following reason(s):**

**Members having heard presentations from the applicant team considered that the energy efficiency benefits of development and the financial costs benefits of a rebuild as opposed to repair were sufficient material considerations to support approval and an assessment that the proposals accorded with saved policy H4 of the North Wiltshire Local Plan.**

32 **PL/2021/03235 - Land at Rosehill Close, Bradenstoke, SN15 4LB**

Public Participation

Robin Goodfellow spoke in objection to the application.

Kate McFarlane spoke in objection to the application.

Charlotte Watkins spoke in support of the application.

Shendie Green spoke on behalf of Lyneham and Bradenstoke Parish Council.

Development Management Team Leader, Lee Burman presented a report which outlined the construction of four dwellings and associated works.

Details were provided of the site and issues raised by the proposals, including the principle of development in this location; the design and effect of the proposed development on the character and appearance of the locality; the impact on residential amenity; highways safety and parking; drainage; ecology.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on whether the neighbourhood development plan made in October 2021 had designated this site for development, to which the Officer clarified that the development had not designated any site nor had it made any allocations for housing. In addition, the Lyneham Banks landslip issue was mentioned with there being rumours that a separate development may have caused the slip; the Officer clarified that there were no indications that that the proposal would exacerbate the situation or cause further issues. The Officer also clarified in relation to the access road to the proposed development that this was a private road which highways officers advised was sufficiently wide enough for two-way travel.

Additional technical questions were received in relation to whether the officer's recommendation for this application was looking to make up a shortfall of housing not arising elsewhere in the county; to which the Officer noted that this was not the case and that shortfalls are considered in relation to defined housing market areas by Inspectors at appeal rather than as being county wide. Comparisons were also drawn to another recent proposal which was rejected, to which the Officer stated that each application is assessed on its own merits and that this was a small-scale development in comparison to the other proposal of 50+ dwellings which would be disproportionate. Furthermore that 4 dwellings in the instance of Bradenstoke would not be enough to refuse as it would be proportionate to the scale of development.

Furthermore, clarification was sought as to what "infill" meant to the site in question, with it clarified by the officer that infill is defined as a small gap that can be used to accommodate a maximum of 4 dwellings but most commonly 1 and is an area surrounded by other dwellings, which this application was not.

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

The Local Unitary Member, Councillor Allison Bucknell then spoke regarding the application. Cllr Bucknell raised the following points that despite the applicant's opinion that they had fulfilled requirements, the application was still contrary to policies, with the only point in favour being that Wiltshire Council can't demonstrate a 5-year land supply and has a tilted balance. Cllr Bucknell stated that the application lies on the edge of a village in open land and outside of a settlement boundary, with no buses available for sustainable use and that the footpaths to Bradenstoke and Lyneham were unsafe and in some parts unlit. Furthermore, Cllr Bucknell highlighted that the development would be contrary to Core Policies 1, 2, 19 and 45. Additionally, that the case officer had applied moderate weight to the notion of creating additional homes, however, did not mention the recent granting of 250 houses in two nearby locations in Lyneham.

At the start of the debate a motion to refuse the officer's recommendation was moved by Councillor Steve Bucknell and seconded by Councillor Gavin Grant. The reasoning being that the proposal is outside of any defined settlement and so is located in the open countryside, has not been allocated for residential development within the development plan. The proposals would result in an increased need to travel and the elongation of the village not being infill development.

During the debate, issues were raised such as the unfairness towards neighbourhood plans if they can be overruled by tilted balance due to a lack of 5-year land supply. The importance of local plans was further stressed and how they are intrinsic to the considerations of the Committee and in ensuring that there is an element of control in what takes place in towns and villages. It was also stated that there had not been an extension of the village boundary proposed within the neighbourhood plan that was agreed less than 2 years ago

and that though this development would not meet the criteria of being infill, it would however elongate the village which would be contrary to Core Policy 2.

At the conclusion of the debate, it was,

**Resolved:**

**To refuse on the basis that the conflict with the development plan, including the neighbourhood plan, outweighed the benefits of development, which were considered to be limited. Committee members being of the opinion that insufficient weight was afforded to the wishes of the local community as expressed by the Lyneham and Bradenstoke Neighbourhood Plan. Members Resolved to refuse for the following reason: -**

**The proposal is outside of any defined settlement and so is located in the open countryside, has not been allocated for residential development within the Wiltshire Core Strategy (January 2015), The Wiltshire Housing Sites Allocation Plan (February 2020) or the Lyneham & Bradenstoke Neighbourhood Plan (2021). The development fails to meet any of the special circumstances for the creation of additional residential development in such circumstances listed under Paragraph 4.25 of the Wiltshire Core Strategy. The proposals do not constitute infill development and elongate the village of Bradenstoke. Therefore, the proposal is contrary to Core Policies 1, 2, 19, 60 (i & ii) & 61 of the Wiltshire Core Strategy, Saved Policy H4 of the North Wiltshire Local Plan, and the Lyneham & Bradenstoke Neighbourhood Plan. The proposal is in conflict with the development plan taken as a whole. As such, the proposal fails to constitute and secure sustainable development as required by the NPPF and is contrary to the development strategy of the development plan. In accordance with paragraph 11d (ii) of the NPPF the benefits of the proposal have been fully considered but the adverse impacts would significantly and demonstrably outweigh those benefits, when assessed against the policies in the NPPF taken as a whole.**

**33 Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00pm – 3.43pm)

The Officer who has produced these minutes is Ben Fielding –  
Benjamin.fielding@wiltshire.gov.uk of Democratic Services, direct line , e-mail  
[benjamin.fielding@wiltshire.gov.uk](mailto:benjamin.fielding@wiltshire.gov.uk)

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