

Northern Area Planning Committee

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 7 DECEMBER 2022 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Howard Greenman (Vice-Chairman), Cllr Chuck Berry, Cllr David Bowler, Cllr Steve Bucknell, Cllr Gavin Grant, Cllr Jacqui Lay, Cllr Dr Brian Mathew, Cllr Nic Puntis, Cllr Martin Smith and Cllr Elizabeth Threlfall

65 **Apologies**

Apologies for absence were received from Councillor Ashley O'Neill.

66 **Minutes of the Previous Meeting**

Councillor Gavin Grant confirmed that in relation to Minute 54 of the previous Minutes, constructive conversations had continued with Bloor Homes and that they had been made aware that Development Management Team Leader, Lee Burman had now left the council.

The minutes of the meeting held on 12 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 12 October 2022.

67 **Declarations of Interest**

Councillor Tony Trotman declared that in relation to Item 7a, his daughter worked in Foxham and regularly travelled the route identified within the report. Cllr Trotman noted that he was familiar with the route but had no other public interest in the item.

68 **Chairman's Announcements**

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

It was agreed that the Committee placed on record its gratitude to the officers who had recently departed from the Council, including Michael Akinola, Thomas Bostock and Lee Burman.

69 **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.

70 **Planning Appeals and Updates**

Councillor Martin Smith moved that the Committee note the contents of the appeals report included within the agenda. It was seconded by Councillor Elizabeth Threlfall.

Resolved:

To note the Planning Appeals Update Report for 7 December 2022.

71 **Planning Applications**

The Committee considered and determined the following planning applications:

72 **PI/2021/11198 Christian Farm, Foxham Road, Foxham, SN15 4NE**

Public Participation

James Whilding spoke in support of the application.

Cllr Richard Tucker spoke on behalf of Bremhill Parish Council.

Development Management Team Leader, Simon Smith presented a report which outlined the proposed variation of condition 11 (vehicle routing movements) on 18/00523/FUL. Details were provided of the variation of condition 11 (vehicle routing movements) and issues raised by the proposals, including the principle of development and highways safety.

The officer detailed the previously agreed route through the planning condition included within the previous application (18/00523/FUL) before detailing the newly proposed variation to the route. The reason for the proposed change was cited as a change of vehicle fleet which would no longer be able to go under a bridge included within the previous route.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on, but not limited to whether the vehicles had been making use of Lyneham Banks, which was not part of the previously agreed routing. It was clarified by the officer that this had been anecdotally claimed and was a matter that was dependent on the Council to resource and enforce the previously agreed routing as well as if the proposed route was to be accepted. It was also clarified that the proposed route would be in replacement of the previously agreed routing and not in addition to.

Further technical questions included but were not limited to the size of the new fleet of lorries that the applicant had purchased, with it noted by the officer that the original condition had been made based on a fleet small enough to fit through the bridge. In addition, it was clarified that more lorries would leave the farm than enter, due to the breeding of the poultry. Concern was raised in relation to the new routing and that the lorries would have to travel through Lyneham and Royal Wootton Bassett town centre to junction 16 or use roads that had already been heavily affected by lorries, with residents currently complaining about the speed and volume of traffic.

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

The Local Unitary Member, Councillor Howard Greenman then spoke regarding the application. Cllr Greenman stated that though he was anxious to support anything that would underpin food security, knowing the roads it would be irresponsible to make lorries travel down them. Cllr Greenman also drew reference to how the Highways Engineers had previously objected to the proposed route but had since changed their mind. Reference was drawn to the meeting of the Christian Malford Parish Council which had taken place in the week of the Committee meeting, where residents had stated that they thought that the proposed route would be irresponsible and that they had previously put up with lorries travelling through their village. Cllr Greenman expressed surprise and disappointment that the applicant had acquired a new fleet of vehicles of that size. Cllr Greenman expressed that he believed the points raised by the public speakers in objection to be valid, drawing reference to photographic evidence which had been produced by Bremhill Parish Council prior to the meeting.

As the neighbouring Unitary Member for the Calne Rural division, Councillor Ashley O'Neill was unable to attend the meeting, Cllr Tony Trotman read out a statement which had been provided by Cllr O'Neill. The statement covered the following points that though the applicant had suggested that use of the new route would result in a reduction of vehicle movements from 185 down to 111, this would be in excess of the condition placed in 2018, which related to 106 vehicle movements. Cllr O'Neill's statement also drew attention to concerns that related to the egress point of the proposed route on to the A3102 at the crossroads at Snowhill, which was known to be an accident blackspot. Cllr O'Neill's statement also drew reference to statements made by the Highways Team in 2018, who had then considered the proposed route to be unsuitable.

At the start of the debate a motion to reject the officer's recommendation for planning permission to be granted subject to conditions was moved by Cllr Howard Greenman and seconded by Cllr Gavin Grant. The reason for refusal was that the application would conflict with Core Policies 51(vii), 34(ix) and 65 of the Wiltshire Core Strategy (Jan 2015). Which was delegated to Development Manager Team Leader, Simon Smith.

During the debate, issues were raised, but not limited to, how a Member had driven along the roads included in the proposed route and had witnessed on

multiple occasions a farm lorry unable to make turns without climbing the road verges and that due to the nature of the lanes on-coming vehicles to the lorry often had to reverse and stop. It was also suggested that though the applicant had been looking to cut down on carbon emissions by using a larger size of fleet, this may not be the case as the proposed journey would be longer. Regarding the vehicle fleet, it was suggested that the purchase of the bigger lorries whilst being aware of the bridge size was a poor management decision. Further reference was also drawn to the Christian Malford Parish residents who had stated that they had been content with the smaller vehicles passing through their village. Additional reference was also drawn to the significant consultation of the previous application, where the proposed route had been considered inappropriate even for smaller vehicles.

Further issues that were debated included reference to the original proposal, where the “type and level” of traffic had been discussed and that though the level of traffic would be reduced, the type of traffic would be a larger form of fleet. It was suggested that if the route had been deemed inappropriate in 2018 with smaller vehicles, then it would not be appropriate in 2022 with larger vehicles. It was suggested that the application would conflict with Wiltshire Core Strategy Core Policy 51 (vii) due to a need to protect the landscape from pollution and the impact of the vehicles. It was also suggested that the area included within the proposed route was one which was enjoyed by horse riders, walkers, and cyclists, who might have difficulty in getting out of the way of on-coming lorries. It was stated that though the proposed route would afford a commercial advantage to the business, this should not come at the cost of the result to the landscape.

At the conclusion of the debate, it was,

Resolved:

That the application be refused for the following reason:

By reason of the type and nature of the vehicle types and number of vehicles movements as well as the accompanying noise and activity in this tranquil locality, the proposed route for HGV traffic accessing the site via Foxham, which is both torturous and has limitations in terms of width and alignment, is considered to be unacceptable. Accordingly, the proposed intensive poultry business would not be provided with adequate access and supporting infrastructure and would be contrary to the requirements of policies CP51(vii), CP34(ix) and CP65 to the Wiltshire Core Strategy.

73 **PL/2021/06167 Plough Lane Caravan Site, Plough Lane, Kington Langley, SN15 5PS**

Public Participation

Simon Cooper spoke in objection to the application.

Cllr Graham Trickey spoke on behalf of Kington Langley Parish Council.

Development Management Team Leader, Simon Smith presented a report which outlined the use of site for the stationing of 44 static caravan units for holiday purposes

Details were provided including issues raised by the proposals, including the principle of development; design, appearance, and landscape impact; impact on the amenity of surrounding occupiers; highways; drainage; occupancy restrictions and other matters.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were clarified on, but not limited to that it would be the responsibility of the Wiltshire Council Enforcement Team to make checks to ensure that the static caravan units were only occupied for holidays. In addition, it was stated that one of the proposed conditions would compel the operator to be responsible for a register that they would have to provide to the Enforcement Team. It was noted that the Wiltshire Council Drainage Engineer had objected to the application based upon a flood risk assessment with extensive reasoning and that a local objection had cited a height difference from the site to the drainage outflow. The officer stated that the report addressed that issue by acknowledging that though the flood risk assessment was an issue, this could be addressed by a Grampian condition, that work could only take place once an improved drainage scheme had been agreed.

It was suggested that the access road was narrow and would not be acceptable and would likely not be accepted if this application was for a housing estate rather than for static caravan units. It was clarified by the planning officer that the Highways Engineer had been satisfied with the access road. It was also clarified that the static units would be wooden clad and located in permanent locations. Further reference was drawn to the enforcement of conditions on holiday homes and that in neighbouring counties more checks seem to take place from the authority. Furthermore, it was queried whether the commercial viability of the application had been considered by officers as had been considered for previous holiday homes in the locality.

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

The Local Unitary Member, Councillor Howard Greenman then spoke regarding the application. Cllr Greenman thanked the members of the public, who had objected to the application for their responses. Cllr Greenman stated that the application was very different to a tourist site and brought further attention to the drainage issue that had been identified, with it noted that the applicant had failed on multiple occasions to provide a solution to the outflow and that a housing development would not be considered without sewage outflow included. Cllr Greenman noted that Kington Langley was a small village as identified within the Wiltshire Core Strategy and had coexisted with the current touring site for caravans. In addition, it was noted that the nearest shopping facilities were 1.6 miles away and that there was not a local pub, therefore suggesting the proposal was not a sustainable development and that levels of local spending would be low.

Cllr Greenman drew reference to the high density of the proposed site and how this would potentially lead to an increase in highways usage with multiple families potentially able to use the static units due to their size. Reference was also drawn to the submission provided by Kington Langley, which had suggested a condition that occupancy could be for no more than 28 days in a 36-day period. Cllr Greenman drew reference to the DCLG Good Practice Guide Planning for Tourism, with it stated that the proposal could potentially lead to demand on services which they would not expect, with an example of The Chase in Stanton cited.

Further reference was made by Cllr Greenman to the statement provided by Kington Langley, which had suggested that the proposal would sit outside of the existing development, would be overdevelopment as well as having received no information about lighting management. It was also suggested that the access to the site would not be acceptable as it would be a one vehicle lane from a hill.

At the start of the debate a motion to reject the officer's recommendations for planning permission to be granted subject to conditions was moved by Cllr Howard Greenman and seconded by Cllr Elizabeth Threlfall.

The reason for refusal was that the application would conflict with Core Policies 39, 51(ii), 57(i) and (iii), and 67 of the Wiltshire Core Strategy (Jan 2015).

During the debate, issues were raised, but not limited to that Members of the Committee suggested that they would not be comfortable with the suggested Grampian condition and that the Committee should feel comfortable with all aspects of the application when making a decision. It was also suggested that the application would be in conflict with Wiltshire Core Strategy Core Policy 67 due to the flood risk presented. Tribute was also paid to the individuals who had spoken from Kington Langley and how they had made their statements whilst addressing the issues they had identified within planning law and core policies. Regarding the Wiltshire Core Strategy, it was suggested that the application would also be in conflict with Core Policies 39, CP51(ii) and CP57(i) and (iii) due to an unacceptable impact on the character of the settlement and its landscape setting, the local distinctiveness of the locality and how they proposal would not be supported by adequate facilities and infrastructure.

Further issues that were debated included that the applicant had not demonstrated that the result of the proposal would allow for more tourism in the area and that in absence of a needs assessment, it was stated that the application would not satisfy Wiltshire Core Strategy Core Policy 39. Reference was also drawn to a previous restriction on the original planning permission granted in 1996, which stated that the eastern part of the site could only be used during certain months of the year. Further reference was also made to how there had not been an investigation into the traffic and occupancy of the site.

At the conclusion of the debate, it was,

Resolved:

That the application be refused for the following reasons:

1. By reason of its scale in relation to its surroundings and the village of Kington Langley, the proposed development would have an unacceptable impact on the character of the settlement and its landscape setting, the local distinctiveness of the locality and would not be supported by adequate facilities and infrastructure. Accordingly, the proposed development would not comply with the requirements of policy CP39, CP51(ii) and CP57(i) and (iii) to the Wiltshire Core Strategy.
2. The proposed method of surface water drainage does not result in a betterment in the rate of discharge and does not include sufficient information in respect of the soakaways or as to their future maintenance and operation. Accordingly, the proposed development would not be provided with adequate sustainable urban drainage infrastructure and would fail the requirements of policy CP67 to the Wiltshire Core Strategy.

74 **Urgent Items**

There were no urgent items.

(Duration of meeting: 2.00pm - 4.00 pm)

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