

Eastern Area Planning Committee

MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 12 DECEMBER 2024 AT WESSEX ROOM - THE CORN EXCHANGE, MARKET PLACE, DEVIZES, SN10 1HS.

Present:

Cllr Philip Whitehead (Chairman), Cllr Paul Oatway QPM (Vice-Chairman), Cllr Adrian Foster, Cllr Kelvin Nash, Cllr Sam Pearce-Kearney, Cllr Tony Pickernell, Cllr Iain Wallis and Cllr Stuart Wheeler

Also Present:

Cllr Laura Mayes

87. **Apologies**

There were no apologies for absence.

88. **Minutes of the Previous Meeting**

The Chairman reminded the Committee that they had deferred consideration of the minutes of their meeting held on 22 August 2024 as they were waiting for confirmation of the conditions for application PL/2024/01509: Townsend Farm Yard. The conditions for the application had now been finalised, so, on the proposal of the Chairman, seconded by the Vice-Chairman, it was then:

Resolved

To approve the minutes of the meeting held on 22 August 2024 as a true and correct record.

On the proposal of the Chairman, seconded by Cllr Iain Wallis, it was then:

Resolved

To approve the minutes of the previous meeting, held on 21 November 2024, as a true and correct record.

89. **Declarations of Interest**

In relation to Item 7, the Vice-Chairman noted for openness that he had worked for Wiltshire Police between 1971 and 2021. The application site was opposite Wiltshire Police's headquarters and had previously been owned by the force. As this did not constitute a disclosable interest the Vice-Chairman remained in the room, took part in the discussion and voted on the item.

For transparency, Cllr Kelvin Nash and Cllr Iain Wallis noted that they were members of Devizes Town Council, who had commented on application PL/20204/03117, due to be considered under Item 7. They confirmed that they remained open minded and would vote on the application.

90. **Chairman's Announcements**

The Chairman reported to the Committee that the revised National Planning Policy Framework had just been published. The changes had come into effect immediately, so were relevant to the application being considered, PL/2024/03117, Land North of Quakers Road. However, he explained that officers were satisfied that it would not change their recommendation.

91. **Public Participation**

The Committee noted the rules on public participation.

92. **Planning Appeals and Updates**

On the proposal of the Chairman, seconded by Cllr Kelvin Nash, it was then:

Resolved

To note the planning appeals update for the period between 8 and 29 November 2024.

93. **PL/2024/03117: Land North of Quakers Road and South of Parkfields, Devizes, Wiltshire**

Public Participation

- Mr Richard Ormerod (Trust for Devizes) – spoke opposition to aspects of the application, but felt the Committee had no alternative but to approve it.
- Mr Kerry Rose – spoke in opposition to the application
- Mr Simon Handy (Oxford Planning) – spoke in support of the application

The Planning Senior Officer, Ruaridh O'Donoghue introduced a report which recommended that the reserved matters application for the development of 54 dwellings, together with new vehicular accesses onto Parkfields and Quakers Road, parking, pedestrian links, areas of public open space and associated landscaping, be approved. Key details were stated to include the appearance, landscaping, layout and scale of the development.

Attention was drawn to the site plan on page 63 of the agenda pack. The officer explained that the application site also included three triangular areas of land, as shown in the drawing on page 38 of the pack.

The Committee were reminded that outline permission for up to 57 dwellings was granted on appeal by the inspector, after initially being refused by the Committee in 2022. The outline permission included approval for the access arrangements via both Quakers Road and Parkfields, so this was not something that the Committee were able to consider at the reserved matters stage. Although it was acknowledged that objections continued to be raised by third parties about the access via Parkfields, the inspector had found that increased traffic would not exceed the carrying capacity thresholds for the road and the highways team had not objected. Any changes to the access would have to be carried out by applying to amend the outline planning permission.

It was explained that the development would provide electric vehicle charging points at each property and was expected to deliver an overall Biodiversity Net Gain of 22.9 percent. The majority of the dwellings were two storey and were found to be in keeping with the material palette for the area. The layout was also broadly in keeping with the indicative proposals submitted as part of the outline application and would feature a central green area, which would provide amenity space for residents.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought about who would be responsible for the maintenance of trees on the site during construction. It was explained that the applicant would enter into an ecological management plan that would oblige them to maintain the site until an estate management company was set up. This would be in addition to a separate Section 38 agreement which would cover the maintenance of roads, footways and parking bays. Wiltshire Council would not assure responsibility for the communal areas.

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

The Unitary Division Member, Cllr Laura Mayes, then spoke in opposition to the application.

In response to the points raised by the public and Unitary Division Member, officers clarified that the dual access arrangement was determined by the need to maintain a corridor of green land running through the site. The corridor would allow access for badgers to the western edge of the site, where they were known to forage, and would also provide benefits for other wildlife. The layout provided at the outline application stage was only indicative. The inspector was happy with the indicative plan did not specify that it had to be followed exactly.

The reserved matters application met the requirements of Core Policy 57 (Ensuring High Quality Design and Place Shaping) of the Wiltshire Core Strategy and had been considered in relation to the Wiltshire Design Guide.

Additional parking bays would be provided by the applicant on the three pieces of land separate from the main part of the development site. The extra spaces

would help to mitigate the loss of parking on Parkfields created by the addition of double yellow lines near to the proposed access.

So that the Committee had something to debate, the Chairman, seconded by Vice-Chairman, proposed that the reserved matters application be granted for the reasons outlined in the report.

A debate followed where issues such as parking provision and the layout of the development were discussed. In response to queries it was stated that the applicant would be responsible for maintaining unadopted roads on the site during construction and that these matters would be covered in the Section 38 agreement.

Other issues raised included responsibility for the maintenance of the parking bays on the triangular islands of land separate from the main body of the site. It was clarified by officers that maintenance for those bays would fall to Wiltshire Council under the terms of the Section 38 agreement and that the residents would not be financially liable for their upkeep through an estate management company.

During the debate, Cllr Stuart Wheeler proposed an amendment to add an informative to advise that there should be a landscape and ecological management plan to maintain the land in the time before an estate management company was established. The amendment was accepted by ascent of the Committee and added to the substantive motion.

As the conclusion of the debate, it was:

Resolved

That reserved matters permission for the development of 54 dwellings together with new vehicular accesses onto Parkfields and Quakers Road, parking, pedestrian links, areas of public open space and associated landscaping, be GRANTED.

Conditions:

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

- Existing levels (605-P-004 rev E)
- Engineering for planning – Sheet 1 of 3 (605-P-050-01 rev G)
- Engineering for planning – Sheet 2 of 3 (605-P-050-02 rev G)
- Engineering for planning – Sheet 3 of 3 (605-P-050-03 rev G)
- Drainage strategy for planning (605-P-075 rev F)
- Road and sewer longitudinal sections – Sheet 1 of 2 (605-P-200 rev C)
- Tank sections (605-P-320 rev F)
- Refuse tracking (605-P-405-01 rev H)
- Fire tracking (605-P-405-02 rev G) (Unchanged but resubmitted)
- Visibility and dimensions (605-P-425 rev E)

- Impermeable areas plan (605-P-505 rev E)
- Flood exceedance routing (605-P-510 rev D)
- Extents of Proposed Road Widening Works (605-P-600) (New Document)
- Street elevations (240910-23605-3600 rev E)
- Affordable mix strategy (241004-23605-4101 rev I)
- Parking strategy (241004-23605-4102 rev I)
- Space management strategy (241004-23605-4103 rev K)
- Household waste strategy (241004-23605-4104 rev I)
- Building height strategy (241004-23605-4105 rev I)
- Building material strategy (241004-23605-4106 rev I)
- Site layout plan (241004-23605-5001 rev X)
- Substation (6110) (New Document)
- Single garage – Gable fronted (6100 rev B) (Unchanged but resubmitted)
- Large single garage – Gable fronted (6101 rev B) (Unchanged but resubmitted)
- Large single plus garage – Gable fronted (6103 rev B) (Unchanged but resubmitted)
- Large twin garage – Hipped roof (6105 rev B) (Unchanged but resubmitted)
- Large twin Plus garage – Hipped roof (6106) (Unchanged but resubmitted)
- Bungalow (AH-A24-900 rev D) (Unchanged but resubmitted)
- Affordable house (AH-B31-900 rev B) (Unchanged but resubmitted)
- Axminster (HT-AXM-900 rev B) (Unchanged but resubmitted)
- Ashbury (HT-ASH-901 rev B) (Unchanged but resubmitted)
- Ashbury (HT-ASH-903 rev C) (Unchanged but resubmitted)
- Banbury (HT-BAN-901 rev C) (Unchanged but resubmitted)
- Sherston (HT-SHE-900 rev C) (Unchanged but resubmitted)
- Sherston (HT-SHE-901 rev C) (Unchanged but resubmitted)
- York (HT-YORK-900 rev C) (Unchanged but resubmitted)
- York (HT-YORK-901 rev C) (Unchanged but resubmitted)
- Affordable rented (AH-C44-900 rev D)
- Ashbury (HT-ASH-900 rev C)
- Ashbury (HT-ASH-902 rev E)
- Banbury (HT-BAN-900 rev D)
- Foxham (HT-FOX-900 rev D)
- Foxham (HT-FOX-901 rev D)
- Foxham (HT-FOX-904A)
- Foxham (HT-FOX-905A)
- Affordable house (AH-A22-900 rev C)
- Affordable maisonette (AH-M16 / M17-900 rev E)
- Dyrham (HT-DYR-900 rev E)
- Dyrham (HT-DYR-901 rev E)
- S38 lighting plan (HLS-943-A D6)
- Transport Position Statement (ref. P23-2217 TR03 Rev B)
- Ecological Verification Report (ref. eg230168 rev 04)
- Swift bricks plan Rev 04

- Biodiversity Net Gain metric rev 05 (Excel spreadsheet dated 10th Oct 2024)
- Tree Protection Plan ('TPP') (REC2444-03B)
- Landscape proposals – Sheet 1 of 3 (REDC24444-11E Sheet 1 of 3)
- Landscape proposals – Sheet 2 of 3 (REDC24444-11E Sheet 2 of 3)
- Landscape proposals – Sheet 3 of 3 (REDC24444-11E Sheet 3 of 3)
- Landscape proposals – Site wide (REDC24444-11E Site wide)

REASON: For the avoidance of doubt and in the interests of proper planning and for the protection, mitigation and enhancement of biodiversity.

2. The development will be carried out in strict accordance with the following approved documents:

- S38 lighting plan (HLS-943 rev 3)
- Construction Method Statement (ref. P23-2217 TR02)
- Swift Brick Plan. Engain.
- Ecological Verification Report (ref. eg230168 rev 04)
- Biodiversity Net Gain metric (Excel spreadsheet dated 10th Oct 2024)
- Tree Protection Plan ('TPP') (REC2444-03B)
- Landscape proposals – Sheet 1 of 3 (REDC24444-11E Sheet 1 of 3)
- Landscape proposals – Sheet 2 of 3 (REDC24444-11E Sheet 2 of 3)
- Landscape proposals – Sheet 3 of 3 (REDC24444-11E Sheet 3 of 3)
- Soft Landscape Management and Maintenance Plan (ref. REDC2444_Man); and
- Soft Landscape Specification (ref. REDC24444_Spec)

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

3. Prior to the commencement of any works, including vegetation removal and demolition, details of the number, design and locations of bat roosts and nesting opportunities for birds shall be submitted to the local authority for approval. These details should be clearly shown on a technical elevations drawings. The approved details shall be implemented before occupation of the final works. These features will continue to be available for the target species for the lifetime of the development.

REASON: To provide enhancement for biodiversity.

4. Lighting will be installed in accordance with S38 lighting plan (HLS-943 rev 3). No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity.

5. The development shall be carried out in strict accordance with the 'Sustainability and Energy Statement by Redcliffe Homes'.

REASON: To ensure that the objectives of sustainable development set out in policies CP41, CP55, CP57 and CP60 of the Wiltshire Core Strategy are achieved.

6. Prior to the first occupation of each dwelling the electric vehicle charge point for that property shall be provided and made available for use in accordance with the commitment made in the Sustainability and Energy Statement by Redcliffe Homes dated 14.06.24 and shown on drawing 23605/4102F. Further detail of the charge points (such as location and manufacturer's specification) shall be submitted to and approved in writing by the local planning authority prior to its installation. The development shall be carried out in accordance with the approved details.

REASON: To ensure that the objectives of sustainable development set out in policies CP41, CP55, CP57 and CP60 of the Wiltshire Core Strategy are achieved.

7. Prior to the first occupation of each dwelling the cycle parking for that property shall be provided and made available for use in accordance with the approved details.

REASON: To ensure that the objectives of sustainable development set out in policies CP41, CP55, CP57 and CP60 of the Wiltshire Core Strategy are achieved.

8. The dwellings shall be constructed to meet, as a minimum, the higher Building Regulations standard Part G for water consumption limited to 110 litres per person per day using the fittings approach as per the commitment in the Sustainability and Energy Statement by Redcliffe Homes dated 14.06.24.

REASON: The site is in an area of serious water stress requiring water efficiency opportunities to be maximised, to mitigate the impacts of climate change, in the interests of sustainability and to use natural resources prudently in accordance with the National Planning Policy Framework.

INFORMATIVES:

9. Informative: The council requires an indemnity in order to operate on any roads that are not adopted, including during any period where the council needs to deliver waste collection services prior to adoption. The required arrangements are set out in section 5.8 of the Councils Waste storage and collection: guidance for developer's supplementary guidance document, with a sample indemnity provided in Appendix C of said document.

- 10. Informative:** It should be noted that bin storage for the scheme should not result in residents walking more than 25 metres to their presentation points for waste removal and crew should not walk more than 10 metres.
- 11. Informative:** The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Habitats Regulations 2017 (as amended) it is an offence to disturb or harm any protected species including for example, breeding birds and reptiles. The protection offered to some species such as bats, extends beyond the individual animals to the places they use for shelter or resting. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.
- 12. Informative:** Your attention is drawn to the conditions imposed on the outline planning permission (planning reference 21/02477/OUT, appeal reference APP/Y3940/W/22/3301605) and dated 10th February 2022 and to any subsequent discharge of condition application approved in relation to the conditions thereby attached to that consent.
- 13. Informative:** This permission shall be read in conjunction with the previous outline consent and associated Unilateral Undertaking under Section 106 of the Town and Country Planning Act 1990 and dated the 7th November 2022.
- 14. Informative:** The applicant should consider how landscaped areas with the redline boundary of the site will be managed prior to the formation of a management company (i.e., during and after construction) within the Landscape and Ecological Management Plan to avoid any potential lengthy periods where the land is left unmanaged.

94. **Urgent items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.51 pm)

The Officer who has produced these minutes is Matt Hitch of Democratic Services,
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