

## Southern Area Planning Committee

---

### MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 27 AUGUST 2020 AT ONLINE.

#### **Present:**

Cllr Fred Westmoreland (Chairman), Cllr Richard Britton (Vice-Chairman), Cllr Brian Dalton, Cllr Christopher Devine, Cllr Jose Green, Cllr Leo Randall, Cllr Sven Hocking, Cllr Ian McLennan and Cllr John Smale

#### **Also Present:**

Cllr Bridget Wayman

---

#### 63 **Apologies**

Apologies were received from:

- Cllr Mike Hewitt
- Cllr George Jeans

#### 64 **Minutes of the Previous Meeting**

The minutes of the previous meeting held on 25 June 2020 were presented for consideration, and it was,

#### **Resolved:**

**To approve and sign the minutes as a true and correct record.**

#### 65 **Declarations of Interest**

Councillor Leo Randall declared a non-pecuniary interest in applications 19/11239/FUL & 19/11801/LBC by virtue of being a member of Whiteparish Parish Council, which had previously considered the applications. He stated he would reconsider the application with an open mind and not predetermine the matter. Cllr Randal participated in the discussion and vote on this item.

#### 66 **Chairman's Announcements**

The Chairman explained the procedure should a recess be required.

#### 67 **Public Participation**

The committee noted the rules on public participation.

68 **Planning Appeals and Updates**

The Chairman moved that the Committee note the contents of the appeals report included within the agenda pack and requested that any questions be made to officers outside of the meeting. As such, it was:

**Resolved**

**To note the appeals report for the period of 13/06/20 to 13/08/20.**

69 **Planning Applications**

70 **20/02825/FUL - 2 Lower Mooray, Chilmark, SP3 5BA**

**Public Participation**

Sarah Miller (adjacent resident) spoke in objection of the application. Richard Packer and Lucy Packer/Neville-Rolfe (owners of 1 Lower Mooray) provided a statement in objection which was read out by the DSO. Francesca Mathieu, (owner of the property), spoke in support of the application.

Councillor Bev Small, on behalf of Chilmark Parish Council, spoke in objection of the application. For clarity, it was noted that the Chairman of Chilmark PC, Cllr Richard Packer had not participated in any meetings where the Parish council had discussed the application.

James Repper, Planning Officer, presented the application which was for the erection of a detached outbuilding, housing a double garage with office space to the side and to consolidate access and associated works. The application was recommended for approval with conditions as detailed in the Officer report.

Key issues highlighted included: principle of development; scale, design, impact to character, AONB and appearance of the area; and residential amenity and living conditions.

Members of the Committee had the opportunity to ask technical questions to the officer. In response to queries, it was clarified that the surface material for the proposed driveway was yet to be stipulated but would be conditioned to be non-porous to prevent any surface water flow onto the single-track lane. Officers confirmed that the garden area was part of the residential curtilage and clarified that extension policies included outbuildings or proposals detached from the main property.

Members of the public, as detailed above, then had the opportunity to speak on the application.

Concerns were raised regarding the hedging encircling the application site and the dimensions of the proposed outbuilding to which officers reiterated the sizes and noted that due to the proposed roofing material, the height and angle of the roof was to compensate for this specific material and could not be altered in order to be in keeping with the AONB.

Local member Cllr Bridget Wayman spoke in objection of the application and noted her support of the Chilmark Parish Council's statement of objection. Cllr Wayman acknowledged the alterations and reductions in the size of the application but noted that the pictures and proposed site plans appeared to misrepresent the dimensions and size of the area. Reference was made to the age of the property and historical significance for the village, Cllr Wayman requested a condition be added to the application, if approved, to ensure the protection of any mature trees from damage or removal during the development.

The Chair, Cllr Fred Westmoreland, moved a motion to approve the application in line with officer recommendations, including any conditions, which Cllr Christopher Devine seconded.

In the ensuing debate, members considered the existing car parking arrangements and the increasing move towards home working in the current climate. The Committee queried the size of the outbuilding, where it was confirmed that the revised dimensions of the double garage were considered to be a standard size with the majority of the structure hidden behind the encircling hedging.

The Committee asked for clarification on the addition of a condition to protect the hedge along the proposed development. The Officer advised that it would be possible to apply such a condition.

Following debate the Committee confirmed they had heard and seen all relevant visual materials, and voted on the motion of approval in-line with officer recommendation, with the additional condition concerning the protection of the hedging and any mature trees. It was:

## **Resolved**

**The application 20/02825/FUL be approved, subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

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

**Application Form & Certificate Received 29th April 2020  
Revised Garage Elevations DWG: 1500/4B Received 25th June 2020**

**Revised Garage Floorplans DWG: 1500/3C Received 25th June 2020**  
**Revised Site Plan DWG: 1500/2A Received 25th June 2020**

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

- 3 The outbuilding hereby permitted shall not be occupied at any time other than for purposes incidental to the residential use of the main dwelling, known as 2 Lower Mooray and it shall remain within the same planning unit as the main dwelling.**

**REASON:** The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

- 4 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garage space hereby permitted shall not be converted to habitable accommodation.**

**REASON:** To secure the retention of adequate parking provision, in the interests of highway safety.

- 5 The trees and boundary hedging located within the development site shall be protected with suitable protective fencing during the construction works, and such trees and hedging shall to be retained thereafter.**

**REASON:** To retain the verdant nature of the area and to protect the character of the site within the wider AONB, and to screen the approved development.

**71 19/11239/FUL & 19/11801/LBC - Dairy House Farm, Romsey Road, Whiteparish, SP5 2SF**

Public Participation

Peter Claydon (neighbouring residents) spoke in objection of the application.

Claire and Jason Wooldridge (neighbouring residents) spoke in objection to the application.

Shaun Wylie (applicant) provided a statement in support which was read out by the DSO

Maria Pennington (Clerk to Whiteparish Parish Council) spoke in objection to the application.

Richard Hughes, Development Management Team Leader, introduced a report on behalf of planning officer Christos Chrysanthou, which recommended approval, subject to conditions. The proposals were for a new swimming pool

and outbuilding; orangery; single storey link to existing lean-to accommodation; installation of new gates; and retrospective additions of a lean-to storage area, summerhouse and decking.

Officers clarified the areas of proposed development and retrospective developments on the application site plans and noted that as the original main property was a listed building. It was noted that members would need to vote on both the planning application and the listed building consent separately.

Key issues highlighted included: principle of development; scale, sitting, design and impact on amenity, noise, the setting, landscape character and character of the listed building; highways; and drainage.

Members of the Committee had the opportunity to ask technical questions to the officer. In response to queries surrounding the number of retrospective applications, officers noted that they were made aware of the previous developments upon site visits and as such included them within this application retrospectively for ease and efficiency. It was clarified for members which areas of development would be removed from the site if the application were to be refused.

Members of the public, as detailed above, had the opportunity to speak on the application.

The meeting was adjourned from 16:24pm to 16:27pm to allow for members to re-join following technical difficulties due to an electrical storm.

Local member Cllr Richard Britton spoke in objection of the application and cited the complexity of the application with reference to the amount of retrospective applications, resubmissions and amendments spanning over the course of several months. Cllr Britton noted his surprise of the Conservation Officer's non-objection. The perceived cumulative overdevelopment of the property was highlighted with reference made to Core Policy's 57 and 58 and Saved Policy's C24 and H31, and the local context of the property which was considered to be open countryside. Issues in regard to the drainage system were raised and feelings of frustration surrounding the arrangements and process that involved the Environmental Agency were noted.

A motion to refuse the application on the basis of not meeting Core Policy's 57 and 58 and Saved Policy's C24 and H31 was moved by Cllr Richard Britton, which was seconded by Cllr Leo Randall.

Members debated the overdevelopment of the site and the diminution of the original listed building, and whether each of the development areas in turn were intrusive or not to neighbours. Concerns were raised as to the materials used for construction of the lean-to accommodation to which officers clarified were stipulated to be removed and changed to more suitable materials if approved.

The main area of concern surrounded the drainage issues and the existing system of the disposal and discharge of foul water exiting into a public ditch

along the adjacent A27 road. In response to these concerns, officers reiterated that the responsibility of matters concerning foul drainage and swimming pool discharge was dealt with singularly by the Environmental Agency and added that it could be included within the informative if approved to ask the applicant to discuss the issues with the Environmental Agency.

Once members had confirmed they had heard and seen all relevant visual materials, a vote was taken on the motion of refusal.

The motion failed.

The Chairman, Cllr Fred Westmoreland then moved a motion of approval of the application in line with officer's recommendation, with the inclusion of conditions relating to the appearance and roofing materials of the external lean-to accommodation, and communication with the Environmental Agency regarding the foul drainage and swimming pool concerns. This motion was seconded by Cllr Christopher Devine.

With regards to application 19/11239/FUL, the Committee voted on the motion of approval with additional conditions:

### **Resolved**

**That applications 19/11239/FUL be approved, in line with officer recommendations, subject to the following conditions:**

**Subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

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

**Drg. No. 19:034:01REVD Block / Location Plan (revised) Date rec. 05/02/2020**

**Drg. No. 19:034:03REVG Proposed Site Plan (revised) Date rec. 18/05/2020**

**Drg. No. 19:034:06REVE Proposed Floor Plans (revised) Date rec. 05/02/2020**

**Drg. No. 19:034:07REVE Proposed Elevations (revised) Date rec. 05/02/2020**

**Drg. No. 19:034:08REVD New Outbuilding (revised) Date rec. 18/05/2020**

**Drg. No. 19:034:09REVA Proposed Windows Types A & B (revised) Date rec. 24/01/2020**

**Drg. No. 19:034:10REVA Proposed Window Types C (revised) Date rec.**

**24/01/2020**

**Drg. No. 19:034:11REVA Proposed Window Types D (revised) Date rec. 24/01/2020**

**Drg. No. 19:034:15REVC Proposed Eaves, Parapet & Roof Window Details (revised) Date rec. 18/02/2020**

**Drg. No. 19:034:16REVA Proposed Entrance Gates (revised) Date rec. 05/02/2020**

**Drg. No. 19:034:18REVA Existing Summer House Date rec. 18/05/2020**

**Drg. No. 19:034:19REVA Existing Storage Area & Lean-To Roof Date rec. 18/05/2020**

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

- 3 The Air Source Heat Pump to be installed must be in accordance with documentation submitted for the Mitsubishi Ultra quiet Ecodan unit (8.5kW) and maintained at all times thereafter.**

**REASON:** In the interests of amenity.

- 4 As shown on the submitted plan ref: 19:034:19 Rev A, within six calendar months of the date of this decision, the western elevation of the lean-to extension shall be clad with timber boarding to match the constructed eastern façade of the structure. Notwithstanding the above plan, within six calendar months of the date of this decision, the plastic corrugated roof on the lean-to extension shall be replaced with a roof consisting of a more appropriate visual appearance and materials for a listed structure, (such as slate or tile), details of which shall first have been submitted to and agreed in writing by the Local Planning Authority.**

**REASON:** In the interests of preserving and enhancing the appearance and character of the listed building.

**INFORMATIVE TO APPLICANT:**

**In the absence of any information submitted with the application, the Local Planning Authority is concerned that the existing drainage system and septic tank arrangements serving the property may no longer legally comply with current government regulations and may not adequately deal with the discharge from the additional approved works subject of this application. Furthermore, no details of the swimming pool drainage scheme appear to have been agreed. The Local Planning Authority therefore strongly advises that any such drainage consents required should be agreed prior to the works hereby approved being carried out.**

**The applicant is advised that notwithstanding this permission, to ensure that drainage is dealt with in a satisfactory manner, additional relevant permits from the Environment Agency and Wessex Water would be required in addition to compliance with building regulations. The Environment Agency advice can be found via the link below, but in summary, it states that if the pool has a capacity greater than 10,000**

litres and is designed to be refilled automatically with mains water, the applicant must inform their water and sewerage company or authority before works commence. The applicant should also check whether their water and sewage company or authority has any specific requirements, such as using a water meter or supplying the pool from a holding tank.

The applicant must ensure that the plumbing system for the pool is installed and maintained to national requirements.

If the pool would require emptying, the applicant should check the best way to dispose of water with their environmental regulator or their water and sewerage company or authority. Authorisation will be needed to dispose of pool water into sewers, surface waters or ground waters. Usually the water will have to be stored in a vented storage pool to allow chlorine to disperse before disposal. This can take at least 5 days, depending on the volume of water.

Backwash water from the pool filter should be disposed of to a public foul sewer or public combined sewer. The applicant would need to check with their water and sewerage company or authority to see if they need authorisation. If a sewer is not available, the applicant may be able to discharge waste backwash water to a soakaway, but the applicant must make sure that there is no run-off to drains or surface waters. Septic tanks and small package sewage treatment plants are not suitable to treat pool filter backwash as the volume of water and chemicals damage the treatment process. If waste backwash water cannot be discharged to a sewer or a soakaway, the applicant may need to get it removed from site for disposal elsewhere.

Any hazardous substances such as chlorine as hazardous/special waste must be disposed of in a safe manner.

The applicant is advised to contact both the Environment Agency and Wessex Water.

Government guidance contained within the National Planning Practice Guidance (Water supply, wastewater and water quality - considerations for planning applications, paragraph 020) sets out a hierarchy of drainage options that must be considered and discounted in the following order:

1. Connection to the public sewer
2. Package sewage treatment plant (adopted in due course by the sewerage company or owned and operated under a new appointment or variation)
3. Septic Tank

Foul drainage should be connected to the main sewer. Where this is not possible, under the Environmental Permitting Regulations 2016 any



**discharge of sewage or trade effluent made to either surface water or groundwater will need to be registered as an exempt discharge activity or hold a permit issued by the Environment Agency, addition to planning permission. This applies to any discharge to inland freshwaters, coastal waters or relevant territorial waters.**

**Please note that the granting of planning permission does not guarantee the granting of an Environmental Permit. Upon receipt of a correctly filled in application form we will carry out an assessment. It can take up to 4 months before we are in a position to decide whether to grant a permit or not.**

**Domestic effluent discharged from a treatment plant/septic tank at 2 cubic metres or less to ground or 5 cubic metres or less to surface water in any 24 hour period must comply with General Binding Rules provided that no public foul sewer is available to serve the development and that the site is not within an inner Groundwater Source Protection Zone.**

**A soakaway used to serve a non-mains drainage system must be sited no less than 10 metres from the nearest watercourse, not less than 10 metres from any other foul soakaway and not less than 50 metres from the nearest potable water supply.**

**Where the proposed development involves the connection of foul drainage to an existing non-mains drainage system, the applicant should ensure that it is in a good state of repair, regularly de-sludged and of sufficient capacity to deal with any potential increase in flow and loading which may occur as a result of the development.**

**Where the existing non-mains drainage system is covered by a permit to discharge then an application to vary the permit will need to be made to reflect the increase in volume being discharged. It can take up to 13 weeks before we decide whether to vary a permit.**

**Further advice is available at:**

**<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits#when-you-do-not-need-a-permit>**

**<https://www.gov.uk/permits-you-need-for-septic-tanks/you-have-a-septic-tank-or-small-sewage-treatment-plant>**

The Chairman, Cllr Fred Westmoreland then moved a motion of approval with regards to application 19/11801/LBC, the Listed Building Consent. This was seconded by Cllr Christopher Devine.

Richard Hughes, Development Management Team Leader, reminded members that the same conditions stipulated for the lean-to accommodation in the prior application must be included within the Listed Building Consent vote.

Members of the Committee voted on the motion to approve the Listed Building Consent; following which it was:

**Resolved**

**That the Listed Building Consent ref: 19/11801/LBC, be approved in line with officer recommendations, subject to the following conditions:**

- 1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.**

**REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

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

**Drg. No. 19:034:01REVD Block / Location Plan (revised) Date rec. 05/02/2020**

**Drg. No. 19:034:03REVG Proposed Site Plan (revised) Date rec. 18/05/2020**

**Drg. No. 19:034:06REVE Proposed Floor Plans (revised) Date rec. 05/02/2020**

**Drg. No. 19:034:07REVE Proposed Elevations (revised) Date rec. 05/02/2020**

**Drg. No. 19:034:08REVD New Outbuilding (revised) Date rec. 18/05/2020**

**Drg. No. 19:034:09REVA Proposed Windows Types A & B (revised) Date rec. 24/01/2020**

**Drg. No. 19:034:10REVA Proposed Window Types C (revised) Date rec. 24/01/2020**

**Drg. No. 19:034:11REVA Proposed Window Types D (revised) Date rec. 24/01/2020**

**Drg. No. 19:034:15REVC Proposed Eaves, Parapet & Roof Window Details (revised) Date rec. 18/02/2020**

**Drg. No. 19:034:16REVA Proposed Entrance Gates (revised) Date rec. 05/02/2020**

**Drg. No. 19:034:18REVA Existing Summer House Date rec. 18/05/2020**

**Drg. No. 19:034:19REVA Existing Storage Area & Lean-To Roof Date rec. 18/05/2020**

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

- 3 No development shall commence on site until details of the Natural slate roof tiles and the grey angled tiles to be used on the outbuilding hereby approved have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with**

the approved details.

**REASON:** In the interests of preserving the character and appearance of the listed building and its setting.

- 4 As shown on the submitted plan ref: 19:034:19 Rev A, within six calendar months of the date of this decision, the western elevation of the lean-to extension shall be clad with timber boarding to match the constructed eastern façade of the structure. Notwithstanding the above plan, within six calendar months of the date of this decision, the plastic corrugated roof on the lean-to extension shall be replaced with a roof consisting of a more appropriate visual appearance and materials for a listed structure, (such as slate or tile), details of which shall first have been submitted to and agreed in writing by the Local Planning Authority.

**REASON:** In the interests of preserving the appearance and character of the listed building.

**INFORMATIVE**

The applicant's attention is drawn to the drainage related informatives on the associated planning permission.

With regards to condition 03 & 04 above, a Discharge of Conditions application will be needed to satisfy this condition. Note that condition 04 requires the replacement of the existing roof material on the existing structure, and enhancement of the existing structure. The LPA is of the opinion that the existing corrugated material currently in place on this structure is not acceptable for a listed structure.

72 **Urgent Items**

There were no urgent items.

The Chairman informed Members that site visits were now taking place again.

(Duration of meeting: 3.00 - 5.17 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](mailto:lisa.moore@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115