

Southern Area Planning Committee

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 12 NOVEMBER 2020 AT ALAMEIN SUITE, CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

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

Also Present:

84 **Apologies**

There were none.

85 **Minutes of the Previous Meeting**

The minutes of the meeting held online on 29 September 2020 were presented.

Resolved:

To approve as a correct record and sign the minutes.

86 **Declarations of Interest**

There were none.

87 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

88 **Public Participation**

The committee noted the rules on public participation.

89 **Planning Appeals and Updates**

The committee received details of the appeal decisions as detailed in the agenda. It was:

Resolved:

To note the Appeals and Updates report for the period of 18/09/20 – 30/10/20.

90

Planning Applications

91

19/11985/FUL - Land at Bonham Farm, Bonham Lane, Stourton, BA12 6PX

Public Participation

Hilary Younger spoke in objection to the application

Erik Ruane spoke in objection to the application

Nick Hoare (Applicant) spoke in Support of the application

Sara Hoare (Applicant) spoke in Support of the application

Diccon Carpendale (Agent) spoke in Support of the application

Pat Booth Vice-Chairman Stourton with Gasper Parish Council spoke in Support of the application

The Senior Planning Officer, Becky Jones presented the application for 4 no affordable dwellings comprising 2 x two bed house and 2 x three bed houses with associated access and parking area. The application was recommended for refusal.

The Officer noted that the site was currently marked out for agricultural pasture with an area of woodland to the west. The proposed access was along a track which led to 12 parking spaces positioned at the front of the dwellings with gardens to the rear. A public footpath also ran through the centre of the track.

There were farm buildings opposite the site which consisted of a mixture of some which were historic and of period and some, more modern. Nearby properties, Bonham Farmhouse was grade II and Bonham Farm Cottage was Grade II* listed.

A series of slides showing the elevations and floorplans were explained.

Proposals include some new vehicular passing places along Bonham Lane.

A separate affordable housing scheme with 4 dwellings was owned by the applicant. This scheme called Brook Cottages, had been given permission in 2013.

The main issues which had been considered to be material in the determination of this application were listed as:

1. Principle of development and whether the development met the policy criteria for an exceptions site
2. Affordable housing provision and Wiltshire Council's allocations policy
3. Impact on the settings of heritage assets and the character and appearance of the area
4. Landscape setting and the character of the AONB
5. Impact on residential amenity

6. Impact on the local road network, highway safety and rights of way
7. Ecology, archaeology and non mains drainage
8. Site at Brook Cottages in Gasper and application 13/00636/FUL

There had been 3 letters of objection and 14 in support. The Parish Council was in support of the application.

Objections from statutory consultees in Housing, Conservation and Highways, were detailed in the report.

The site was felt to be unsustainably situated and did not meet the requirements of CP44, in that it was not accessible to local services and employment.

Nomination rights retained by landlord and not a registered provider. In Brooks cottages site the PC was tied to the S106 and the landlord was still required to cooperate with the PC when necessary in the fulfilment of obligations in the allocations policy. Also, the Council would have little or no way of controlling rent or ensuring continuity going into the future.

Landscape sustainability reason – there would be significant highways and visual implications of the site on the AONB.

The second refusal reason relates to the impact on the significance of the grade II and Grade II* listed buildings, the Conservation Officer and Historic England felt that the development would harm the historically remote rural settings of the farmhouse and the former Chapple of St Benedict.

Attention was drawn to the appendices attached to the report.

Members of the Committee had the opportunity to ask technical questions of the officer. In response to queries, it was clarified that if land owner retained the rights he would control who was allocated a property and what the rents would be, however if approved then this could be managed with a S106 agreement, as there was no involvement of the PC for this scheme.

The councils Exception Site Policy also applied to non-build to rent sites and that build to rent was included as a category in the NPPF.

The concerns raised by the AONB around the roof lights could be eased by the addition of a condition.

The trackway was in the ownership of the applicant and as it was also a footpath it could not be obstructed.

The NPPF had updated the definition of affordable housing, however the councils Local Plan was in place and it was officers interpretation of build to rent was not suitable for rural exception sites and it was meant to be a class by itself.

The Conservation Officer was asked to clarify the historic importance of the site.

Jocelyn Sage, Senior Conservation Officer outlined the importance of the historic interest of the site. Bonham Manor was II* and was C14 in origin with some late alterations. It was where Lords of Stourton lived from the C14, and the chapel was where they went to worship also a chapel that roman Catholics could come and worship. The Isolated character of the building was a key reason why the chapel remained a place of worship for such a long time, because it was hidden away.

There was a common agreement between the council's conservation team, the applicant, the heritage consultant and Historic England that the development site is within the setting of these assets, we don't agree on how impactful the development would be on the setting.

There was a requirement under section 66 of the Planning and Listed Building and Conservations areas Act, requires the local authority to have special regard to the desirability to preserving the building or its setting.

The Officer gave examples of case histories of third party judicia reviews of local authority decisions.

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

Some of the main points included comments around the sustainability of the area and whether it was suitable for an increase in dwellings and traffic.

It was stated that Bonham Manor was the only property not owned by applicant and was cited in the publication, Important Buildings in Wiltshire and that the isolation and tranquillity was an essential part of how that came to be listed.

Whether the proposals were contrary to Wiltshire and national planning policy documents.

The existing four affordable housing scheme's rent was charged at 71% of market rent value and the applicant stated that he would sign a S106 agreement guaranteeing perpetuity.

The Parish Council was in support of the proposed development.

Local Member Cllr George Jeans then spoke in support of the application, noting that he would seek Officer assistance in stating appropriate reasons based on Core Policy references should the application be approved.

The application was called in based on localism, as it was a welcome development by most locally including Stourton and Gasper Parish Council.

A similar 4 dwelling scheme had been built at Gasper a few years previously which had been approved by the Southern Area Planning Committee, against

officers' recommendations. That development had since proved to be successful.

He urged the Committee to look beyond the report of officers for these proposed dwellings. There was employment in the area as could be noted based on the existing residence of the 4 developed dwellings, which he listed as all working within the nearby community.

A cottage nearby was for sale for a £1 million, many do not now commute hence one reason for the premiums commanded. Southwest Wiltshire had the highest proportion of persons above 65 in Wiltshire, this imbalance needed addressing.

Key workers carers etc were required to live in the area. The existing affordable housing dwellings rent was less than that charged for the two recently Wiltshire Council developed bungalows in Mere.

The Highway standard was little different to the application previously granted and built out. The National Trust at Stourhead had 400, 000 visitors a year, a percentage of which used these roads; therefore the proposed 4 houses would add infinitesimally to this application.

He compared the proposal to other developments granted permission in the Mere Area, which included The Old Ship Hotel which was also a Grade II* listed which he stated had changed its setting character.

Modern farm buildings and machinery and the well-used nearby road previously mentioned, had caused the setting and ambience to bear significantly less resemblance to what was there when Catholicism was not welcomed.

It would likely be possible for a large agricultural building to be constructed on the footprint of this site, which in my opinion would have more impact on the setting.

He felt that the localism requested by Stourton and Gasper Parish Council and others in support should be supported and the application be approved by the Committee.

Cllr Jeans then moved a motion of Approval against Officer recommendation, stating the reasons and this was seconded by Cllr Devine.

The provision of much needed affordable housing in this village outweighs any modest and less than substantial harm to the adjacent heritage assets, the landscape of the AONB, or the highway system. The site is sustainable in a rural context, given that the village is dispersed in character, and it would be difficult to provide a site closer the Stourhead centre, particularly given the volume of visitors that settlement received normally, and its protected status. The Gasper affordable housing scheme approved some years ago appears to be working well. Consequently, the proposal would accord with the overarching sustainability, heritage, landscape, and rural affordable housing goals and aims

of national and local planning policies, including local policies CP44, CP48, CP51, CP57, CP58, and CP61. The proposal should be approved, subject to a S106 being entered into similar to that previously approved at the Gasper site, to restrict the housing to local affordable housing, in accordance with the restrictions required in the NPPF and NPPG for Build to Rent, and tied to the Stourton Estate Allocations policy framework.

The Committee was invited to discuss the application, the main points included the need for more affordable housing and options for controlling the rent amounts in lieu of the involvement of the PC and whether a restriction on the sale of the properties at a later date could be applied.

The PC housing survey which had shown a need for local housing and the PC support for the application was noted.

The objections from the statutory consultees was raised as a concern by some members, whilst others felt that the concerns could be managed by conditions.

The unsustainability of the rural area was also debated with arguments on both sides. It was proposed that having broadband provision would qualify a location as being sustainable.

The historic importance of the historic Chapel and the unique setting were given as reason for not supporting the application by some members.

Following debate the Committee confirmed they had heard and seen all relevant visual materials, and voted on the motion of approval against officer recommendation, with the reasons stated as: there was a desperate need of affordable housing in the area, the area was not considered as unsustainable, there would be little or no impact on heritage and this would be outweighed by the public benefits of providing affordable housing and that there would be little additional impact on highways. In addition a S106 agreement would need to be agreed and the standard conditions applied by the Officer to cover the standard 3 year development window, ecology net gain, drainage, landscaping, lighting, parking and access, the new passing bays, archaeology and renewable energy.

It was:

Resolved:

that application 19/11985/FUL be:

- i) delegated back to officers and**
- ii) Approved subject to the applicant entering into a Section 106 Agreement to restrict the development to four Build to Rent dwellings for local affordable rent in perpetuity and in accordance with the restrictions required in the NPPF and NPPG for Build to Rent, and tied to the Stourton Estate Allocations policy framework.**

And 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 listed in schedule

Proposed Site and Location Plans ref 14082 – 2 dated Oct 2019

Proposed Plans, Elevations and Sections ref 14082 – 4 dated Oct 2019

Suggested Improvements to Bonham Lane plan (2 No new passing places) received 3/11/20

Proposed Site Plan Layout and Typical Section AA ref 14082 – 3 dated Oct 2019

Proposed Drainage Scheme ref 2019-101-01 dated Dec 2019

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

3. Notwithstanding the details shown on the submitted plans and forms, no development shall commence above slab level on site until details of the materials for the walls and roofs of the development and the surfaces for the parking spaces, turning area and new access have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. Any timber cladding shall be horizontal boarding.

REASON: The proposed application contains insufficient information and the matter raised above require to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4. A scheme for soft landscaping for the development shall be submitted to and approved in writing by the Local Planning Authority before the car parking layout is completed. All soft landscaping comprised in the details to be approved shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. No development shall commence within the site area until:

- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.'

Informative: In order to fulfil the archaeology condition, the LPA would wish to see the preparation of a Written Scheme of Investigation (WSI), setting out the terms of an archaeological excavation, exploring the house platform, the associated earthworks and the features identified to the south east by the evaluation. This WSI and subsequent excavation to be carried out by qualified archaeologists with the costs to be met by the applicant.

6. Before their installation, a scheme for the two new passing bays on Bonham Lane shall be submitted to and approved in writing by the Local Planning Authority.

No part of the development hereby permitted shall be occupied until:

1. the access, turning area and parking spaces for the dwellings
2. the two new passing bays in Bonham Lane shown on Plan titled Suggested Improvements to Bonham Lane plan (2 No new passing places) received 3/11/20

have been suitably consolidated, surfaced (not loose stone or gravel) and completed in accordance with the details shown on the approved plans and details to be agreed. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

7. The development hereby permitted shall not be occupied until the approved sewage and surface water disposal drainage works and package treatment plant proposed have been completed in accordance with the submitted and approved details on plan ref Proposed Drainage Scheme ref 2019-101-01 dated Dec 2019

REASON: To ensure that the development is provided with a satisfactory means of drainage.

8. The development hereby permitted shall not be occupied until
 - i) a scheme for ecological net gain (such as bat and bird boxes) and

ii) a scheme for renewable energy provision

have been completed in accordance with details to be submitted to and approved in writing before the development is occupied. The measures to be agreed shall remain in situ for the lifetime of the development.

REASON: To ensure that the development results in an ecological net gain for the site and provides renewable energy.

9. No external light fixture or fitting shall be installed on any of the buildings or within the application site until a detailed lighting plan has been submitted to and approved in writing by the LPA. Any lighting shall be designed to ensure that non-polluting lighting is used and to a minimum to ensure that the AONB International Dark Sky Reserve status is maintained. The lighting plan shall incorporate the recommendations in:

- **Fact Sheets & Good Practice Notes Number 6 Good Practice Note Colour and Integrating Developments into the Landscape, prepared by Cranborne Chase and West Wiltshire Downs AONB, January 2013.**
- **Position Statement Number 1 Light Pollution, prepared by Cranborne Chase and West Wiltshire Downs AONB, November 2007.**
- **Fact Sheets & Good Practice Notes Number 7, prepared by Cranborne Chase and West Wiltshire Downs AONB, January 2016.**

and any lighting shall be angled downwards and away from hedges and trees. The development shall be implemented in accordance with the agreed details in the lighting plan.

Reason: A detailed lighting plan has not been submitted and special consideration should be given to maintaining the AONB International Dark Sky Reserve status. These measures are suggested to ensure that the proposed development contributes to, rather than detracts from the conservation and enhancement of the scenic beauty and character of the Cranbourne Chase AONB. Furthermore, the introduction of artificial light is likely to mean that wildlife species are disturbed and/or discouraged from using the area. Such disturbance may constitute an offence under relevant wildlife legislation.

10. Construction hours shall be limited to 0800 to 1800 hrs Monday to Friday, 0800 to 1300 hrs Saturday and no working on Sundays or Bank Holidays.

Reason: To ensure that appropriate levels of amenity for nearby residents are achievable.

92 Urgent Items

There were no urgent items

(Duration of meeting: 3.00 - 4.39 pm)

The Officer who has produced these minutes is Lisa Moore of Democratic Services,
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