

Southern Area Planning Committee

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 17 OCTOBER 2024 AT MARLBOROUGH ROOM, THE RED LION HOTEL, 4 MILFORD STREET, SALISBURY, SP1 2A.

Present:

Cllr Sven Hocking (Vice-Chairman, in the Chair), Cllr Richard Budden, Cllr Sam Charleston, Cllr Brian Dalton, Cllr George Jeans, Cllr Nabil Najjar, Cllr Bridget Wayman and Cllr Ricky Rogers

51 **Apologies**

Apologies were received from:

Councillor Andrew Oliver (Chairman)
Councillor Charles McGrath

52 **Minutes of the Previous Meeting**

The minutes of the meeting held on 12 September 2024 were presented.

Resolved:

To approve as a correct record and sign the minutes.

53 **Declarations of Interest**

There were no declarations of interest.

54 **Chairman's Announcements**

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

55 **Public Participation**

The committee noted the rules on public participation.

56 **Planning Appeals and Updates**

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

It was;

Resolved:

To note the report.

57 **Application Number: PL/2023/07895 - Poles Farm, Swallowcliffe, Wiltshire, SP3 5NX**

Public Participation

Ms Lyndsay Boothman spoke in objection to the application

Ms Rebecca Rymer spoke in objection to the application

Mr Andrew Wass spoke in objection to the application

Mr Matthew Haley (agent) spoke in support

Mr Ken Bolan (Applicant) spoke in support

Cllr Amanda Brockway of Swallowcliffe Parish Council spoke in objection to the application.

The Planning Officer, Joe Richardson, introduced a report which recommended that the application for the demolition of existing barns and erection of new four bed residential home and detached car port/garden store, be approved. Key details were stated to include the principle of development and impact upon neighbour amenity.

Attention was drawn to additional correspondence which had been sent to members and officer by a third party.

The presentation included context to the flood zones, current access, the removal of buildings 5,8 and 10 as shown on the Wiltshire Building Record extract, previous planning permissions associated with the farmhouse, the site in relation to the neighbouring properties and the existing and proposed block plans.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the difference between the original footprint and the proposed, it was clarified that the proposed property was set back slightly, and the roof height would be higher in places.

The Council's duty in relation to the Dark Skies Initiative was raised, with consideration to the need for reduced lighting on sites within the AONB.

In relation to evidence of flooding, there had been a historic photograph circulated by a third party which depicted an area of flooding at the site. The Officer clarified that no building works were proposed on flood zones 2 or 3, only in zone 1, and that there was no further evidence that suggested the site flooded.

The default use for the site was currently agricultural, part of the application was to change the use to residential.

Attention was drawn to the conditions recommended by the Highways Officer and the access which would be created by the removal of the Hosier building from the site. The Officer noted that a large increase in vehicular movement was not anticipated on the site.

Members of the public then had the opportunity to present their views to the committee as detailed above, with the Parish Council representative highlighting their objections, as set out in the report.

The Unitary Division Member, Councillor Nabil Najjar then spoke on the application, noting that he rarely called applications in to Committee for consideration, however due to the high level of objections received on the application and the objection of Swallowcliffe Parish Council, he felt that the weight of community concern justified a call in.

Cllr Najjar highlighted areas of concern which included the scale of the proposed development, noting that it was too large and not in keeping with the other nearby properties. He did not consider the development to be infill as it was set further back from the others and encroached on agricultural land and a pond.

There would be a loss of green space to achieve the property which was considered too large for the plot. The significance of the AONB site was raised, in that there was a responsibility to protect and preserve such sites and to limit light pollution where possible.

Cllr Najjar noted the Highways comments on access, suggesting that they did not have the benefit of local knowledge on the difficulties there were due to the narrow nature, suggesting that creating additional pressure would be asking too much on the narrow entrance and egress point.

Cllr Najjar then moved the motion of refusal, stating the reasons to be size and scale, impact on drainage and flooding, not considered as an infill development and the impact on AONB and dark skies.

This was seconded by Councillor Bridget Wayman.

A debate followed where the matter of drainage consent was discussed, noting that it was a separate matter between the applicant and the Environment Agency.

It was noted by the Officer that seeking comments from AONB was not compulsory for each application, however the AONB had been consulted on this application.

Whilst discussing flooding, the Committee considered the possibility that should it be minded to refuse the application then there would be scope for the applicant to go to appeal. If one of the reasons for refusal was flooding, then this would be considered by an inspector, and as there were no objections

based on flooding from the statutory consultees, subject to conditions, this element may not be supported by an inspector.

The original mover of the motion, Cllr Najjar was asked whether he would consider removing that element from the reasons for refusal, which he agreed to do.

Cllr Najjar then revised his motion to include the reasons as:

1. Scale
2. Infill
3. Impact on AONB

The original seconder Cllr Wayman agreed to support the amended motion.

The Committee was split in its view on the design and whether the proposal was in keeping with the other dwellings nearby.

The roof lights would create an element of lighting which currently was not present, as the existing barn did not have lighting. In addition, the Committee discussed the damage to the local eco system and wildlife corridor.

At the close of debate, the Committee voted on the motion of Refusal, against Officer recommendation, for the reasons as listed above.

It was,

Resolved

That planning permission for PL/2023/07895 be Refused, for the following reason(s):

It is proposed to demolish an existing Dutch barn and remove other structures within the Poles Farmhouse complex, and provide a four-bedroom dwellinghouse, outbuilding and residential curtilage. The site is within a Conservation Area and the landscape of the Area of Outstanding Natural Beauty (AONB), where new residential development is limited. Due to the overall size, scale and positioning of the development proposal, it would result in an overly large dwellinghouse that is not considered to be compliant with the Council's "infill" policy, and which would cause significant harm to the character and setting of the area, and the wider AONB by way of the resulting light pollution created. Consequently, the proposal is contrary to the aims of Core Policies CP2, CP51, CP57 and CP58 of the Wiltshire Core Strategy, and the aims of AONB Management Plan and the NPPF.

58 **Application Number: PL.2024.03325 - Wyckfield, Homington Road, Coombe Bissett, SP5 4LR**

58 Public Participation

Nicholas Artiss (Applicant) spoke in support of the application
Charlotte Watkins (Agent)

The Planning Officer, Joe Richardson, introduced a report which recommended that the application for the Demolition of out buildings and erection of 1 self-build residential dwelling, access, parking, landscaping and associated works, be refused. Key details were stated to include the principle of development and impact upon neighbour amenity.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the flood zone areas, where it was noted, the site was situated mainly in flood zone 2 and partially within flood zone 3.

Clarification was sought on whether there were any restrictions on roof lights due to the site being just inside the Cranbourne Chase.

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

The Chairman read a statement on behalf of the Unitary Division Member, Councillor Richard Clewer, as he was not in attendance.

The key issue and the reason for the call in, was the question of flooding. Other potential issues appeared to have been resolved through statutory consultee responses.

At face value, flood zones would rule the application out, however, the land on which the house would be built was currently occupied by a tarmac tennis court, an impermeable surface. The replacement of this with a house required a judgement call from a planning perspective, which he believed should be put to a committee to consider, in light of views from the applicant and officers.

Lastly, he noted that the views of the Parish Council summed up the issue well and after consideration and discussion with the planning officer he felt there was enough nuance and balance of judgement for a committee to be best placed to make a decision.

Cllr Hocking moved the motion of Approval against officer recommendation.

This was seconded by Councillor Nabil Najjar.

The Committee asked the case officer to read out suggested conditions which could be applied should the application be approved.

The Committee agreed to add an additional condition relating to external light pollution, with an informative around internal lighting.

A debate followed where issues relating to flood zone 3 were discussed. The Committee queried whether the development would result in pushing the

flooding issue to another area. The Officer noted that the required sequential test would establish that, when carried out.

In response to debate on roof lights, the Officer noted that if a different style of window was selected, such as dormer windows, that would raise different issues.

At the close of debate, the Committee voted on the motion of Approval, as detailed above, with the conditions and informative as stated by the Officer.

It was,

Resolved:

That planning permission for application PL/2024/03325 be granted 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:

DWG No: 3098-105 Site Location Plan Date Received 17.04.24

DWG No: 3098-101 Rev D Proposed Site Layout Plan Date Received 28.08.24

DWG No: SF32995-001 Rev B Proposed Elevations, Floor and Section Plans Date Received 04.04.24

DWG No: 3098-102 Rev A Existing and Proposed Street Scene Plan Date Received 04.04.24 Flood Risk Assessment undertaken by Rappor Consultants Ltd dated March 2024 Date Received 04.04.24

Nutrient Avon Calculator Date Received 19.09.24

Preliminary Ecological Assessment undertaken by Ellendale Environmental Dated June 2023 Date Received 04.04.24

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

3 Prior to the commencement of the development hereby permitted above slab level, details of the external materials for the new dwellinghouse to include the brick plinth, cladding, roofing material and materials to be used for the dormer windows, glazing, rooflights, doors, windows, rainwater goods shall be submitted to and approved in writing by the Local Planning Authority. Details of the hard surface material (that shall be permeable) to be used for the parking area and; details of the materials to be used in the construction of the boundary walling to sub-divide the site with an elevational drawing showing the walling detail shall be 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 amenity, the wider landscape context area including the Conservation Area and flood resilience.

4 Prior the demolition of any outbuilding associated with the development hereby permitted, a repair schedule for the boundary walling as shown on approved drawing DWG No: 3098-101 Rev D shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To preserve and enhance the character of the Conservation Area.

5 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), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the eastern or western elevations of the dwellinghouse hereby permitted.

REASON: In the interests of residential amenity and privacy.

6 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C or E shall take place on the dwellinghouse hereby permitted or within its curtilage.

REASON: In the interests of the amenity of the area, flood prevention and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

7 The residential unit in the development hereby permitted shall be constructed as a self-build dwelling within the definition of self-build and custom build housing in the 2015 Act:

i. The first occupation of the unit in the development hereby permitted shall be by a person or persons who had a primary input into the design and layout of the unit and who intends to live in the unit for at least three years;

ii. The Council shall be notified of the person who intend to take up first occupation of the unit in the development hereby permitted at least two months prior to first occupation.

REASON: To define the scope of the planning permission and in order for the Council to have an up-to date self-build register in accordance with Section 1 of the Self-Build and Custom Housebuilding Act 2015 (as amended by the Housing and Planning Act 2016).

8 The finished ground floor level of the dwellinghouse hereby permitted shall be set no lower than 58.81m AOB as stated in paragraph 5.6 of the Flood Risk Assessment undertaken by Rappor Consultants Ltd dated March 2024 Date Received 04.04.24

REASON: In the interests of flood resilience.

9 Notwithstanding the approved Flood Risk Assessment, no development shall commence on site until a drainage and surface water drainage scheme for the site (based on sustainable drainage principles SuDS) has been submitted to and approved in writing by the Local Planning Authority. It shall include:

- **The 1 in 30 year rainfall event is contained within the drainage system without causing flooding to any part of the site;**
- **The 1 in 100 year plus climate change rainfall event does not cause flooding to any building (including a basement);**
- **How surface water and pollution control will be managed during construction;**
- **A plan showing overland flow routes across the site to demonstrate that exceedance flows in excess of the 1 in 100 year storm and climate change is wholly and fully managed on site and do not pose a risk to people or property (including those up and downstream of the site).**

The surface water scheme shall be implemented before the first occupation and/or use of the development and be constructed in accordance with the approved details.

REASON: To record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and to make this evidence and any archive generated publicly accessible.

10 No development shall commence within the approved site location plan DWG No: 3098 –105, until:

- a) **A written programme of archaeological investigation, which should include on-site work and offsite work such as the analysis, publishing and archiving of the results, has been submitted to and approved in writing by the Local Planning Authority; and**
- b) **The approved programme of archaeological work has been carried out in accordance with the approved details as evidenced by the submission to the Local Planning Authority of a satisfactory report on the results within six months of the conclusion of archaeological monitoring on site.**

REASON: To record and advance understanding of the significance of any heritage assets to be lost in a manner proportionate to their importance and to make this evidence and any archive generated publicly accessible.

11 The development hereby permitted shall not be occupied until the first 5m of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

12 Any gates shall be set back 5m from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

13 No part of the development hereby permitted shall be occupied until the access, turning area & parking spaces [3] have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

14 The proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

REASON: To ensure that the highway is not inundated with private water.

15 The overnight development hereby permitted shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage).

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

16 The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme, or an alternative approved mitigation package addressing the recreational pressure arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017.

17 The development hereby permitted shall not commence until evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation scheme, or an alternative approved mitigation package addressing the additional nutrient input arising from the development, has been submitted to, and approved in writing by the Local Planning Authority.

REASON: To accord with the Conservation of Habitats and Species Regulations 2017, and Wiltshire Core Strategy Core Policy 69.

18 The proposed package treatment plant and drainage field shall be installed, maintained and operated in accordance with the submitted specification and details hereby approved. Any subsequent replacements shall have an equivalent or improved performance specification. The package treatment plant and drainage field shall be installed, connected and available for use before the development is occupied and they shall be maintained and operated thereafter for the lifetime of the development.

REASON: To provide ongoing and adequate nutrient mitigation for the nutrient neutrality water catchment for the life of the development and to ensure that any future package treatment plant is of an equivalent or improved standard.

19 Any external lighting that is installed across the application site shall be designed and implemented to minimise sky glow, glare and light trespass. It shall be designed in a downward facing position at all times and shall meet the criteria for Environmental Zone E0 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. Any external lighting installed at the site shall be retained and maintained as such thereafter for the lifetime of the development.

REASON: To ensure appropriate levels of amenity are achieved and; to protect the Dark Skies Initiative

Informatives: (9)

1 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and

Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a

Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional

Information Form has not already been submitted, please submit it now so that we can determine

the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please

submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice

and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastucturelevy

2 The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitat 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.

3 All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

4 In respect of condition 9, the applicant is advised to refer to Wiltshire Councils Developer Guidance note for soakaways (Developers-guidance-note-surface-water-soakaways-2.pdf (wiltshire.gov.uk))

5 In relation to condition 16, evidence of compliance to the Wiltshire Council New Forest Protected Sites Recreational Impacts Mitigation Scheme means confirmation of payment of the financial contribution to the scheme. An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.

6 In relation to condition 17, Evidence of compliance to the Wiltshire Council River Avon Special Area of Conservation Mitigation Scheme means the certificate of allocation of credits and confirmation of financial contribution to the scheme. An alternative mitigation package must be approved by the local planning authority and Natural England with evidence of allocation to the scheme.

7 The application involves an upgrading of the existing vehicle access/dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352 or visit their website at <http://wiltshire.gov.uk/highways-streets> to make an application.

8 Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:

The use of plant and machinery; Oils/chemicals and materials;

The use and routing of heavy plant and vehicles:

The location and form of work and storage areas and compounds; The control and removal of spoil and waste.

9 The applicant is advised that all rooflights within the dwellinghouse shall be fitted with automatic blinds in order to minimise light spillage and reduce light pollution.

59 **Application Number: PL/2024/05873 - River House, 9 Hadrians Close, Salisbury, SP2 9NN**

Cllr Sam Charleston left the meeting

Public Participation

Ms T Barsby spoke in objection to the application

Mr Nigel Lilley (Agent) spoke in support of the application

The Planning Team Leader, Richard Hughes, introduced a report which recommended that the application for alterations and extension at first floor level be approved. Key details were stated to include the principle of development and impact upon neighbour amenity.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on whether there were any windows on the gable end of the neighbouring property, where it was confirmed, there were some windows which looked out on to a high hedge.

The Officer also confirmed that there was no footpath on the other side to the river.

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

The unitary division member, councillor Ricky Rogers then spoke on the application, noting that it was his view that the proposal amounted to overdevelopment of the site.

Cllr Rogers highlighted the concerns of neighbouring residents in Lower Road and Hadrian's Close, who would be impacted by the development if approved, due to a change to the setting of the area.

It was further noted that there was enough ground around the existing dwelling to accommodate more rooms without building up another level.

Cllr Ricky Rogers then moved the motion of refusal on the grounds of CP57, impact on neighbouring properties and streetscene, overdevelopment and design.

This was seconded by Councillor Brian Dalton.

A debate followed where the Committee discussed the design of the proposed development and the impact to the character of the area, noting that a 3-storey structure would stick out above the other dwellings.

The development was considered to be over development of the site and of poor design.

At the close of debate, the Committee voted on the motion of refusal against officer recommendation, as detailed above.

It was,

Resolved:

That planning permission for PL/2024/05873 be Refused for the following reasons:

The proposal would add an additional floor to the existing split level dwelling, thus creating a three storey dwelling as seen from the side and rear, which would be visible from the adjacent housing area, which consists of more modest two storey dwellings. It is considered that the overall design and visual appearance of the resultant dwelling as enlarged would be unsympathetic to, and out of keeping with, the character of the surrounding area, contrary to the aims of policy CP57 of the adopted Wiltshire Core Strategy and associated adopted Wiltshire Design Guide.

60 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 5.20 pm)

The Officer who has produced these minutes is Lisa Alexander of Democratic Services, direct line 01722 434560, e-mail lisa.alexander@wiltshire.gov.uk

Press enquiries to Communications, direct line 01225 713114 or email communications@wiltshire.gov.uk