

## SOUTHERN AREA PLANNING COMMITTEE

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**MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 25 FEBRUARY 2016 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.**

**Present:**

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian Tomes and Cllr Ian West

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9 **Minutes**

The minutes of the meeting held on Thursday 14 January 2016 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the 14 January 2016, subject to:**

- **Cllr Dalton to be recorded as 'also in attendance' as he was there to speak on one item, as the Unitary Division Member.**

10 **Declarations of Interest**

11 **Chairman's Announcements**

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

12 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

13 **Planning Appeals**

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

14 **Planning Applications**

15 **15/10963/FUL: Land at Bourne Close and High Street Corner, Porton, SP4 OLL**

Members of the public registered to speak on this application were:

Mrs Valarie Creswell in objection to the application.

Dr A Appleyard in objection to the application.

Mr Wesley Bright in objection to the application

Mr Roly Grimshaw in Support of the application

Rita Pope (Agent) in support of the application

Mr Wayne Maher in support of the application

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting and introduced the application for a Proposed bungalow (resubmission of 15/04079/FUL). The application was recommended for refusal. The site was located within a Conservation Area, a Special Landscape Area and was immediately adjacent to a grade II listed property to the east of the site. Conservation had noted that the proposed dwelling on the site would remove an open space from the middle of the conservation area and affect the setting of the adjacent listed building.

Rights of Way (RoW) were in objection to the application, as the council had received an application for a Definitive Map Modification Order (DMMO) to record a public footpath along the east boundary of the proposed site, the application being supported by evidence that a public footpath exists, and that evidence was still being considered by RoW. They had recommended that the application for the development was either refused or a decision deferred until such time as the outcome of the DMMO application was known.

Cllr Hewitt had requested additional plans to be shown, detailing Box Hedge Cottage and new dwelling to the south of the proposed site.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that RoW was still considering the evidence and it could be several months before a decision was expected. As the applicant had requested the application be put forward for consideration, despite there being no decision from the RoW Officer. The Legal Officer explained that this application must be refused or deferred for legal/technical reasons until after a decision had been made by RoW. To approve an application on a site with a registered footpath running through was contrary to law.

The Chairman stated that the Committee would hear from the public registered to speak, once the RoW issue had been resolved, and the application returned to the Committee to consider the merits of the development at a future date.

Members of the Public were not invited to present their views at this time.

The Unitary Division Member, Councillor Hewitt asked for the application to be deferred until the RoW decision had been received.

A motion for refusal in accordance with Officer's recommendation had already been passed by Cllr Ian McLennan, and seconded, the Committee then voted.

Cllr Richard Clewer abstained from voting on this application.

### **Decision**

**The planning permission be REFUSED for the following reasons:**

**(1) Wiltshire Council has a duty under Section 130 of the Highways Act 1980 to protect and assert the rights of the public to the use and enjoyment of any highway for which it is the highway authority. The council is also required to prevent, as far as possible, the stopping up or obstruction of (a) the highways for which they are the highway authority, and (b) any highway for which they are not the highway authority, if, in its opinion, the stopping up or obstruction of that highway would be prejudicial to the interests of its area.**

**Public footpaths are highways, and the duty is therefore clear where the Definitive Map and Statement (the conclusive legal record of public rights of way) shows a footpath, bridleway, restricted byway or byway open to all traffic. However, if a highway authority is aware of a public right of way that is not shown in the Definitive Map and Statement (DMS), the authority still has the duty to protect it in the ways described above.**

**Core Policy 52 also seeks to protect and enhance the green infrastructure network (which includes pedestrian paths and rights of way) in Wiltshire. The policy requires development to make provision for the retention and enhancement of Wiltshire's Green Infrastructure network, and ensure that suitable links to the network are provided and maintained.**

**The council has received an application for a Definitive Map Modification Order (DMMO) to record a public footpath along the east boundary of the proposed site, the application being supported by evidence that a public footpath exists, and that evidence is still being considered by Rights of Way (ROW).**

**The footpath width of 1.54m is the used width of the claimed route, although the ROW officer has advised that additional width evidence may be brought to the attention of the Council as the claim is processed and the width of the footpath may increase.**

**If the claimed route were a footpath already recorded on the definitive map, then ROW would object to the planning application on the grounds that the development would obstruct the footpath; although based on the evidence before them at the moment (21 user evidence forms) and until their investigations are completed they are treating the claimed route as if it were already recorded.**

**The block plan proposes the dwelling to be sited 0.7m from the east boundary of the site and the proposed dwelling would therefore obstruct the claimed right of way for the public on foot along the east boundary of**

the site, contrary to policy 52 of the Wiltshire Core Strategy and section 130 of the Highways Act 1980.

(2) The Planning (Listed Building and Conservation Areas) Act 1990 (sections 16 & 66) places a statutory duty on the local planning authority for '*special regard*' to be given to the desirability of preserving the special interest of listed buildings and their settings. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a statutory duty on the local planning authority that '*special attention*' shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

The conservation officer has advised that the scale of the development would sit more comfortably with neighbouring properties (compared to the earlier withdrawn schemes) but the scheme stills remove an open space from the middle of the conservation area and will affect the setting of the adjacent listed building. The character of the High St is primarily one of two-storeyed houses and one-and-a-half storeyed thatched cottages; the proposed bungalow bears no reflection of the character of the Conservation Area and would appear cramped against the boundary with Rose Cottage, intruding into all views of the latter.

The proposal will have an adverse setting on the listed building (Rose Cottage) and the character and appearance of the conservation area with no public benefits arising from the proposal which outweigh this harm (including that as the Council also has a supply of specific deliverable sites sufficient to provide five years' worth of housing against the housing requirements; the provision of housing is not a material consideration which outweighs the adverse impact to the setting of the listed building and character and appearance of the conservation area). It is considered that the proposal is contrary to sections 66 and 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990, section 12 of the NPPF (paragraph 134 in particular), policies 57 and 58 of the Wiltshire Core Strategy and Objective 16 of the Council's Design Guide 'Creating Places'.

16 **15/08510/OUT: Scotts House, Salisbury Road, Downton, Salisbury, SP5 3HZ**

Public Participation

Mr Tony Allen (Agent) spoke in Support of the application.

Cllr David Mace spoke in Support of the application on behalf of Downton Parish Council.

The Area Development Manager introduced Outline Planning Application for residential development with all matters reserved except for means of access (17 dwellings). The site was just outside the settlement boundary for Downton.

The application was recommended for approval subject to Downton Primary School gaining planning approval for its proposed extension and the satisfactory completion of a Section 106 Agreement, and conditions. It was noted that the School had since gained planning approval, so the only outstanding condition was that of a 106 Agreement.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the existing building on the site 'Scott's House' would be demolished as part of the development. Although there was no continuous pathway from the site to the local shops, the inclusion of a pedestrian refuge as part of the proposal would enable pedestrians to cross over to the pavement on the other side of the A338.

There were concerns relating to the route the site traffic would take on entering and exiting the site. It was explained that site vehicles would be guided by the Environmental Management Plan as set out in condition 13 of the report.

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

The Unitary Division Member Cllr Julian Johnson then spoke in support of the application, with Officers conditions, noting that as the development would become the new gateway to Downton, it was important that the design and layout took note of that. He also pointed out that the development would bring Downton up to the required 190 new dwellings for the area as stated in the Core Strategy.

The Committee discussed the application, where there was disappointment that a left turn only sign was not part of the conditions for traffic leaving the site, as it was felt that this section of the road was already congested and any further vehicles leaving the site may turn right across the highway, to avoid queuing around the roundabout in the opposite direction.

The option of having 6 or more of the 17 dwellings listed as affordable homes was discussed, however the Committee was advised that this would go against policy CP43 of the Wiltshire Core Strategy.

### **Resolved**

**That the Area Development Manager (South) be given delegated authority to grant planning permission provided –**

- 1) All interested parties enter into a 'Section 106 agreement' under the Town and Country Planning Act 1990 to deliver the following –**

- **30% affordable housing provision on-site in accordance with demonstrated size/mix requirements;**
- **A financial contribution towards the provision of primary education facilities at Downton CE Primary School;**
- **A financial contribution towards 'Early Years' education facilities in Downton;**
- **A financial contribution towards community facilities in Downton;**
- **A financial contribution towards refuse/recycling collection 'bins';**
- **A financial contribution towards measures to safeguard the New Forest Special Protection Area;**
- **A financial contribution towards off-site adult and youth recreation facilities;**
- **A financial contribution towards the provision and maintenance of on-site open space / play equipment, if necessary.**

**And subject to the following planning conditions –**

- 1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

- 2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**
  - (a)The scale of the development;**
  - (b)The layout of the development;**
  - (c)The external appearance of the development;**
  - (d)The landscaping of the site;****The development shall be carried out in accordance with the approved details.**

**REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.**

- 3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.**
- 4 The 'layout' shall make provision for open space in accordance with saved Policy R2 of the Salisbury District Local Plan and its**

associated 'Standards for the Provision of Public Open Space in Association with New Residential Development' and no more than 17 dwellings.

**REASON:** To clarify the terms of the planning permission and to accord with saved Policy R2 of the Salisbury District Local Plan which seeks adequate infrastructure in new developments.

- 5 Prior to the commencement of the development hereby approved a programme for the delivery of the highways works (comprising the vehicular and pedestrian accesses to the site, the frontage 'footway' (pavement) and the pedestrian refuge island, and the stopping-up of the existing northern access to Scott's House) (all as shown on drawing no. 020.0111.100-P5 dated 21/08/15) shall be submitted to the local planning authority for approval in writing. The highways works shall be completed in accordance with the approved programme.

**REASON:** To ensure the highways works are completed in accordance with the approved 'access' details.

- 6 No dwelling hereby approved shall be occupied until the visibility splays shown on the approved plan no. 020.0111.100-P5 dated 21/08/15 have been provided with no obstruction to visibility at or above a height of 600mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

**REASON:** In the interests of highway safety

- 7 No dwelling on the development hereby approved shall be occupied until sufficient space for the parking of vehicles in accordance with adopted standards together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said spaces shall not be used other than for the parking of vehicles or for the purpose of access.

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

- 8 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

**REASON:** To ensure that the development is served by an adequate means of access.

- 9 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs 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:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission.

- 10 All soft landscaping comprised in the approved details of landscaping 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.

- 11 No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction - Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and ...
- The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.
- No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.
- If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.
- No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.
- [In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years].
- REASON:** To safeguard the amenities of the area.

- 12** No development shall commence on site (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not necessarily be limited to, the following:
- a) Risk assessment of potentially damaging construction activities**
  - b) Identification of 'biodiversity protection zones'**
  - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements)**
  - d) The location and timing of sensitive works to avoid harm to biodiversity features**
  - e) The times during construction when specialists ecologists need to be present on site to oversee works**
  - f) Responsible persons and lines of communication**
  - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person(s)**
  - h) Use of protective fences, exclusion barriers and warning signs.**
  - i) Ongoing monitoring, including compliance checks by a competent person(s) during construction and immediately post-completion of construction works.**

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

A report prepared by a competent person(s), certifying that the required mitigation and/or compensation measures identified in the CEMP have been completed to their satisfaction, shall be submitted to the Local Planning Authority within 3 months of the date of substantial completion of the development or at the end of the next available planting season, whichever is the sooner.

**REASON:** To ensure adequate protection, mitigation and compensation for protected species, priority species and priority habitats.

- 13** No development shall commence until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:
- i. The movement of construction vehicles;**
  - ii. The cutting or other processing of building materials on site;**
  - iii. Wheel washing and vehicle wash down facilities;**
  - iv. The transportation and storage of waste and building materials;**
  - v. The recycling of waste materials (if any)**
  - vi. The loading and unloading of equipment and materials**

vii. The location and use of generators and temporary site accommodation

viii. Pile driving (If it is to be within 200m of residential properties)  
The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

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

14 No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

**REASON:** The application contained insufficient information to enable this matter to be considered at this stage.

15 Prior to commencement of the development hereby approved a surface water 'drainage strategy' shall be submitted to the local planning authority for approval in writing. The drainage strategy shall provide details of the depth of the water table beneath the site based on site specific survey data. The drainage strategy shall additionally provide a detailed scheme for the drainage of surface water, informed by the water table data and ensuring a separation of at least 1m between the water table at its highest

level and any soakaway systems proposed in the scheme. The drainage strategy will specify ground level changes made necessary to accommodate the scheme. The development shall be carried out strictly in accordance with the approved scheme and shall be completed prior to the first occupation of any dwelling on the site or in accordance with a programme to be first approved in writing by the local planning authority.

**REASON:** To ensure satisfactory surface water drainage from the site.

- 16 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and drainage.

- 17 There shall be no surface water drainage connections to the existing foul water drainage system.

**REASON:** To avoid overloading of the foul water drainage system in an area where flooding and surcharging has previously occurred.

- 18 No development shall commence on site until a scheme for the discharge of foul water from the site, including any improvements on or off site required to provide capacity in the public sewerage system to enable the site to be served, has been submitted to and approved in writing by the Local Planning Authority.

- 19 The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme, including any required improvements to the public system.

**REASON:** To ensure that the development can be adequately drained.

No development shall commence on site until a scheme for protecting the future occupants at the proposed houses against noise from road traffic and the nearby commercial/industrial businesses has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the any house is first occupied and maintained at all times thereafter.

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

**INFORMATIVE:** In discharging this condition the applicant should engage an acoustic consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233:2014 and BS4142:2014. They should then demonstrate that internal and external noise levels will not

- exceed the guideline noise levels contained in Section 7.7 of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB LAmax between the hours of 23.00 and 07.00. For the BS4142:2014 assessment the rating level should not exceed the existing background levels. The applicant should then specify what construction/glazing/ventilation requirements will be needed to achieve the appropriate levels. Additionally, the noise impact assessment should demonstrate that appropriate noise levels can be achieved for external amenity spaces. The noise assessment should inform the design of the layout and houses.
- 20 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.  
REASON: In the interests of residential amenity.
- 21 The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.  
REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.
- 22 The development shall be carried out strictly in accordance with the discussions and recommendations set out in the Preliminary Ecological Appraisal Survey Report (August 2015) and Bat Survey Report (September 2015) by Wessex Ecology.  
REASONS: To ensure wildlife is safeguarded.
- 23 The development hereby permitted shall be carried out in accordance with the following approved plans:  
Red-edged site plan;  
Drawing no. 020.0111.100-P5 dated 21/08/15.  
REASON: For the avoidance of doubt and in the interests of proper planning.
- 23 INFORMATIVE: The application is accompanied by an illustrative layout plan which shows an unacceptable layout. This is because it presents in some areas houses too close to the boundaries of the site, too close to mature trees and with substandard gardens. It also presents a play area of inadequate size. In preparing a final layout the applicant is advised to have regard to these points; the applicant is also advised to ensure the final layout is informed by the drainage strategy and noise impact assessment required by conditions set out above.
- 24 INFORMATIVE: The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be issued by the Local Planning Authority. Should you require further

information with regards to CIL please refer to the Council's Website

[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy)

17 **15/11589/FUL: Mobile Home Site at Lime Kiln Farm, Dinton, Wiltshire**

Public Participation

Mr Tony Allen (Agent) spoke in Support of the application.

Cllr Justin Fry spoke in Objection to the application on behalf of Dinton Parish Council.

The Area Development Manager introduced the application for full planning permission for the demolition of the existing mobile home style dwelling that currently sits on the site and the replacement with a new two storey 3 bedroomed dwelling incorporating a tiled/slate roof with wood clad walls and a brick base. This was a small site just off the C road that runs between the villages of Dinton and Wylde in the Cranbourne Chase Area of Outstanding Natural Beauty. The application was recommended for approval.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that there was no requirement to tie the development to the farm.

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

After declaring an interest as a member of the AONB Partnership Panel, The Unitary Division Member, Councillor Bridget Wayman then spoke in objection to the application, noting the scale of the development was seven times larger than the existing dwelling. Cllr Wayman asked the Committee to give consideration to the conservation and enhancement of the natural surroundings, within the AONB. Highlighting that one end of the dwelling would virtually be completely made of glass. The light spillage from that glass would cause light pollution in a rural dark landscape. Cllr Wayman urged the Committee to refuse the application, however if the Committee was mindful to approve it, then she asked for an additional condition to be included which would not permit any external lighting on the property, and for condition 4 to be adapted to require the hedgerow to be retained.

The Committee discussed the application noting that other areas such as the Brecon Beacons had planning policy in place which protected areas with dark

skies; it was suggested that Wiltshire should have something similar. The proposed development was significantly larger than the existing dwelling, and building something of such a massive scale in an area which was never meant to receive it would be in conflict with H30.

### **Resolved**

**The application be REFUSED for the following reasons:**

**The application site lies within the countryside and an Area of Outstanding Natural Beauty. Within the countryside saved Policy HC30 of the Salisbury District Local Plan allows replacement dwellings provided that they are not significantly larger than the dwelling they are to replace, and Policy CP51 of the Wiltshire Core Strategy requires new development to protect, conserve and, where possible, enhance the character of the landscape, particularly within the Areas of Outstanding Natural Beauty.**

**In this case the proposal is to demolish the existing modest single storey dwelling on the site and erect a significantly larger two storey house – over seven times larger in terms of its floor area. An increase of this magnitude is not considered to amount to ‘replacement’ in terms of Policy HC30, and so the proposal conflicts with this policy per se. And additionally as a consequence of the size increase (in terms of both the floor area and height) and resulting prominence in views, the proposed new house would have a harmful impact on the character and appearance of the landscape in the area. This would be to the detriment of the landscape in the wider area, neither conserving nor enhancing its status as an Area of Outstanding Natural Beauty, contrary to Policy CP51.**

18 **Apologies for Absence**

There were no apologies.

19 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.30pm – 8.18pm)

The Officer who has produced these minutes is Lisa Moore, of Democratic & Members' Services, direct line (01722) 434560, e-mail [lisa.moore@wiltshire.gov.uk](mailto:lisa.moore@wiltshire.gov.uk)

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