

NORTHERN AREA PLANNING COMMITTEE ADDITIONAL INFORMATION

07 March 2017

This is information that has been received since the committee report was written. This could include additional comments or representation, new information relating to the site, changes to plans etc.

Item 7a) 16/12097/FUL – Tisbut House, Box Hill, Corsham, Wiltshire, SN13 8HG

Agent Comments –

'The Council considers the accumulative increase of the previous permission together with this proposal, to amount to an overall increase marginally exceeding 50% of the original building. In arriving at this figure the applicant has expressed concern that the Council have omitted to include relevant outbuildings which case law would suggest, should have been taken into account when assessing the original volume of the building. This is a matter that has been raised with the Council however to date, the applicant remains dissatisfied having received no response as to why the buildings did not form part of the necessary calculations. On this basis the applicant raises concern that the Council have misdirected itself in law and the overall accumulative increase is in fact 45% of the original building. It is suggested therefore that the previous scheme together with this current proposal, do not amount to a disproportionate increase in the volume of the original building and are thus policy compliant.'

Officer's response - The comments of the agent are understood and Officers are content to accept the 45% cumulative increase (over original volume) figure. It does not, however, alter the recommendation for refusal.

Item 7d) 16/11658/FUL – 14 Church Farm, Yatton Keynell, Wiltshire, SN14 7FD

Officer's comment – Reference to Listed Building Consent in section 1 (purpose of report) is incorrect. The property in question is not listed and LBC is not required for this development.

Item 7g) 16/11427/FUL - Land adjacent to Sharplands, Sutton Lane, Sutton Benger, Chippenham, SN15 4RS

Officer Comments- On 03 March 2017 the Council published an update to its 2016 Housing Land Supply Statement. The updated version represents a revision to the earlier Housing Land Supply Statement for 2016 (published November 2016) for the three HMAs in Wiltshire. The update has been produced following publication of the Chippenham Site Allocations Plan Inspector's Final Report in February 2017.

Within the published committee report it is explained that the Council cannot currently demonstrate a 5 year housing land supply in the North & West HMA and therefore NPPF Paragraph 49 is engaged and policies relevant for the supply of housing should not be considered up-to-date. As a result the presumption in favour of sustainable development as

set out at Paragraph 14 of the Framework is considered to be engaged so that permission should be granted unless the adverse impacts of doing so would significantly and demonstrably outweigh the benefits.

Now that the Council can demonstrate a 5 year housing land supply in the North & West HMA (5.73 supply) policies CP1, CP2, CP10 and Saved Policy H4 are can be considered up to date and afforded full weight.

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise. In this case, the Wiltshire Core Strategy, including those policies of the North Wiltshire Local Plan saved in the WCS, forms the relevant development plan for the Chippenham Area.

Many Development Plan policies are offended by the proposal and that the proposal, not least because it is beyond settlement limits and in an area classed as countryside, is not Development Plan compliant. Paragraph 14 of the NPPF is not engaged and the application should be considered in accordance with the development plan unless material considerations dictate otherwise.

The benefits of the scheme relate to the provision of housing, 40% of which would be affordable. The updated HLS statement demonstrates that the council is delivering development as envisaged by the Core Strategy.

Set against these benefits there is acknowledged harm to the immediate rural landscape. Weight has to be attached to the identified harm and the clear conflict with the development plan policies. On balance, the public interest is best met by resolving to refuse the application.

In summary, it is concluded that significant weight should be afforded to the fact that the development results in a breach of settlement boundaries and this would result in conflict with policies CP1, CP2, CP10 & CP57 (i & vi), Furthermore the proposal is not considered to be an acceptance as set out in saved policy H4 of the North Wilts Local Plan.

RECOMMENDATION

The revised Housing Land Supply Statement was only published on 03 March 2017, it would not be reasonable for the Council to determine the application without allowing local residents and the applicant an opportunity to consider this change in circumstances.

Officers recommend that the application be **DEFERRED until 24 May 2017** to enable the applicant sufficient time to consider the updated housing land supply statement and to respond accordingly.