

Southern Area Planning Committee

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 1 APRIL 2021 AT ONLINE.

Present:

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

117 **Apologies**

Apologies were received from:

- Cllr Leo Randall

118 **Minutes of the Previous Meeting**

The minutes of the meeting held on 10 March 2021 were presented.

Resolved:

To approve as a correct record and sign the minutes.

119 **Declarations of Interest**

There were none.

120 **Chairman's Announcements**

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

As this was the penultimate meeting of the Committee before the elections in May, the Chairman took the opportunity to thank Officers and Members for their time and input over the last 30 years, whilst he had served as a Councillor on the Planning Committee.

121 **Public Participation**

The committee noted the rules on public participation.

122 **Planning Appeals and Updates**

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

The Chairman drew attention to the result of appeal on Burford Rd – was dismissed – restrictions on garden retained.

I intend to write personally to the enforcement team to ask that

Resolved:

That the Appeals report be noted.

123 **Planning Applications**
124 **20/09706/FUL - 20a Lode Hill, Downton, SP5 3PN**

Public Participation

Cllr Chris Hall spoke as representative of Downton PC

The Planning Team Leader, Richard Hughes gave a combined presentation for both applications 7a 20/09706/FUL and 7b 20/10508/LBC, as they related to the same development.

The applications were recommended for approval as set out in the report.

The main issues which had been considered to be material in the determination of this application were listed as, principle of development, impact on heritage assets and Highways.

Previous consent included permission for a wall and a garage at the rear of the property.

It was noted that the wall which was now in place was at a height of between 2.5 – 3m, which was slightly taller than the given consent.

Works would include partial removal of the wall height, the apex of the pitch roof would be truncated, the rear garage roof lights would be removed, and the garage door would be changed to two garage doors with a central pillar. The full list of proposed changes was detailed on slide 9 of the presentation.

Any amended plan references would need to be included in any conditions and inclusion of hard landscaping and reference to the removal of the roof lights. With those changes Officers were recommending approval

Members of the Committee had the opportunity to ask technical questions of the officer, where it was clarified that the proposed wall would be all brick with cladding. There was a public pavement alongside the wall and the agent had stated that the brickwork would not lapse onto it.

Members of the public, as detailed above, then had the opportunity to speak on the application. The Parish Council representative stated objections, noting that the building works did not adhere to the plans.

The PC felt that the garage was unacceptably dominant, with the roof well over 1m higher than what was approved.

The site was on the gateway to the village and within a conservation area and that the drawings submitted by the applicant were misleading.

Local Member Cllr Richard Clewer then spoke in objection to the application, noting that the site was one of the entrances to the village, on a steep hill and that the road was narrow at that point, making what has been put in there overbearing. He noted that what was now proposed was an improvement, however it had not gone far enough to reduce to a scale of what would be appropriate for the village.

Cllr Westmoreland then moved a motion of approval in line with Officer recommendation. This was seconded by Cllr Hewitt.

The Committee was invited to discuss the application, the main points included whether the plans were accurate in light of the comments of the PC, where it was clarified that the existing plans were not correct at the time of submission and have been tweaked several times since and were now correct.

The removal of the roof lights and the surface and drainage of the vehicle space, due to there being scope for migration of materials onto the highway and water flow, both issues could be conditioned. The officer confirmed that suggested condition 1 & 2 as per the report could be adjusted to include reference to these works, and the recently received amended plans.

References to the Downton Neighbourhood Plan as detailed on P31 and whether the newest version of the plan submitted could be correctly referenced in any decision.

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 noted conditions.

It was:

Resolved: that application 20/09706/FUL be approved, subject to the following conditions:

1 Within 2 months of the date of this decision, a scheme for the timing of commencement and completion of the works hereby approved and shown on the approved plans, and including the following details:

- The hedge planting times and details of species and planting (adjacent Lode Hill)**
- The removal of all the garage rooflights as shown on the approved plans**
- The details of the hardsurfacing of the driveway/parking area to include**

details of the drainage scheme for that area so that the highway and adjacent properties are not affected

- The materials details for the garage walling, central pier, and roof,
 - The materials details for the northern boundary wall and gate,
 - The architectural detailing and materials for the truncated garage roof,
 - Materials for the retaining walling and details of how walling is to be clad/rebuilt and reduced in height
 - Details of how any expansion gaps in the boundary walling are to be dealt with,
 - Any making good to the structure/fabric of the listed building,
- shall be submitted to the Local Planning Authority. The approved scheme shall be carried out and completed in accordance with the approved timescale and details. Unless otherwise agreed by the Local Planning Authority, the materials to be used for the northern roadside boundary wall shall be Michelmersh Hampshire Stock Down Blend brick and the wall shall be constructed in Flemish bond. The retaining wall shall be clad in Dorset multi red brick.

REASON: To ensure a satisfactory standard of development in the interests of visual amenities of the area and the character and setting of the heritage assets

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

Location Plan

As Built Block Plan – drawing no. 21174-01-401A – dated October 2020

Proposed Block Plan – drawing no. 21174-01-402B – dated October 2020

As Built Floor Plans – drawing no. 21174-01-101 – dated October 2020

As Built Roof Plan – drawing no. 21174-01-102 – dated October 2020

As Built Elevations – drawing no. 21174-01-201 – dated October 2020

As Built Street View – drawing no. 21174-01-202B – dated October 2020

Proposed Floor Plans – drawing no. 21174-01-103 – dated October 2020

Proposed Roof Plan – drawing no. 21174-01-104 – dated October 2020

Proposed Elevations – drawing no. 21174-01-203A – dated October 2020

Proposed Street View – drawing no. 21174-01-204B – dated October 2020

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

125 20/10508/LBC - 20a Lode Hill, Downton, SP5 3PN

The Committee noted the previous presentation.

The Chairman, Cllr Westmoreland then moved the motion of Approval in line with Officer recommendation. This was seconded by Cllr Hewitt.

The Committee confirmed they had heard and seen all relevant visual materials, and voted on the motion of approval in line with Officer recommendation.

It was:

Resolved:
that application 20/10508/LBC be approved, subject to the following conditions:

The Planning Team Leader, Richard Hughes gave a combined presentation for both applications 7a 20/09706/FUL and 7b 20/10508/LBC, as they related to the same development.

The applications were recommended for approval as set out in the report.

The main issues which had been considered to be material in the determination of this application were listed as, principle of development, impact on heritage assets and Highways.

Previous consent included permission for a wall and a garage at the rear of the property.

It was noted that the wall which was now in place was at a height of between 2.5 – 3m, which was slightly taller than the given consent.

Works would include partial removal of the wall height, the apex of the pitch roof would be truncated, the rear garage roof lights would be removed, and the garage door would be changed to two garage doors with a central pillar. The full list of proposed changes was detailed on slide 9 of the presentation.

Any amended plan references would need to be included in any conditions and inclusion of hard landscaping and reference to the removal of the roof lights. With those changes Officers were recommending approval

Members of the Committee had the opportunity to ask technical questions of the officer, where it was clarified that the proposed wall would be all brick with cladding. There was a public pavement alongside the wall and the agent had stated that the brickwork would not lapse onto it.

Members of the public, as detailed above, then had the opportunity to speak on the application. The Parish Council representative stated objections, noting that the building works did not adhere to the plans.

The PC felt that the garage was unacceptably dominant, with the roof well over 1m higher than what was approved.

The site was on the gateway to the village and within a conservation area and that the drawings submitted by the applicant were misleading.

Local Member Cllr Richard Clewer then spoke in objection to the application, noting that the site was one of the entrances to the village, on a steep hill and that the road was narrow at that point, making what has been put in there overbearing. He noted that what was now proposed was an improvement,

however it had not gone far enough to reduce to a scale of what would be appropriate for the village.

Cllr Westmoreland then moved a motion of approval in line with Officer recommendation. This was seconded by Cllr Hewitt.

The Committee was invited to discuss the application, the main points included whether the plans were accurate in light of the comments of the PC, where it was clarified that the existing plans were not correct at the time of submission and have been tweaked several times since and were now correct.

The removal of the roof lights and the surface and drainage of the vehicle space, due to there being scope for migration of materials onto the highway and water flow, both issues could be conditioned. The officer confirmed that suggested condition 1 & 2 as per the report could be adjusted to include reference to these works, and the recently received amended plans.

References to the Downton Neighbourhood Plan as detailed on P31 and whether the newest version of the plan submitted could be correctly referenced in any decision.

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 noted conditions.

It was:

Resolved: that application 20/09706/FUL be approved, subject to the following conditions:

1 Within 2 months of the date of this decision, a scheme for the timing of commencement and completion of the works hereby approved and shown on the approved plans, and including the following details:

- The hedge planting times and details of species and planting (adjacent Lode Hill)**
- The removal of all the garage rooflights as shown on the approved plans**
- The details of the hardsurfacing of the driveway/parking area to include details of the drainage scheme for that area so that the highway and adjacent properties are not affected**
- The materials details for the garage walling, central pier, and roof,**
- The materials details for the northern boundary wall and gate,**
- The architectural detailing and materials for the truncated garage roof,**
- Materials for the retaining walling and details of how walling is to be clad/rebuilt and reduced in height**
- Details of how any expansion gaps in the boundary walling are to be dealt with,**
- Any making good to the structure/fabric of the listed building, shall be submitted to the Local Planning Authority. The approved scheme shall be carried out and completed in accordance with the approved**

timescale and details. Unless otherwise agreed by the Local Planning Authority, the materials to be used for the northern roadside boundary wall shall be Michelmersh Hampshire Stock Down Blend brick and the wall shall be constructed in Flemish bond. The retaining wall shall be clad in Dorset multi red brick.

REASON: To ensure a satisfactory standard of development in the interests of visual amenities of the area and the character and setting of the heritage assets

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Location Plan

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Proposed Street View – drawing no. 21174-01-204B – dated October 2020

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

126 **20/10665/FUL - Chalkway House, Ebbesbourne Wake**

It was noted by Cllr Jeans that due to a compulsory re-boot of his computer at this point, he would not take part in this agenda item, as would be off line for parts of it.

Public Participation

David Warder's statement in objection to the application was read by the Clerk due to technical difficulties during the meeting.

Edward Donne spoke in objection to the application

Gerry O'Rourke statement in objection to the application was read by the Clerk due to technical difficulties during the meeting.

Dan Roycroft spoke in support of the application

Cllr Simon Welch spoke as representative of Ebbesbourne Wake PC

The Planning Officer, Christos Chrysanthou presented the application for curtilage alterations involving change of use of land from agriculture to residential and from residential to agriculture, terracing, landscaping and associated works (part retrospective).

The application was recommended for approval as set out in the report.

The main issues which had been considered to be material in the determination of this application were listed as, scale, design, bulk and general appearance in its visual impact on the surrounding area.

Site photographs taken from several surrounding points and directions were shown and explained.

The site was in the rural surroundings of Ebbesbourne Wake, in an AONB, approximately 500m from the village.

The approved curtilage in 2000 was shown and explained, followed by the proposed curtilage. A woodland copse was to be provided either side.

The proposals aim to reduce the lawned area adjacent to the was driveway, to omit the stables and barn area to the south and to remove the top section of the terraces (from 3 to 2).

The plan also showed two existing gates on the byway alongside the site, however as these were outside of the application site, RoW had been consulted and had recommended a condition to make sure the byway was kept clear of obstruction. RoW could enforce this condition if considered expedient.

Slide 31 showed the proposed adjusted terracing and sloped grass bank meadows

A landscaping scheme was proposed. With copses on east and west, helping to screen the site.

The Landscaping Officer had considered the proposals and was satisfied with the proposed species, noting a low impact on the AONB.

The Ecology Officer commented on the water meadow aspect. It was confirmed that the Water Meadow was not a designated ecology site. A condition was suggested to use native trees when planting.

Members of the Committee had the opportunity to ask technical questions of the officer, where it was clarified that the land surrounding the application site was also in the ownership of the applicant.

On the plan of 2000, the hatching on the west, indicated an area which was proposed to be included within the curtilage but had subsequently been removed from inclusion.

The house had some history and was not a new build. Some aspects had been re-built with enlargements over the years.

Any condition on the gates on the byway could be enforceable by RoW.

Members of the public, as detailed above, then had the opportunity to speak on the application. The clerk read two statements of objection due to technical difficulties experienced by one speaker, these statements had been provided prior to the meeting. Some of the main points included comments around the reasons for refusal in 2020 and suggestions that those reasons had not been addressed.

Other points were the creation of a permanent change to the AONB landscape and that the remaining 2 tiers would have a visual impact on the surrounding area and the preservation of historic views of the Ebble Valley.

Comments around other similar case histories for retrospective permission were raised, along with questions over whether a president would be set, should the application be approved.

The Parish Council representative spoke in objection, noting that out of 30 letters submitted in relation to the application, only 2 had been in support, which had come from people outside of the village. The retrospective aspect was noted along with the comments and input received on the previously withdrawn and refused applications for the site.

Concern around whether what was presented in the plans would be what was carried out, based on the grounds that previously this had not been the case given the unauthorised construction of the retaining walls and terraces.

Local Member Cllr Jose Green then spoke to the application, noting that she had come to the meeting with an open mind and that not being able to have site visits currently due to covid restrictions had been a hindrance in addition to the Planning Portal currently being unobtainable.

Cllr Green noted that she had herself lived in the Chalke Valley or in an AONB for many years and was familiar with the application site. The house was originally a humble farmhouse with a few outbuildings, and what was there now was pleasant to look at. The Ebble Valley had also recently been awarded funding towards the Clear Water project.

Cllr Green noted that she had called the application in due to the huge outcry it had caused locally, over the last year or more. With 70 objections and only 2 in support, which she noted was unheard of in her 26 years in planning to have this volume of objection in a small village.

It was suggested that the Applicant had perhaps acted on bad information as they appeared to think that they had already been given the change of use permissions.

Cllr Green then moved that the application be refused on the grounds of being contrary to CP51 and CP57, and NPPF para 172 & 127 in line with the reasons of previous refusal in the report as little had changed.

This was seconded by Cllr Ian McLennan.

The Committee was invited to discuss the application, the main points included the amount of objections and references to the past history, the scope of the application as a whole and that the committee was asked to make a judgement on all aspects as a whole rather than individually.

The lack of response from the AONB and whether that indicated that it did not feel strongly about the proposals.

The tree planting aspects of the proposals and the possible benefit to flood alleviation and that the terraces would create a more useable space for the applicant.

The Committee confirmed they had heard and seen all relevant visual materials, and voted on the motion of refusal, against Officer recommendation with the reasons as stated above.

The motion was not carried.

The Chairman, Cllr Westmoreland then moved the motion of approval in line with Officer recommendation. This was seconded by Cllr Hewitt.

Cllr Green raised a query on lighting and conditions. It was confirmed that any lighting scheme would need to be approved.

The Committee confirmed they had heard and seen all relevant visual materials, and voted on the motion of approval, in line with Officer recommendation.

It was:

Resolved: that application 20/10665/FUL be approved in line with Officer Recommendation subject to the following conditions:

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

Drg. no. 942-MP-01/A LANDSCAPE MASTERPLAN Date rec 30/11/2020

Drg. no. 942-MP-02/A WIDER LANDSCAPE MASTERPLAN Date rec 30/11/2020

Drg. no. 942-MP-03/A CURTILAGE PLAN Date rec 30/11/2020

Drg. no. 942-MP-04/A PROPOSED SITE LOCATION PLAN Date rec 30/11/2020

Drg. no. 942-MP-05/A ELEVATION - TERRACES (WITHOUT PLANTING) Date rec 30/11/2020

Drg. no. 942-MP-06/A ELEVATION - TERRACES (INDICATIVE PLANTING SHOWN) Date rec 30/11/2020

Drg. no. 942-SW-01/A DETAILED STRUCTURAL PLANTING PLAN - 1 of 2 Date rec 30/11/2020

Drg. no. 942-SW-02 B DETAILED STRUCTURAL PLANTING PLAN - 2 of 2 (Revised) Date rec 07/01/2021

**Doc. Ref: 942-LS Revision B 2020-12-01 Landscape Statement, Indigo Landscape Architects (Revised) Date rec 07/01/2021
Preliminary Ecological Appraisal Report, David Watts Ecology, 19 February 2021 Date rec 19/02/2021**

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

2. Within 3 calendar months of the date of this decision the top section of the terracing shall be removed and all soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following completion of the development; 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.

3. Prior to the commencement of planting of the woodland belt all trees/ shrubs must be checked by an ecologist experienced in tree identification to ensure only native species of local provenance have been sourced to be planted.

REASON: In the interests of biodiversity.

4. Notwithstanding the approved plans, no gates, fences or stiles should be erected across the public right of way (Restricted Byway EWAK9).

Reason: Structures across a restricted byway are an obstruction.

5. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority.

The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

127 **20/10716/OUT - Cools Farm, Tisbury**

Public Participation

Brett Spiller (Agent) spoke in support of the application

John Dalton spoke in support of the application

Henry Rumbold spoke in support of the application

Cllr Noyle spoke as representative of West Tisbury PC

The Planning Officer Lynda King presented the Outline application with all matters reserved except for an established access only, for an agricultural dwelling at Cools Farm. The application was recommended for approval as set out in the report.

The main issues which had been considered to be material in the determination of this application were listed as, Principle, Character, Highway Safety, and Ecology.

The existing dwelling was a fairly significant listed building set in the open countryside in the AONB.

Slides 34 – 36 were shown and explained. They detailed the overall site layout, the proposed site of the new dwelling and proposed access.

There had been local concern regarding the use of the access road from the proposed dwelling.

A speed survey had been carried out on the lane, however due to low traffic and narrow width of the lane there was not found to be a speeding issue here and no highway objection to the access in the proposed location.

It was noted that the report was in three parts firstly the request for an agricultural workers dwelling, whether there was a functional need for an additional dwelling on the site, and then the location of that dwelling.

Current farm was 195 acres, farmed by existing farmer living in the main listed farm dwelling. They were an older couple who had no family wishing to take on the running of the farm.

Farm is an exemplar of how you would run an agricultural farm in this location. They wish to take on a share-farming agreement which means that the farmer hands the farm over to an incoming farmer, whilst retains ownership of land and buildings and incoming farmer farms the land and there is a split of profits.

The current owner would maintain a part time role and remain on site in the main farmhouse with his wife.

The application had been submitted with details of the range of alternative sites which had been considered for the siting of the agricultural dwelling. The feasibility of each was explained during slides 38 – 45.

The agricultural consultant looked at the application and felt that there was a need for an additional farm worker on the site. A requirement of one full time and one part time. The shared farmer would provide the fulltime work and the current owner remain as a part time farmer. It was found that the farm was originally on the margins of viability, however since then following additional information it was deemed viable to have an additional farm worker on the site.

In terms of the need there was found to be a functional and financial need for a second dwelling on the site.

The next aspect was to consider whether the site identified within the application was suitable for the proposed dwelling. The application contained information about other sites on the farm considered by the applicant before deciding on the location that was the subject of the application. These other sites were not part of the formal consideration by Members.

The first site identified was within the existing curtilage of the farmhouse itself, it was an ancillary building but was deemed not large enough for a farm worker dwelling and did not have separate access. The site was not acceptable.

The second site was not in the ownership of the applicant and not part of the farm complex and therefore not available.

The third site was converted holiday accommodation. The income from the holiday cottages was part of the viability for the farmer as an income stream and his ability to stay on site.

The fourth site was on the opposite side of the road to the main farm complex, but was part of the farm which would continue to expand in the future. The cattle were hardy and were left out to breed.

The fifth site was north of the farmhouse and close to the farm complex and listed building. It would have significant access issues, lead to loss of trees and have a poor relationship to the listed building and so was discounted.

The sixth site was on the opposite side of Tokes Lane in a sloping field, to put a property in would require a significant amount of cut and fill and have a significant impact on the setting and so not suitable.

The proposed site was set in rolling landscape in a little hollow, with a significant tree lined area to the north. Further excavations would set the dwelling further into the site. It was also in the field in which the calving would operate and on the same side of the road as the existing farm building.

The Officer noted that if the Committee was minded to approve the application then an additional condition which was included on the update sheet be

included, which was to limit the floor area of the proposed dwelling to 150m² as on the application.

The addition of an informative was suggested to note that the form should look like a modest single-story agricultural building.

Members of the Committee had the opportunity to ask technical questions of the officer, where it was clarified that the owners had thought about how the site could be serviced and that there was a condition relating to drainage.

That condition 19 related to an agricultural tie to the dwelling.

The share farmer had been appointed but had not yet started on the site. The owner was beyond retirement age and wished to step back from his full time position on the farm.

The type of application for a shared farm operation was new to the committee, however, Officers had engaged the councils Agricultural Advisor for their guidance and that there was case law stating that when a farmer retires, they could not be forced to leave their dwelling.

There was 130 head of cattle on the farm at any one time, this was a substantial farm where there was a need for there to be someone on site all of the time.

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

Some of the main points included comments around sustainable farming and rare breed red pole cattle herds. That there were no other options available to the farmer as he had no successors willing to take on the farm.

That a proposed bungalow would enable the appointed share farmer and partner to live on site and care for the herd around the clock.

The Parish Council representative stated objections to the choice of site for the proposed dwelling, noting that they were not against an additional dwelling, just opposed to the choice of site as having preference to site 4 or 6 and not the site 7 which was chosen.

Also noting that calving season was only a month or so per year and that site 6 or 4 was only a short walk from the calving field.

The other issue we had concerns about was around the narrowness and access point on to the road. However it appeared that the road speeds in that area were recorded as low and therefore would not be a major issue in that context.

Cllr Wayman spoke as an adjoining division Member, in principle she did not object to the provision of an agricultural dwelling to support Cools Farm but did object to the choice of location.

The proposed location was high on a hill with sweeping views of the AONB. The dwelling would be visible for miles around.

The AONB and its management plan were key considerations in planning, the NPPF stated that development should protect and enhance valued landscapes, which included AONBs.

In particular the harm which could be done by poorly located developments in an AONB.

The AONB had international Dark Sky status and was concerned about light pollution. Conditions could be put in about lighting, however due to the location up high on a hill, any lighting even downlighting would be visible from a long way away.

No objection to an essential workers dwelling, but this location seemed to have been decided upon as others were discarded. That was the wrong way around.

Looking at the other sites and why they were discarded, sites 4 & 6 were ones to be looked at again. They were much better hidden from view rather than site 7. I think the applicant should look again, closer to the farmhouse where it would form a more natural cluster to the farmhouse.

There were plenty of other fields that were also used for calving fields which were lower down on the landscape. Any potential lighting could cause serious harm to the AONB, Dark Sky status.

Local Member Cllr Tony Deane then spoke in objection to the application, he agreed the site was in a prominent position in the AONB.

He noted that the highways report suggested that sightlines were inadequate. He knew at what speeds vehicles travelled down the hill and whilst the road was not extremely trafficked, high level of traffic was not required for an accident.

He was not against a new agricultural dwelling but did object to site 7. He was in support of a dwelling for a support farmer but his preference was to see a dwelling much closer to the main units to the farm. He summarised his objection as the dangers on the road and the risk to the AONB.

The Officer then responded to comments.

The application today only related to the red line application, there was no option to choose any other site on the holding.

The highway safety comments were not supported by the Highway Officer and they had looked at traffic speeds and concluded that the splays were suitable.

The site was in the AONB however, the management plan of the AONB did support dwellings for farm workers. This was one of six farms that was part of an AONB sustainable project.

The comments on lighting were noted and if approved a lighting strategy would be requested for approval.

The Chairman, Cllr Westmoreland then moved a motion of approval in line with Officer recommendation. This was seconded by Cllr Devine.

The Committee was invited to discuss the application, the main points included the need for an additional agricultural dwelling, the absence of an objection from the AONB which was noted as being due to it not being consulted.

The impact of associated lighting, the justification for having a farm worker living on the site, the objections to the choice of site 7 by the PC and both local Members and their preference to alternative sites.

The value of being closer to the calving field and that shared farming was a way for young people to come into farming.

Members noted that a site visit would have been a benefit.

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 conditions and informative as discussed.

It was:

Resolved:

that application 20/10716/OUT be approved subject to the following conditions:

Conditions: (21)

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 development hereby permitted shall be carried out in accordance with the following approved plans:

Location Plan – Drawing No. S2012 01 dated October 2020

Proposed Site Plan – Drawing No. 2012 02 dated October 2020

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

5

The building hereby permitted shall be of single storey construction only

REASON: In the interests of amenity having regard to the characteristics of the site and surrounding development.

6

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 and the matter is required 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.

7

No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- location and current canopy spread of all existing trees and hedgerows on the land;**
- full details of any to be retained, together with measures for their**

protection in the course of development;

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

8

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.

9

The dwellings hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per person per day has been complied with.

REASON: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation (SAC).

10

The development hereby permitted shall not be first occupied until the first five metres 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.

11

Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only

REASON: In the interests of highway safety.

12

The gradient of the access way shall not at any point be steeper than 1 in 6 for a distance of 4.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

13

No development shall commence on site until details of the stopping up of all existing accesses, both pedestrian and vehicular, have been submitted to and approved in writing by the Local Planning Authority. That stopping up shall take place in accordance with the approved details within one month of the first occupation of the development. No later than one month after the first occupation of the development, the sole means of vehicular and pedestrian access to the development shall be as shown on the plans hereby approved.

REASON: In the interests of highway safety.

14

No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

15

No part of the development shall be first occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm 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

16

Notwithstanding the submitted details, 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.

17

Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

18

No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

19

The occupation of the dwelling shall be limited to a person solely or mainly working, or last working, in the locality in agriculture or in forestry, or a widow or widower of such a person, and to any resident dependants.

REASON: The site is in an area where residential development for purposes other than the essential needs of agriculture or forestry is not normally permitted and this permission is only granted on the basis of an essential need for a new dwelling/residential accommodation in this location having been demonstrated.

20

The single storey dwelling hereby approved shall not exceed 150sqm gross floor area.

REASON: To ensure that the dwelling remains suitable for an agricultural worker.

21

No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

Informatives: (4)

22

The applicant(s) is advised that discharge of the drainage condition does not automatically grant land drainage consent, which is required for any works within 8m of an ordinary watercourse or any discharge into an ordinary watercourse. The applicant remains responsible for obtaining land drainage consent, if required, at the appropriate time.

23

The application involves the creation of a new vehicle access. 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.

24

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

25

The applicants are advised that the final design of the dwelling hereby approved needs to be sensitive to its elevated position within the AONB and adjacent to the Listed Farmhouse, and that it should have the appearance of a converted agricultural building.

128 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 6.25 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

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

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