

Northern Area Planning Committee

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 2 MARCH 2022 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Tony Trotman (Chairman), Cllr Howard Greenman (Vice-Chairman), Cllr Chuck Berry, Cllr David Bowler, Cllr Steve Bucknell, Cllr Gavin Grant, Cllr Nic Puntis, Cllr Martin Smith, Cllr Elizabeth Threlfall, Cllr Dr Nick Murry (Substitute) and Cllr Tom Rounds (Substitute)

16 **Apologies**

Apologies for absence were received from Councillor Jacqui Lay, who had arranged for Councillor Tom Rounds to attend the meeting in her absence. Apologies were also received from Councillor Dr Brian Mathew who had organised for Councillor Dr Nick Murry to attend in his absence.

17 **Minutes of the Previous Meeting**

The minutes of the meeting held on 2 February 2022 were presented for consideration, and it was;

Resolved:

To approve and sign as a true and correct record of the minutes of the meeting held on 2 February 2022.

18 **Declarations of Interest**

Councillor Howard Greenman stated that he would not speak and would also abstain from the vote in relation to item 7b; having spoken to the Wiltshire Council Legal Team and due to his Chairmanship of the Strategic Planning Committee.

19 **Chairman's Announcements**

The Chairman made those in attendance aware of the Covid regulations that were in place for the meeting.

20 **Public Participation**

No questions had been received from councillors or members of the public.

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

21 **Planning Appeals and Updates**

Councillor Gavin Grant moved that the Committee note the contents of the appeals report included within the agenda. It was seconded by Councillor Elizabeth Threlfall.

Resolved:

To note the Planning Appeals Update Report for 2 March 2022.

22 **Planning Applications**

The Committee considered and determined the following planning applications:

22a 20/11035/FUL 20 Bargates, Box, Wiltshire, SN13 8LT

Public Participation

James Rainbow spoke in support of the application.

Councillor Richard Campbell spoke on behalf of Box Parish Council.

Development Management Team Leader, Simon Smith presented a report which outlined the proposed new driveway entrance to replace existing, with alterations to the existing driveway layout.

Details were provided of the site and issues raised by the proposals, including the principle of the application; green belt; design, scale and materials; impact upon nearby Heritage Assets; Impact on Residential Amenity; Landscape Considerations; Highway Safety.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on the difference in height between the property driveway and of Quarry Hill with it clarified that the property hedgerow would have to be a maximum of 900mm to ensure visibility. Additionally, it was clarified by the officer that the layout of the driveway was not part of the application and that the applicant could shut off the current existing access if they chose to with no planning permission needed and that a condition could be added to keep it closed.

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

Councillor Gavin Grant then spoke on behalf of the Local Unitary Member, Councillor Dr Brian Mathew regarding the application. Councillor Grant passed on the gratitude of Councillor Dr Mathew to the Parish Councillors, Chair Sheila Parker and Councillor Richard Campbell. The statement provided expressed concerns of safety from a Highways perspective, with it noted that speed is

gained travelling down Quarry Hill and that if permitted the new entrance could lead to an accident due to added complication for road users. The statement noted that the integrity of Bargates should be preserved and suggested that the application should be turned down as the proposals could potentially conflict with Core Strategy Objective 6 which looks to improve safety of all road users and reduce the number of casualties.

At the start of the debate a motion to refuse the officer's recommendation was moved by Councillor Steve Bucknell and seconded by Councillor Gavin Grant, with reasons for refusal cited as road safety and that the proposals would lead to an unacceptable change of appearance in Quarry Hill. However when later voted upon the motion fell due to the number of votes against.

Consequently, a motion to accept the officer's recommendation was moved by Councillor Tony Trotman and seconded by Councillor Nic Puntis, with an additional condition that the existing vehicular access to Bargates should be closed and permanently stopped up prior to the first use of the new access to Quarry Hill. Additionally, that the existing vehicular access onto Bargates should not be reopened unless otherwise agreed in the form of a separate planning permission in that regard.

During the debate the issues included the potential need for a condition to be added to the officer's recommendation to close the previous exit if the new proposal was to be accepted. The potential danger of exiting the existing access was referenced, with it stated that the proposed new access could provide greater safety, with the access also being connected to a road with a 30mph speed limit. It was posed that the visibility splay would be reliant upon the upkeep of the hedgerow and how this could potentially impact on the aesthetic of Quarry Hill. Additionally, it was posed whether the proposal would lead to Quarry Hill being regularly blocked by deliveries or refuse removal for the property.

Further issues that were debated were that the hedgerow would not be completely removed in order to allow for a visibility splay of 70 metres, but would rather be kept to a maximum height of 900mm. It was also acknowledged that there could be the potential to impose a condition to plant more hedging at the rear of the visibility splay. Reference was drawn to the Highways contribution of the report, with it noted that no concerns had been raised regarding visibility and that the applicant could potentially seek to place a mirror on the wall opposite to the access in order to give further visibility of oncoming traffic. Core Policy 57 (ii) was cited, with it suggested that the proposal would conflict this policy due to the cutting of the hedgerow, which would go against the retention and enhancement of landscaping and natural features.

Regarding the access points, it was queried whether it would be possible to keep both access points in order to allow for a one-way entrance and exit system; this was however not part of the proposal, with it also noted that previously Highways had not been in favour of such arrangements. It was also stated that a Topographic survey would potentially have been useful in allowing

the Committee to know what the height difference between Quarry Hill and the driveway was.

At the conclusion of the debate, it was,

Resolved:

To approve in accord with officer recommendation subject to the following additional condition and associated informative reflecting debate:

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:

Design and Access Statement Dated 8th December 2020

Existing Site Plan 20BAR/11

Location Plan 20BAR/00

Proposed Site Plan 20BAR/12

Proposed Site Plan 1:500 20BAR/13

Received – 10.12.2020

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

3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those detailed on the application form and approved drawings.

REASON: In the interests of visual amenity and the character and appearance of the area.

4 No development shall commence on site until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres either side of the access from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

5 The development hereby permitted shall not be first brought into use/occupied until the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, 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

6 In accordance with the approved plans, the existing vehicular access to Bargates shall be closed and permanently stopped up prior to the first use of the new access to Quarry Hill, hereby granted planning permission. The existing vehicular access onto Bargates shall not be reopened unless otherwise agreed in the form of a separate planning permission in that regard.

REASON: In the interests of highway safety and for the avoidance of doubt.

INFORMATIVES TO APPLICANT:

In respect of condition 06, the applicant should be aware that during their consideration of the application, the Northern Area Planning Committee were of the opinion that the retention of a pedestrian access onto Bargates would be welcomed. Please note that no planning permission is required from the Local Planning Authority to create a new pedestrian access onto the public footway.

The proposal includes alteration to the public highway, consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may 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 the vehicle access team on telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further details.

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may 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.

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

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.

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/communityinfrastructurelevy.

22b PL/2021/04258 Land to the Rear of Arms Farm, High Street, Chippenham, Sutton Benger, SN15 4RE

Public Participation

Martin Verspeak spoke in objection of the application.

Marc Willis spoke in support of the application.

Senior Planning Officer, Charmian Eyre-Walker presented a report which outlined the erection of 4 dwellings and associated works.

Details were provided of the site and issues raised by the proposals, including the principle of development, conflict with the emerging neighbourhood plan, impact on residential amenities of adjoining neighbours, impact on character and appearance of the area, impact on the setting of the listed buildings and Sutton Benger Conservation Area, previous appeal decision.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were clarified that the existing and proposed developments were outside of the existing framework boundaries and that the land had been used for agricultural use. It was additionally clarified that the neighbourhood plan had not been fully developed yet. Reference was also drawn to the agenda supplement which stated that originally the archaeologist

had objected, however it was clarified by the officer that they had since seen the proposed conditions and would be happy with pre-commencement.

Further details were clarified that the Council would not have control over the landscape planting and the consequent impact that if turned into a woodland the land would not be dissociated from being farmland. The recent inspector's decision in regard to the Filands proposal was referenced, with the inspector noting that the Council had a modest shortfall of the 5-year housing land supply in January of 4.1 and that the 4 proposed homes would be insignificant in contributing towards this. The potential inclusion of EV charging and air source heat pumps was questioned, with it being clarified by the officer that these had not been considered but both suggestions could be added through conditions. Additional clarification was provided that the proposal included no affordable housing but rather 4- or 5-bedroom large houses.

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

The Local Unitary Member, Councillor Howard Greenman did not speak regarding the application.

At the start of the debate a motion to move and accept the officer's recommendation to refuse the application was moved by Councillor Tony Trotman and seconded by Councillor Gavin Grant.

During the debate the praise was given to the officer's report which recognised the challenges faced as a local authority. Core Policy 10 was cited by means of exception sites that relate to a local need for affordable housing, with it argued that this proposal did not have affordable housing nor did it speak to the local need as heard from the neighbourhood planning steering group. In addition, Core Policies 57 and 58 were cited with it stated that the proposal does not meet these policies and that the village of Sutton Benger had already provided large amounts of development. This was further supported as due to their being no 1- or 2-bedroom homes in the proposal, it could be argued that this proposal was an exercise of profiteering at the expense of a local community; with no economic benefit provided along with sustainability issues potentially created for schools and surgeries. It was also stressed that voice and weight should be given to the emerging neighbourhood plan, which represented the voice of the community.

Further issues that were debated were that the proposed development did not have much resemblance to the previously proposed larger development and that a planning inspector might take a difference stance and that aesthetically, it could be argued that the whole development would need this proposal in order to provide a completed appearance to the wider site.

It was also postulated what impact, if approved, the proposal would have on the aesthetics of footpaths running through Sutton Benger, particularly in winter when the properties would not be covered by trees. It was also noted that

though the Government had given Wiltshire Council parameters of housing that needed to be fulfilled, it would be essential to place these in the right places.

At the conclusion of the debate, it was,

Resolved:

That the application be REFUSED for the following reasons :-

1. The site is located in the countryside outside of the limits of development of Sutton Benger as defined on the Policies Map and by virtue of its scale and location would conflict with the sustainable development strategy of the plan as expressed in Core Policies 1, 2 and (community area strategy policy) of the Wiltshire Core Strategy. The proposed residential development does not fall to be determined under any of the 'exception policies' defined at paragraph 4.25 of the plan within Core Policies 10 & 44 of the Core Strategy, or relate to a site allocated in the development plan for residential use. It would therefore constitute unsustainable development in the countryside.

2. The proposal would result in the loss of open farmland which is considered to historically and positively contribute to the setting and significance of the Grade II listed Buildings forming the Arms Farm complex, contrary to Policies CP57 and CP58 of the Wiltshire Core Strategy and to section 66(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990, section 16 of the NPPF (paras 197, 199, 200, 202 and 206) and BS7913. The harm caused is not considered to be outweighed by the public benefit of providing 4 detached dwellings.

3. The proposal would result in the loss of views from the conservation area out to the countryside beyond, particularly through the Arms Farm complex to the open farmland to which it is historically connected. This is contrary to policies CP57 and CP58 of the Wiltshire Core Strategy and to section 72(1) of the Town and Country Planning (Listed Buildings and Conservation Areas) Act 1990 and section 16 of the NPPF (paras 197, 199, 200, 202 and 206 in particular). The harm caused is not considered to be outweighed by the public benefit of providing 4 detached dwellings.

4. The proposal would cause an unacceptable loss of amenity and privacy to the residents of Arms Close, adjacent to the site, by reason of loss of privacy given the close proximity of the access road and front gardens that are proposed to serve the new. It is considered that the proposal is contrary to Policy CP57 in this respect.

22c PL/2021/09418 13 The Beeches, Lydiard Millicent, Swindon, SN5 3LT

Public Participation

Ben Williams was unable to attend therefore Democratic Services Officer, Ben Fielding read out a provided statement in support of the application.

Councillor Mel Allsop spoke on behalf of Lydiard Millicent Parish Council.

Development Management Team Leader, Lee Burman, presented a report which outlined an erection of single storey front, rear and first floor extensions and replacement roofs with roof lights

Details were provided of the site and issues raised by the proposals, including the principle of development; impact on the character, appearance, visual amenity of the locality; impact on the residential amenity; access, parking and highway safety.

Members of the Committee had the opportunity to ask technical questions regarding the application. Details were sought on the distance between the second storey of the proposal and the neighbouring bungalow; which was clarified to be 7 metres from the east boundary and in excess of 24 metres from the north boundary. The make up of the neighbouring properties of the Beeches was queried and it was clarified by the officer that the applicant would not be able to demolish the existing property to build a replacement as this was not within the proposal. It was also clarified that though the neighbourhood plan was not silent within this proposal, it did not specifically relate to this location.

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

The Local Unitary Member, Councillor Steve Bucknell then spoke regarding the application. Councillor Bucknell stated that the proposal looked to turn a modest 3-bedroom single storey bungalow into a family home with an additional 2 storeys and a total of 5 bedrooms. In turn, the proposal would increase the ridge height of the property from 7 metres to 12 metres. The impact of parking for the proposal was stressed, with there being no bus services to Lydiard Millicent or nearby shops; therefore meaning that cars would be necessary with there potentially being 5 cars required by the property due to the proposed number of bedrooms. This would therefore potentially cause issues as the proposals showed no increase in parking provision, with the current drive suitable at most for 3 cars; thus causing cars to have to park on the narrow road.

Councillor Bucknell acknowledged that to an extent the report was true when it referred to a mix of homes; however these follow a definite pattern with the outside ring of homes being 2 or 3 storey family homes, with the inside ring being bungalows. Regarding the bungalows, Councillor Bucknell stated that there are Core Policies which require the Council as an authority to build lifetime homes, suitable for those who want to downsize in their retirement years, it would therefore be contradictory to replace such a bungalow with a family house.

Councillor Bucknell stated that the proposals were contrary to Wiltshire Core strategy Core Policy CP57 (i) (iii) (vi) (vii) (xi) (Jan 2015) as the proposal would break the current pattern of The Beeches, which would impact the amenities of existing occupants through potential parking issues and through Highways

stated that the proposed parking wouldn't breach standards, these were minimal.

At the start of the debate a motion to move and accept the officer's recommendation was moved by Councillor Tom Rounds and seconded by Councillor Trotman, however when later voted upon the motion fell due to the number of votes against.

Consequently a motion to reject the officer's recommendation was moved by Councillor Steve Bucknell and seconded by Councillor Gavin Grant. The reason being that following debate and receipt of representations at the meeting, members considered that the development by virtue of its scale, bulk, mass, form, positioning and design features would result in harm to the character, appearance and visual amenity of the locality; and harm to and loss of residential amenity by virtue of overbearing impact, loss of outlook; loss of privacy and overlooking and loss of daylighting. The proposals were therefore contrary to Wiltshire Core strategy Core Policy CP57 (i) (iii) (vi) (vii) (xi) (Jan 2015). It was also referenced that the proposals result in a discordant development out of character with the locality resulting in harm to visual amenity; do not retain accommodation suitable for elderly and vulnerable persons contrary to para 6.55 of the WCS; and would result in harm to and loss of existing residential amenity for neighbouring properties.

During the debate the issues included that having used Google Street view to travel down The Beeches, the proposal would look odd with the inner ring being bungalows and the outer ring being larger family homes. It was acknowledged that The Beeches most likely had been constructed to meet the diverse needs of the community of Lydiard Millicent and that such a proposal would set a precedent within the inner ring of bungalows. Furthermore, it was argued that the proposal would be conflict with Core Policy 57 (vii) as the proposal would not be in character with the neighbouring inner buildings. Regarding the design of The Beeches, it was argued that the neighbourhood had been constructed with the future in mind by providing family accommodation and then accommodation for the older to later move into and to allow this proposal could potentially break this up.

Further issues that were debated were that the proposal would not have an overbearing impact as there were 3 storey properties immediately opposite the proposal. It was also argued that the neighbourhood impact of loss of sight and warmth was not addressed by Core Policies and that regarding parking, it would be legal for the applicant to park on the road.

At the conclusion of the debate, it was,

Resolved:

To refuse contrary to officer recommendation as the proposals result in a discordant development out of character with the locality resulting in harm to visual amenity; do not retain accommodation suitable for elderly and vulnerable persons contrary to para 6.55 of the WCS; and would

result in harm to and loss of existing residential amenity for neighboring properties.

Refused for the following Reason:

The development by virtue of its scale, bulk, mass, form, positioning and design features would result in harm to the character, appearance, and visual amenity of the locality; and harm to and loss of residential amenity by virtue of overbearing impact, loss of outlook; loss of privacy and overlooking and loss of daylighting. The Proposals is therefore contrary to Wiltshire Core strategy Core Policy CP57 (i) (iii) (vi) (vii) (xi) (Jan 2015).

22d 20/08205/FUL Land Adjacent to Sherston C of E Primary School, Sherston

It was noted that this application had been withdrawn prior to the Committee and was therefore not debated or decided upon during the Committee meeting.

23 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00pm – 5.25 pm)

The Officer who has produced these minutes is Ben Fielding of Democratic Services, direct line 01225 718656, e-mail Benjamin.Fielding@wiltshire.gov.uk
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