

Southern Area Planning Committee

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 1 JUNE 2022 AT THE GUILDHALL, MARKET PLACE, SALISBURY, WILTSHIRE, SP1 1JH.

Present:

Cllr Andrew Oliver (Chairman), Cllr Sven Hocking (Vice-Chairman), Cllr Trevor Carbin, Cllr Brian Dalton, Cllr Nick Errington, Cllr George Jeans, Cllr Charles McGrath, Cllr Ian McLennan, Cllr Bridget Wayman, Cllr Rich Rogers and Cllr Kevin Daley (Substitute)

Also Present:

Cllr Paul Sample

87 Apologies and Membership Changes

Apologies were received from:

- Cllr Nabil Najjar who was substituted by Cllr Kevin Daley

The Committee also noted changes to the membership as agreed by Full Council on 17 May 2022:

Cllr Andrew Oliver - appointed as Chairman
Cllr Bridget Wayman - appointed as Committee Member
Cllr Richard Britton - removed

Thanks to Cllr Britton for his chairmanship over the last 12 months and his contributions to the Planning committee over the years.

88 Minutes of the Previous Meeting

The minutes of the meeting held on 28 April 2022 were presented.

Resolved:

To approve as a correct record and sign the minutes.

89 Declarations of Interest

In relation to item 7c - Application PL/2021/10952, Cllr Rich Rogers noted that he knew the applicant as he was a Wiltshire Councillor. It was noted that all of the Committee Members knew the Applicant, however as this did not constitute a disclosable pecuniary interest, the Committee would consider the application with an open mind.

In relation to item 7c - Application PL/2021/10952, Cllr Andy Oliver noted that he lived in Porton and had been a part of the working group which wrote the Idmiston NHP, he would however consider the application with an open mind.

In relation to item 7e – Application PL/2022/01547, Cllr George Jeans noted that he was on the Mere Town Council which had considered and objected to the application. He advised that he was not part of the discussion or vote in his role on the Town Council, so would consider the application with an open mind.

90 **Chairman's Announcements**

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

91 **Public Participation**

The committee noted the rules on public participation.

92 **Planning Appeals and Updates**

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

Resolved:

To note the Appeals report.

93 **Planning Applications**

94 **APPLICATION NUMBER: 20/09189/FUL (Mobile Home) - Lower Marshes Farm, Semley,**

Public Participation

Quintin Bull spoke in objection to the Application

Gina Dent spoke in objection to the application

Patrick Drummond (Applicant) spoke in support of the Application

Matt Williams (Agent) spoke in support of the Application

The Planning Team Leader, Richard Hughes, presented the application for the siting of a mobile home for rural worker's accommodation, at Lower Marshes Farm.

The application was recommended for Approval with conditions, as set out in the report attached to the agenda.

Material considerations noted in the report included:

- Principle of development
- Scale, siting, design, impact on the wider landscape within the Cranborne Chase AONB
- Impact on amenity
- Highways
- Ecology/Impact on the River Avon SAC

It was noted that a mobile home had already been placed on the site.

The planned business would be split between agriculture, equine and sheep farming, with 100 sheep in the first year, rising to 300 at year 3. In addition, there would be rearing and training of horses for Polo.

The Agricultural consultant had agreed that there was a need on the site for a mobile home.

Members then had the opportunity to ask technical questions of the Officer, where it was clarified that the existing farm had agricultural operations on it which appeared to include a history of reference to an equine business. In 2016 there was an adjustment to a legal agreement which had been put in place in 2002.

The application was for a set size of mobile home. There was already one on site, however it was later clarified that it was not currently lived in and was used by staff during the day. The application was therefore retrospective.

Members of the public as detailed above, then had the opportunity to speak on the application, the main points included references to the poor quality of the land and that the land may not be suitable for farming use all year round.

Other concerns regarding the possibility that the applicant may in the future, make an application for a permanent home on the site were raised, in particular to the impact on the AONB.

The agent noted that the two applications (20/09189/FUL 20/09188/FUL) & were related.

There was further work to carry out to the ground, as it was currently wet. There was an essential need to have someone on site around the clock, when rearing and breeding horses due to animal welfare issue. The materials would be in line with AONB requirements.

Local Member, Cllr Bridget Wayman, who was on the Committee, spoke to the application noting that she had called the application in to committee some time ago, as the site was in the AONB, noting that national and local policies did not allow for houses to be easily built in the AONB.

Supporting the conditions in the report Cllr Wayman queried the condition relating to external lighting.

Cllr Wayman then moved the motion of Approval in line with Officer Recommendation.

This was seconded by Cllr Trevor Carbin.

The Committee was invited to discuss the application, the main points included the 3 year consent on the application, which would require a further application by the applicant in 3 years time, to put forward a case to continue on the site.

The requirements for staffing on the site were discussed as were the comments of the AONB and the number of windows on the mobile home and the associated light which would be emitted from them.

After discussion, the Committee voted on the motion of Approval, for the reasons stated above.

It was;

Resolved:

That application 20/09189/FUL be Approved with the following conditions:

1. The rural workers mobile home hereby permitted and any ancillary works or structures shall be removed and the land restored to its former condition on or before three years of the date of this decision notice in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

REASON: Permission has been granted on a temporary basis to establish whether there is a functional need for permanent on site residential accommodation on this agricultural holding.

2 The occupation of the rural workers mobile home hereby permitted shall be limited to a person solely or mainly working in connection with the associated equine/agricultural business at Lower Marshes Farm, Semley, 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 new residential accommodation in this location having been demonstrated.

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

Drg. no. 18194 - 5 B Site Location Plan (revised) Date rec. 13 April 2021

Drg. no. 18194 - 6 A Block Plan Date rec. 20 October 2020

Drg. no. 18194 - 7 A Illustrative Plans & Elevations as Proposed Date rec. 20 October 2020

Materials shall be as agreed within the email to the Council from Janet Montgomery dated 9th December 2020.

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

4 The residential development shall not be occupied until the Building Regulations Optional requirement of a maximum water use of 110 litres per person per day has been complied with.

REASON: To reduce the impact on the River Avon SAC system.

5 No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In the interests of conserving biodiversity and to minimise light pollution.

6 Prior to the dwelling being brought into use the following biodiversity enhancements, as recommended in section 5.4 of the submitted Preliminary Ecological Assessment (David Leach Ecology Ltd. Date: June 2021) must be provided: Woodcrete bat box. Viva pro bird box. Insect features. Wildlife friendly tree and shrub planting.

REASON: In the interests of conserving biodiversity.

Informatives: (3)

Protected species

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. Please be advised that works should not take place that will harm nesting birds from March to August inclusive. All British birds, their nests and eggs are protected under Section 1 of the Wildlife and Countryside Act 1981 (as amended) and the Countryside and Rights of Way Act 2000 while birds are nesting, building nests and sitting on eggs. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.

Rights of way

No construction / demolition vehicle access may be taken along SESE26 without prior consultation with the Rights of way Countryside Access Officer (CAO). Where appropriate any safety/mitigation/reinstatement measures must be approved by the CAO No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken

which obstruct or adversely affect the public right of way whilst development takes place.

Lighting and materials

Regards condition 05, details should be submitted to the LPA via a discharge of condition application. Details submitted should limit light spill in the AONB and limit harm to protected species. The colours of the materials and any lighting shall follow the guidance on these matters issued by the AONB.

94a APPLICATION NUMBER: 20/09188/FUL (Agricultural Building) - Lower Marshes Farm, Semley

Public Participation

Quintin Bull spoke in objection to the application

Gina Dent spoke in objection to the application

Patrick Drummond (Applicant) spoke in support of the Application

Matt Williams (Agent) spoke in support of the Application

The Planning Team Leader, Richard Hughes, presented the application for the erection of a replacement multipurpose agricultural/equestrian building and horse walker, at Lower Marshes Farm.

The application was recommended for Approval with conditions, as set out in the report attached to the agenda.

Material considerations noted in the report included:

- Principle of development
- Scale, siting, design, impact on the wider landscape within the Cranborne Chase AONB
- Impact on amenity
- Highways
- Ecology/Impact on the River Avon SAC

There were no technical questions to the Officer.

Members of the public as detailed above, then had the opportunity to speak on the application, the main points included reference to the change of use from agriculture to equestrian and the impact on the single access track, with an increase in use by people coming and going with or without horses and the subsequent impact on amenity and local highways.

Reference to the need for light during the winter months on a farm in the AONB and the impact on the dark skies.

Suggestions were made that the application equated to a new build barn and not a replacement to the existing, and the unsuitability of the land for the purpose of breeding horses due to marshy conditions.

The applicant and agent set out the need for the barn on the farm, to provide shelter and storage. The old barn had been assessed for renovation, however it was reported that it had been declared not viable so would need to be removed, due to being derelict and dangerous.

Reference to policies which supported new buildings in the countryside for land based enterprises and justification for the size based on the type of enterprise was provided.

There was no objection from Highways and the design complied with AONB preferred colour.

Local Member, Cllr Bridget Wayman, who was on the Committee, spoke to the application noting that she was more conflicted with this application than the previous for the mobile home. The existing barn was an agricultural barn, the applicant had stated that the new barn would be used for animals, so would have equestrian use. The plan shown detailed a row of stable like structures along one side.

The Officer clarified that it was a replacement barn application for agricultural and equestrian purposes, should the committee not be content that it be used for equestrian purposes then it was able to refuse the application.

Cllr Wayman queried condition 1, the horse walker and equine works should be removed after 3 years and requested that 'any ancillary equine' facilities include reference to the proposed barn being removed.

Cllr Wayman then moved the motion of Approval in line with officer recommendation, subject to the inclusion of equine as above to condition 1.

This was seconded by Cllr Rich Rogers

The Committee was invited to discuss the application, the main points included whether discussion around the requirement for further consultation with the AONB before further lighting was permitted was required.

The Officer confirmed that the consultant had looked at the statement provided and had agreed there was a need for the accommodation on the site and that the buildings appeared to be justified.

The Officer clarified that Highways would only consider the application as presented and would not have considered the possibility of any increase in traffic should a polo business be started up at the site, as this was not part of the application.

After discussion, the Committee voted on the motion of Approval, in line with Officer recommendation and an amended condition 1 to include reference to the proposed barn.

It was;

Resolved:

That application 20/09189/FUL be Approved with the following conditions:

1 The horse walker, replacement new barn, and any ancillary equine works or structures shall be removed and the land restored to its former condition on or before three years of the date of this decision notice in accordance with a scheme to be submitted to and approved by the Local Planning Authority. Following three years of the date of this decision notice the replacement barn shall be retained for agricultural purposes only.

REASON: A temporary permission is granted in order that the local planning authority can review the applicant's circumstances at the end of the limited period specified.

2 The horse walker and the replacement barn shall only be used in connection with the associated equine/agricultural business at Lower Marshes Farm, Semley.

REASON: In the interests of the amenities of the area.

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

Drg. no. 18194 – 1 B Site Location Plan (revised) Date rec. 13 April 2021

Drg. no. 18194 – 2 A Block Plan Date rec. 20 October 2020

Drg. no. 18194 – 3 A Plans & Elevations as Proposed Date rec. 20 October 2020

Drg. no. 18194 – 4 Proposed Horse Walker Date rec. 20 October 2020

Materials shall be as agreed within the email to the Council from Janet Montgomery

dated 9th December 2020.

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

4 No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority.

REASON: In order to reduce light spill and the impact on the AONB

5 Prior to occupation of the barn the following mitigation and enhancement measures must be provided in accordance with recommendations detailed in the submitted Preliminary Ecological

**Assessment report prepared by David Leach Ecology Ltd (July 2021) :
Installation of a woodcrete bat box on a nearby tree. Installation of a Viva
pro bird box on nearby tree. Installation of insect features on nearby trees.
Native and wildlife friendly planting.**

**REASON: To ensure adequate protection, mitigation and compensation
for protected species and to provide a biodiversity enhancement, in
accordance with Core Policy 50 and the National Planning Policy
Framework and Section 40 of the Natural Environment and Rural
Communities Act 2006.**

Informatives: (3)

Protected species

**The adults, young, eggs and nests of all species of birds are protected by
the Wildlife and Countryside Act 1981 (as amended) while they are
breeding. Please be advised that works should not take place that will
harm nesting birds from March to August inclusive. All British birds, their
nests and eggs are protected under Section 1 of the Wildlife and
Countryside Act 1981 (as amended) and the Countryside and Rights of
Way Act 2000 while birds are nesting, building nests and sitting on eggs.
The applicant is advised to check any structure or vegetation capable of
supporting breeding birds and delay removing or altering such features
until after young birds have fledged. Damage to extensive areas that could
contain nests/breeding birds should be undertaken outside the breeding
season. This season is usually taken to be the period between 1st March
and 31st August but some species are known to breed outside these
limits.**

Lighting and materials

**Regards condition 04, details should be submitted to the LPA via a
discharge of condition application. details submitted should limit light
spill in the AONB and limit harm to protected species. The colours of the
materials and any lighting shall follow the guidance on these matters
issued by the AONB.**

Right of way

**No construction / demolition vehicle access may be taken along SESE26
without prior consultation with the Rights of way Countryside Access
Officer (CAO). Where appropriate any safety/mitigation/reinstatement
measures must be approved by the CAO.**

**No materials, plant, temporary structures or excavations of any kind
should be deposited / undertaken which obstruct or adversely affect the
public right of way whilst development takes place.**

**94b APPLICATION NUMBER: PL/2021/10952 - Bramble Cottage, Mount
Pleasant, Porton**

Public Participation

Dan Roycroft (Agent) spoke in support of the Application
Ms Maysun Butros spoke in support of the Application

Late correspondence was summarised, which included a notice of support from Idmiston PC, a further objection from the neighbour, a revised proposal for a sewerage treatment plant by the applicant and comments from the Ecology Officer.

The Officer confirmed that the additional information had not changed the Officer recommendation.

The Senior Planning Officer, Julie Mitchell, presented the Full planning application for the erection of one dwelling with garage, at the land adjacent to Bramble Cottage, with garage and driveway.

The application was recommended for Refusal as set out in the report attached to the agenda.

Material considerations detailed in the report included:

1. Principle of development
2. Highway issues
3. Character of the area
4. Residential amenity
5. Drainage
6. River Avon SAC
7. Other issues

It was noted that there was no pedestrian access to the village from the site. Plans showing the access, location and proximity of existing dwellings, with a visibility splay diagram to set out the extent of visibility on the road.

The site was situated outside of the development boundary and development went against policy. The application was recommended for refusal.

Members then had the opportunity to ask technical questions of the Officer, where it was clarified that until further assessment had been carried out, unplanned development in the location was not lawful.

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

Those in support explained that a report had been submitted which set out the phosphate levels would be less than the 5 cubic litres per day maximum stated by the councils Ecology Officer and the Parish council had voted in support of the application.

Reference to the council's lack of 5 year land supply was made and a suggestion that the development would add to the overall housing numbers for Wiltshire.

The site was sustainable as the occupants would be able to commute to Salisbury for employment and amenities.

The site was part of the applicants' families land and would enable him to remain in the village in which he had resided for the last 20 years.

The rural nature of the area had been considered and environmentally friendly features had been included in the design.

Local Member, Cllr Rich Rogers, who was on the Committee, spoke to the application noting that he had not called it in, but that it was policy that any application of an elected Member would come to committee for consideration.

Cllr Rogers then moved the motion of Approval against Officer recommendation.

The reasons given were that despite the site being some way from the settlement boundary, the development was in keeping with the Bourne Valley settlement.

There had been only one objection from a neighbour, and there was full support from the parish council.

He considered the location to be sustainable, noting that rural settings generally required residents to use cars to access amenities.

Historic data showed that the location was safe in terms of Highways and improvements had been made to the access.

The single 2 bed property was modest for the plot and not overdevelopment and included excellent eco-friendly features.

The inclusion of a treatment plant would deal with the nitrates issue.

Before the Chairman called for a seconder to the motion of approval, he asked the Legal Officer present to clarify the legal position should the application be approved.

The Legal Officer noted that Conservation and Habitats regulations put certain responsibilities on councils to ensure appropriate assessment was carried out prior to approving planning permission. In this instance, the site was outside of the Local Development area, so the council must be satisfied that any effect on the land would be mitigated. There had been reference to a treatment plant with low levels, however here there was a further two other existing properties close by, so there would be an accumulative effect. No one had yet provided that assessment and therefore it would be against regulations to grant permission without the

assessment and decision to grant permission could then be subject to successful challenge by way of judicial review.

The Chairman asked the Planning Officer whether it would make more sense to defer until the Ecologist report was available. The Planning Officer explained that it was more than just the ecologist assessment and that liaison with Natural England was also required.

Members discussed the merits of both deferral and refusal and came back to the original motion for approval which had not yet been seconded or discussed.

Cllr Kevin Daley seconded the motion of approval.

The Committee then discussed the application with comments for and against the application, however without the necessary assessments the majority of the committee noted that they would not be minded to support approval as it would be contrary to policy.

After discussion, Cllr Rogers withdrew his motion of approval, this was supported by Cllr Daley.

Cllr Ian McLennan then moved the motion of Refusal as per the Officer recommendation.

This was seconded by Cllr Brian Dalton.

It was;

Resolved:

That application PL/2021/10952 be Refused in line with Officer recommendation for the following reasons:

1. The site is located in the open countryside outside of any defined settlement boundary and in a location where no public transport or pedestrian facilities are available or accessible. As such the proposed development would result in a new dwelling which would be wholly reliant upon the private car to access services and facilities for any residents and visitors to the dwelling, contrary to the settlement and delivery strategy for new housing and sustainability objectives embodied in Core Policies 1, 2, 4, 60 and 61 of the Wiltshire Core Strategy, Policies 17 and 19 of the Idmiston Parish Council Neighbourhood Plan 2015-2026 and the aims of sustainability embodied in the National Planning Policy Framework 2021 (with particular regards to Section 5, paragraphs 79 and 80 and Section 9, paragraphs 104, 105, 110 and 112) which collectively aim to provide housing in a sustainable manner and reduce the need to travel particularly by private car and encourage the use of sustainable transport alternatives.

- 2. The site is situated within the River Avon catchment area that is a European site. Advice from Natural England indicates that every permission that results in a net increase in foul water entering the catchment could result in increased nutrients entering this European site causing further deterioration to it. Unplanned residential development in the countryside is not covered by the Council's current mitigation strategy and the application does not include detailed proposals to mitigate the impact of these increased nutrients and consequently, without such detailed proposals, the Council as a competent authority cannot conclude that there would be no adverse effect on the integrity of this European Site as a result of the development. The proposal would therefore conflict with Wiltshire Core Strategy policies CP50 (Biodiversity and Geodiversity) and CP69 (Protection of the River Avon SAC); and paragraphs 179-182 of the National Planning Policy Framework 2021**

94c APPLICATION NUMBER: PL/2022/01972 - 18 College Street, Salisbury

Public Participation

Andy Melleney spoke in objection to the Application

Tony Allen (Agent) spoke in support of the Application

Late correspondence was summarised at the meeting and included letters of support.

The Senior Planning Officer Georgina Wright presented the application for change of use with external alterations and extensions to convert a Class E use to form 6 apartments.

The unusual nature of the site was noted. It was a former Citizen Advice Bureau and was sited to the immediate back of a number of residential properties and had recently received prior approval under Class MA of the Town & Country Planning (General Permitted Development)(England) Order 2015, for its conversion from offices to 6 flats.

It was explained that this full application now involved a similar conversion of the building into 6 flats but involved alterations to the external finish; extensions to allow internal layout changes so that 4 of the resultant flats would be one bedroom flats rather than studio flats; each flat was to have their own private entrance; and changes were proposed to all existing fenestration, including the removal of all windows on the northern elevation. It was noted that parking provision of 2 spaces, one each for the two bed flats is to be provided.

The application was recommended for Approval with conditions, as set out in the report attached to the agenda.

Material considerations noted in the report were:

- Principle & Site History
- Heritage, Character & Design

- Neighbouring Amenities
- Highway Safety
- Ecology
- Drainage
- CIL/S106

Members then had the opportunity to ask technical questions of the Officer, where it was clarified that future residents would not be entitled to an on-street parking permit as the area was already over subscribed to permits. Highways had restricted on street highways permits for this development, as there was easy access to the city centre.

The Officer noted that if the application was refused, the existing permissions would remain valid and so the applicant could still convert the building into 6 flats; redevelop the site with a bungalow; or it could be used again as offices.

Members of the public as detailed above, then had the opportunity to speak on the application. The main points touched on the effect the development would have on the neighbouring properties, limited light to the development, the requirement for major groundworks and the access to the site and the accessibility issues for waste collection and emergency services.

In response to the comments of those in objection regarding car parking, drainage and construction noise, the Agent noted that the site already had permission to build 6 flats with 2 parking spaces.

To refuse on Highways or overdevelopment grounds would fail to take into account the fall back prior approval. This scheme would see improvements to the quality of materials and the type/size of flats that could be built under the prior approval consent.

The two storey windows facing the back of park street would also be removed compared with the approved permission, thus removing overlooking windows.

Local Member, Cllr Paul Sample, who was not on the Committee, spoke to the application noting the correspondence he had received from those involved.

He suggested that having 6 flats on the site was similar to sardines in a tin, with a proposal developed to meet the needs of the developer rather than the neighbours.

He drew attention to the objection of Salisbury City Council and stated that the development was overdevelopment of a narrow and hemmed in location which would lack opportunity for residents to have any sort of view, in addition to the limited parking on site and no residential on street parking entitlement.

No provisions had been made for deliveries, or for bin collection or parking.

He referred to the requirement that the application must consider the transport impact and with 6 flats with only 2 spaces and no on-street entitlement, this was not achieved.

There was no adequate natural light and no disability access available, as the walkway was not wide enough to get past.

He asked the Committee to refuse the application before them, or to consider deferral to relook at overlooking.

The Chairman noted that the application for consideration was for changes to already approved flats.

The Officer confirmed and noted that the two parking spaces had been supported by Highways due to the sustainable location and that all of the windows already existed, so could not be refused on overlooking. Bin storage was planned in front of the 2 parking spaces and could be conditioned should the committee wish.

Cllr Hocking moved the motion of Approval in line with Officer recommendation.

This was seconded by Cllr Kevin Daley

The Committee was invited to discuss the application, the main points included that the concerns raised would also apply to the already approved permission for 6 flats, should the current application be approved and that the amendments appeared to result in a superior scheme than was originally approved.

Issues with the loss of fenestration due to the bathrooms being on the north eastern elevations, meant that there would be no natural ventilation for them. The suggestion of windows with obscured glazing was made to aid with light and ventilation.

The hours of use would change and may impact on the neighbouring residents. The flats would provide much needed small scale accommodation with easy access to the city.

The option to add an informative if approved, relating to the provision of electric charge points at the parking spaces and solar panels on the roofs.

The application as presented probably would not be approved as a new building, however it would be an improvement on what was in place currently and what already had approval.

After discussion, the Committee voted on the motion of Approval, as per the Officer recommendation.

It was;

Resolved:

That application PL/2022/01972 be Approved subject to the following conditions:

Conditions:

1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004

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

Application Form & Certificate

Ref: 1344/01 Rev M – Proposed Floor Plans. Received – 06.05.2022

Ref: 1344/02 Rev C – Location and Block Plan. Received – 08.03.2022

Ref: 1344/05 Rev D – Proposed Elevations. Received – 08.03.2022

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

3 No development shall continue above slab level on site until the exact details and samples of the materials to be used for the external walls (including render colour) and roofs have been submitted to and approved in writing by the Local Planning Authority.

Notwithstanding the approved plans, the mono pitch roofs on the building shall be finished with a slate or tile material. 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.

4 The dwelling 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

5 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 the following:

- 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 and boundary treatment;
- car parking 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.

6 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.

7 No development shall commence on site until details of secure covered cycle parking and bin storage have been submitted to and approved in writing by the Local Planning Authority. The submitted cycle parking details shall accord with dimensions, access, location, design and security principals laid out in Appendix 4 of Wiltshire's LTP3 Cycling Strategy. These facilities shall thereafter be provided in accordance with the approved details and made available for use prior to the first occupation of the development hereby permitted and shall always be retained for use thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car and to ensure appropriate storage facilities for bin/waste management.

8 No part of the development hereby approved shall be first occupied until enough space for the parking of 2 vehicles; together with a vehicular access thereto; onsite turning provision; and 6 cycle parking spaces have been provided and laid out in accordance with the approved details. The parking spaces shall not be used other than for the parking of vehicles in perpetuity. The approved turning area shall always thereafter be retained and kept clear of obstruction.

REASON: To ensure that adequate provision is made for parking and turning within the site in the interests of highway safety; and to encourage travel by means other than the private car

9 No development shall commence on site (including any works of demolition), until a Construction Management Statement (CMS), together with a site plan, which shall include the following:

1. the parking of vehicles of site operatives and visitors;
2. loading and unloading of plant and materials;
3. storage of plant and materials used in constructing the development;
4. the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
5. wheel washing facilities;
6. measures to control the emission of dust and dirt during construction;
7. a scheme for recycling/disposing of waste resulting from demolition and construction works; and
8. measures for the protection of the natural environment.
9. hours of construction, including deliveries;
10. pre-condition photo survey has been submitted to, and approved in writing by, the Local Planning Authority. The approved CMS shall be adhered to throughout the construction period.

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 minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

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

REASON: In the interests of highway safety

11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings (other than those shown on the approved plans), shall be inserted in the north eastern or south western elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy

12 Before flat 6 hereby approved is first occupied, full details of the external staircase thereto, including details of screen walls and/or fences at least 1.7 metres above ground/stair tread level along the north eastern boundary, shall be submitted to and agreed in writing by the Local Planning Authority. The agreed details shall be implemented in full prior to occupation of flat 6 and shall be retained and maintained in perpetuity.

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 neighbouring amenities.

13 No development shall commence on site until an ecological mitigation plan has been submitted to and agreed in writing by the Local Planning Authority, in line with and to address the issues raised/recommendations made in the Ecological Appraisal Report (Hampshire Ecological Services, October 2020) (submitted to accompany planning permission 20/04337/OUT). Prior to the first occupation of the development hereby approved, the approved mitigation measures shall be implemented in full on site in accordance with the approved details and shall be retained and maintained in place in perpetuity.

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 ecology and protected species

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 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 that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

15 No construction or demolition work shall take place on Sundays or Bank or Public Holidays; or outside the hours of 08:00 to 18:00 Monday to Friday; and 08:00 to 13:00 on Saturdays.

REASON: In the interests of neighbouring residential amenities
16 No development hereby approved shall commence on site until an asbestos management plan has been submitted to and approved in writing by the local planning Authority. The plan shall detail how any asbestos on site will be handled and disposed of in accordance with current regulations and guidance. The development shall be implemented 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, and to ensure that risks from

land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

17 No development hereby approved shall commence on site until full details of the proposed solar panels and the 2 electric charging points have been submitted to and agreed in writing by the Local Planning Authority. The solar panels and electric charging points shall be implemented in accordance with the agreed details prior to the flats being first occupied and shall be retained/maintained in accordance with the manufacturer details in perpetuity.

REASON: To respond to climate change and encourage renewable and low carbon development

Informatives:

1 The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website: www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastucturelevy

2 Please note that the proposed drainage strategy will be considered at the building regulation stage and has not been assessed as part of this planning application. The applicant's attention is drawn to the comments made by the Council's Drainage Officer and Wessex Water in response to this planning application, both of which contain details that will need to be resolved in order to achieve an acceptable drainage strategy for the site. Please note that should changes be required to the final approved scheme in order to achieve a satisfactory drainage strategy for the site, this may require the submission of a revised/amended scheme to be considered by the Local Planning Authority accordingly

94d APPLICATION NUMBER: PL/2022/01547 - The Drying Fields, Castle hill Lane, Mere.

Public Participation

Jack Garner spoke in support of the Application

Lesley Traves spoke on behalf of Mere Town Council

The Planning Team Leader Richard Hughes presented the application for Demolition of existing garage and erection of a new 2 bedroom dwelling and noted the site visit which had taken place earlier that day.

The application was recommended for Approval with conditions, as set out in the report attached to the agenda.

Material considerations were:

- Principle for the development, tilted balance and 5 year housing land supply
- Visual impact on the character of the Conservation Area, impact on the streetscene.
- Impact on neighbouring amenities
- Highway safety
- Biodiversity
- The planning balance

The application had generated 3 letters of objection and an objection from Mere Town Council.

The site was described as being in the urban fabric of the settlement with the proposed dwelling higher in comparison to the barn building next door.

The Officer noted the location of the proposed bin storage under the canopy area shown in the plan.

There were no technical questions of the Officer.

Members of the public as detailed above, then had the opportunity to speak on the application, the main points included the Applicants family connection to the local area, and the positive engagement with the conservation and planning officers.

The proposal met the current building regulation and sustainability factor. Materials would be locally sourced, and the design would complement the existing surrounding buildings and be of a high quality.

Access concerns of the town council were not supported by Highways.

The Town council representative stated an objection to the application, on grounds of over development of a small site. Concerns regarding the size of the smaller second bedroom were also raised, suggesting that space standards were not being adhered to.

In addition, there was a lack of amenity space and bin area and a low quality accommodation which would require 2 parking spaces on a road which they considered to be busy, narrow and dangerous.

Concerns regarding the Highways safety due to being on the corner, the logistics of entering the property at an upper level due to the split level of the front and rear, due to different road heights.

Local Member, Cllr George Jeans, who was on the Committee, spoke to the application noting he usually supported smaller unit developments and asked the committee to judge the application on its merits. He stated that the site visit had highlighted the issue of the location on the corner.

A residential development there would mean vehicles moving their cars in and out of the narrow lane, with an apex of approx. 9m high.

He disagreed with the Highways assessment, noting that parking spaces in the evenings were full.

The development would alter the open space in a conservation area as the cottages there were low on the streetscene, and the development was high.

Despite there being bin storage there was no washing line, and the dwelling was of a poor quality.

Cllr Jeans then moved the motion of Refusal, against Officer recommendation, on the grounds as stated above.

Cllr Brian Dalton seconded the motion.

The Chairman noted that on inspection and after visiting the site earlier that day, he felt that the application was a of a first-class design and believed that it did fit with the streetscene. The property next door was a workshop and would tower above this building. It amounted to an infill which would enable people that had grown up in the area to achieve affordable housing

The Committee then voted on the motion of refusal. The motion failed.

Cllr Sven Hocking then moved the motion for Approval in line with Officer recommendation.

This was seconded by Cllr Andy Oliver.

It was;

Resolved:

That application PL/2022/01547 be Approved as per the Officer recommendation, with the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans listed in schedule:

**Site and Location Plans received 15th March 2022
Proposed Streetscene ref 0901 Rev P02 dated 13/5/22
Proposed Plans & Elevations ref 0010 Rev P03 dated 13/5/22
Revised Heritage Impact Assessment and Design and Access Statement received 13/5/22**

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

3. No development shall commence above slab level on the dwelling hereby approved until details of:

- i) the materials (stone and clay tile) to be used on the walls and roof of the development and the source of natural stone to be used**
- ii) brochure details for the windows and front doors**
- iii) 1:10 details for the dormer windows**
- iv) rainwater goods (to be heritage style)**
- v) measures for biodiversity net gain (such as bat boxes / tiles and swift / bird bricks) have been submitted to and approved in writing by the Local Planning Authority.**

The development shall be carried out in accordance with the approved details before the dwelling is occupied and the agreed details shall be maintained on site thereafter.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences above slab level in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the Conservation Area and to secure biodiversity net gain for the site.

4. No external stonework shall be constructed on site (either on the dwelling or the external stone finish for the retaining wall on Castle Street), until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out.

Development shall be carried out in accordance with the approved sample.

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

5. The development hereby permitted shall not be first occupied until the 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. Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private surface water from entering the highway.

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

7. No part of the development hereby permitted shall be first occupied until the access & parking spaces [2 No] have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter.

REASON: In the interests of highway safety.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or reenacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslope(s) of the development hereby permitted.

REASON: In the interests of residential amenity and privacy and the character of the Conservation Area.

INFORMATIVES:

Highways: The applicant is advised of the need to submit plans, sections and specifications of the proposed retaining wall alterations/works for the approval of the Highway Authority in accordance with Section 167 of the Highways Act 1980.

(For information, this relates to retaining walls which are wholly or partly within 4 yards (3.65metres) of a street and which is at any point of a

greater height than 4'6"(1.40 metres) above the level of the ground at the boundary of the street nearest that point.)

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

CIL: 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

Protected Species: The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

95 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 6.04 pm)

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

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