

Strategic Planning Committee

MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 14 AUGUST 2024 AT COUNCIL CHAMBER - COUNTY HALL, BYTHESEA ROAD, TROWBRIDGE, BA14 8JN.

Present:

Cllr Howard Greenman (Chairman), Cllr Ernie Clark, Cllr Carole King, Cllr Stewart Palmen, Cllr Pip Ridout, Cllr Elizabeth Threlfall, Cllr Robert Yuill and Cllr Richard Britton (Substitute)

Also Present:

Cllr Jacqui Lay, Cllr Ian McLennan and Cllr Tony Jackson

50 **Apologies**

Apologies were received from:

- Cllr Adrian Foster,
- Cllr Christopher Newbury,
- Cllr Jonathon Seed who was substituted by Cllr Richard Britton, and
- Cllr James Sheppard

The Chairman also welcomed Cllr Stewart Palmen, who had been made a full Member of the Committee at the last Full Council. Cllr Palmen had replaced Cllr Sarah Gibson MP.

51 **Minutes of the Previous Meeting**

The minutes of the meeting held on 10 July 2024 were presented for consideration, and it was,

Resolved:

To approve and sign the minutes of the meeting held on 10 July 2024 as a true and correct record.

52 **Declarations of Interest**

There were no declarations of interest.

53 **Chairman's Announcements**

There were no Chairman's announcements.

54 **Public Participation**

The procedure for public participation was noted.

55 **Planning Appeals and Updates**

The Chairman highlighted the appeals report in the agenda, which detailed an appeal decision regarding a Gypsy / Traveller site at Clackhill Yard, Bradenstoke. The Committee decision to refuse was overturned at appeal. The Chairman also explained that the Gypsies and Travellers Development Plan Document would be going out for consultation later in the year. The document had been informed by evidence including an up-to-date gypsy and travellers accommodation assessment (GTAA).

56 **20/11598/OUT - Land east of Church Road, Laverstock**

Public Participation

Judy Ward spoke in objection to the application.

Ian McDonald spoke in objection to the application.

Johanna Ailano spoke in objection to the application.

David Barnes spoke in support of the application

Cllr Nick Baker, Vice Chairman of Laverstock and Ford Parish Council spoke in objection to the application.

Lynda King, Senior Planning Officer, introduced a report which recommended that the outline application (all matters reserved except external access) for the erection of up-to 49 dwellings, accesses from Church Road, Green Infrastructure including landscaping and children's play, a sustainable urban drainage system and utility buildings be approved, subject to conditions and an S106 agreement.

Key details were stated to include the principle of development, highway safety and drainage.

Attention was drawn to the amended site map published in agenda supplement 1 and amended conditions published in agenda supplement 2.

The officer explained that in the current Local Plan - the Wiltshire Core Strategy (WCS) Laverstock was identified as a Small Village. As such development was limited to infill within the boundaries of the village. So, the application was contrary to current policy. However, in the emerging Local Plan the site was allocated for up to 50 houses. A previous iteration of the application was for 135 houses. During negotiation and due to the emerging Local Plan, the applicant had reduced the number of houses to a maximum of 49.

The proposal included an area of green space through the middle of the site so that views to Cockey and Laverstock Down would be preserved. Improvements to local highways were included as part of the application. The Laverstock and Ford Neighbourhood Plan included green buffers around the area and the site did not encroach on those. There had been lots of objection to the application from local residents and the parish council. Objections included that the

application was premature in relation to the Local Plan; development creep; adverse impact on landscape sensitivity; highways concerns and flooding.

Consultee responses were summarised. There had been no objections to the revised plan, subject to conditions and a S106 agreement.

In summary, the officer explained that whilst the application was contrary to current policy, there was a significant need across Wiltshire for more affordable housing. Salisbury was a constrained area and sites needed to be found for houses. Development of the site was not seen to be harmful, hence its allocation in the emerging Local Plan for development. The emerging Local Plan had been drawn up using the National Planning Policy Framework (NPPF). The government was proposing revisions to the NPPF and the direction of travel was to increase housing levels across the country. Wiltshire Council currently had a Housing Land Supply (HLS) of 4.2 years. Under the previous government the HLS had been reduced from 5 years to 4 years. It was likely that under the current government this would be reversed. Therefore, more land would need to be allocated for housing. Officers felt that it was better to do this via sites which had been assessed as part of a planning process, such as this site. Hence the recommendation for approval, subject to conditions and a S105 agreement.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on policies, school travel plans and whether this application was premature.

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

The unitary division member, Cllr Ian McLennan then spoke in objection to the application. Points raised included that this was contrary to policy; the increase in housing in Laverstock and Ford over recent years; the importance of the view to Cockey and Laverstock Down; that the site was previously deemed unsuitable and that in Small Villages development should meet local need, and there was none identified here. The Cllr praised the comments of Laverstock and Ford Parish Council, which were at pages 30-37 of the agenda. Further issues raised included that Cockey Down was a Site of Special Scientific Interest (SSSI); there would be a loss of grade 3 agricultural land; the local doctors surgery had closed in 2019; there was a need for crossing on London Road rather than Church Road; archaeological concerns and that the local primary schools were full. Cllr McLennan also noted that the current requirement was for a 4 year HLS and Wiltshire Council had 4.2 years. For all the reasons stated, Cllr McLennan urged Members to refuse the application.

In response to public speakers the officer stated that they had made a balanced judgement to recommend for approval. Strategic allocations could override policy in relation to Small Villages. It was highlighted that it was better to consider a site which had been through an assessment process as this one had, and that there were no technical reasons it could not be developed.

Cllr Ernie Clark proposed that the application be refused contrary to the officer recommendation, as it was contrary to current policy, particularly CP1 and CP2, and the Neighbourhood Plan. This was seconded by Cllr Howard Greenman.

A debate followed where many Members stated that it was not good practise to go against current policies. Whilst housing requirements in Wiltshire may be going up 81%, Members did not want that to be in Small Villages. The outcome of the emerging Local Plan was not yet known, and one should not disregard current policy due to what may or may not happen in the future.

Others felt torn as they could see both sides of the argument. It was highlighted that if towns and cities were growing, villages had to take their proportion of housing as well.

There was further debate on the reasons for refusal and officer advice was sought. The reasons for refusal which both the proposer and the seconder were happy with, were that the application was contrary to CP1 and CP2, amplified by CP23. The site lay outside the boundary of development in the current WCS and was unsustainable development in the open countryside. The application was also contrary to the Laverstock and Ford Neighbourhood Plan 2022. This was a Small Village where development was limited to infill. The final wording of the reasons for refusal would be delegated to the officer, encompassing the points above. The motion to refuse was put to the vote and it was,

Resolved

That planning permission be refused for the following reasons.

- 1. The development would be contrary to Core Policies CP1 and CP2, as amplified by CP23 in that the site lies outside of the boundaries of development in the current Wiltshire Core Strategy, and therefore constitutes unsustainable development in the open countryside. The development is also contrary to the provisions of the Laverstock and Ford Neighbourhood Plan (2022) which recognises that the settlement is identifies as a Small Village where development is limited to infill.**

Note: The meeting was adjourned for a short break. The meeting reconvened at 12.00pm.

57 **PL/2023/07368 - Old Sarum Airfield Limited, Lancaster Road, Old Sarum, Salisbury**

Public Participation

Susan Daniel spoke in objection to the application.

Ron Champion spoke in objection to the application.

Mark Uffindell spoke in objection to the application.

Tim Burden spoke in support of the application

Cllr Nick Baker, Vice Chairman of Laverstock and Ford Parish Council spoke in objection to the application.

Cllr Annie Riddle of Salisbury City Council spoke in objection to the application.

Richard Hughes, Development Management Team Leader, introduced a report which recommended that the application for an outline application with all matters reserved, except means of access to site, for the demolition, modification & renovation of existing buildings, structures & site development. Provision of approx. 315 residential dwellings, & mixture of employment, commercial/leisure, & aviation uses, including a "flying hub" comprising control tower, heritage centre, visitor centre, café/restaurant, parachute centre, aviation archives & aircraft hangars. Provision of new vehicular access to surrounding highways network, car parking, & connections to surrounding footpath/cycle networks. Green infrastructure provision, including open space, play space, foot & cycle paths, & landscape enhancement areas; & sustainable urban drainage system & waste water treatment works. Associated vegetation removal, ground modification & engineering works be refused.

Attention was drawn to additional consultee responses, which were available in agenda supplement 2. It was highlighted that Ecology had no objections, subject to conditions.

The officer ran through the slides relating to the application which were published in agenda supplement 3. The application was for a very large site on the edge of the Old Sarum development and adjacent to Ford. There were 2 conservation areas linked to the application, 1 covered the Old Sarum Monument and the other was the airfield itself, which had several Grade II* listed buildings which were highlighted.

CP25 in the current Wiltshire Core Strategy (WCS) was detailed. Furthermore, it was explained that the green buffers identified in the Laverstock and Ford Neighbourhood Plan did not conflict with CP25. Also, the Ford Amenity Green Space was not affected by the application. Noise from the site had previously been an issue, but this had been concluded positively with conditions to limit noise. There would be a pathway and cycleway around the perimeter of the site and there was also mitigation for Skylarks.

The various areas of the site were detailed (Areas A, B and C). The dwellings proposed for Area A, had been reduced from over 300 to 160. The line of the old roman road within the site would be delineated within the application. Suggested designs of the dwellings were shown, with the apartment roofs mimicking the hangers on site. Proposed highways works and creation of access points were detailed in the report.

Details were given on Area B, which was in front of existing industrial units and would contain a new aviation building. This area also contained the listed hangers. Some of which, in particular hanger 3, was in a poor state or repair. A separate permission had already been granted to rebuild / repair hanger 3.

Area C was on the Ford side of the site. Green Lane, which was referred to in the report ran down the side of the site. There was also an old firing range at the side of the site which was still in use, this has caused some concern with

Public Protection. There was some land protected within the Leverstock and Ford Neighbourhood Plan (NP) which was excluded from the application. The proposed number of dwellings for Area C had been reduced to 155. Water treatment works would be required due to phosphate issues. There was a pedestrian crossing proposed from the Ford side of the development to the County Park. Area C would include dwellings ranging in size from 2 to 6 bedrooms. A new access to Area C would be created from Ford (Roman) Road and therefore improvements to the road were proposed including widening the carriageway in certain areas.

The officer referred attendees to the detailed report within the agenda. The officer recommendation was to refuse the application, on the basis of concerns regarding highways, conservation and public protection. The officer also highlighted an appeal decision appended to his report which included the comments of the planning inspector when the previous iteration of this application had been considered at appeal.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the restoration of Hanger 3 and community benefit of the application.

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

The unitary division member, Cllr Andrew Oliver (Old Sarum and Boune Valley Division) was unable to attend the meeting so had asked Lainey Barker (of Laverstock and Ford Parish Council) to read a statement in objection to the application on his behalf. Issues raised included that the site was a conservation area with 3 Grade II* listed hangers; the site was of significant historical importance with the grass airstrip one of only 3 surviving from World War 1. The majority of local residents were in objection to the application. The site was unsustainable and the existing rural road infrastructure surrounding the site was substandard and could not cope with the increased traffic movements. CP25 was detailed and the reasons why he felt that the application did not comply with it. The Committee was urged to refuse the application.

Cllr Ian McLennan (Laverstock and Ford Division) spoke as neighbouring division Member and highlighted that the site had been in his division until the boundary changes in 2021. Cllr McLennan was also strongly opposed to the application. Issues raised included the conservation status of the site; the historical importance of the site as a World War 1 airfield, which was unique due to the infrastructure still on site such as the listed hangers and the firing range which was still in use. Furthermore, changes to the landing strip could lead to noise complaints; Area C would double the size of Ford which would dramatically and adversely affect its setting; the community had not been consulted on a Conservation Area Management Plan (CAMP) for the site; CP25 had not been considered by the applicant and the previous planning appeal was overwhelming in its refusal. Therefore Cllr McLennan also urged the Committee to refuse the application.

Cllr Ernie Clark proposed the officer recommendation to refuse the application, this was seconded by Cllr Pip Ridout.

All Members were against the application, and it was,

Resolved

That planning permission be refused for the following reasons:

REASONS

- 1. The development location would result in significant increase in vehicular movements on a sub-standard rural road that provides no priority for walking and cycling in a location that is unsustainable in transport terms due to the high levels of car ownership and vehicle use associated with development in this area, and would not make the best use of existing infrastructure through effective design, management and maintenance. The Roman Road (C.278 road) is unsuitable in design terms due to its substandard nature and would result in the route being unsuitable for all road users, particularly sustainable modes, and further increase the risk of harm and perception of safety to vulnerable road users. The increase in vehicle movements on a substandard vehicular route with no dedicated walking or cycling facilities will discourage uptake of sustainable modes in this location.**

The proposal would therefore have an unacceptable impact on highway safety, and the residual cumulative impacts on the road network would be severe, contrary to the aims of the NPPF paragraphs 109, 115 & 116, the general amenity improvement aims of CP25 at criteria (iv) and (vi), and Wiltshire Core Strategy policies CP60, 61 and 62, and objectives SO3,06, 08, 09, 010, 012, 013, 014, 015, 017 & 018 of the Wiltshire Local Transport Plan, and the Wiltshire Highways Asset Management Policy and strategy in relation to the site

- 2. The proposal is located within close proximity to and within the setting of the Old Sarum Scheduled Ancient Monument and its surrounding Conservation Area, and is located within the Conservation Area encompassing the Old Sarum Airfield, which itself contains several listed buildings. The site currently has an open character. The proposal is in outline form, with only access being a detailed matter, and the number of dwellings being approximately 315. Policy CP25 does not specify the number of dwellings or quantum of development. The development in all three areas would be of a significant height and scale, and the Council remain to be convinced that the number of hangar buildings, the uses, and their overall design, proposed for Area B would enhance the operation of the airfield. The development would visually amalgamate as seen from the Old Sarum monument, and from south of the site. The green buffer along the airstrip between Areas B & C would be visually diminished. Thus, the open character of the site would be significantly reduced and eroded.**

Consequently, it is considered that the scheme as proposed, which stems from the applicants submitted Master Plan and Conservation Management Plan, would have a significant visual impact, and be likely to cause less than substantial harm, to the character and setting of the surrounding heritage assets, including the historic landscape of Conservation Area surrounding the Old Sarum Monument, and the airfield Conservation Area itself, which is not outweighed by significant public benefits. The proposal would therefore be contrary to the aims of policy CP25 and CP58 of the Wiltshire Core Strategy, the Laverstock and Ford Neighbourhood Plan and associated Design Guide, and the guidance given in the NPPF, and sections 66 and 72 of Town and Country Planning (Listed Building and Conservation Areas) Act 1990.

3. The application scheme suggests the provision of a large area of public open space, including pathways and cycleways, and interpretation information. Whilst these public benefits are welcomed in principle, at the current time, the viability assessment of the application has not yet been concluded. Thus, it is currently unclear what mitigation, and via what mechanism (ie a legal agreement) this mitigation and public benefit is able to be secured, in respect of the on-site provision of affordable housing, or towards mitigating the off-site impacts of the development in terms of educational provision, provision for public art, highway improvements and waste and recycling facilities, and other mitigation.

Consequently, and in the absence of a suitable legal agreement to secure such mitigation, it is considered that the scheme would not be able to provide required mitigation or offer significant public benefits, and would not be sustainable development, contrary to the aims of policy 6 of the Wiltshire Waste Core Strategy, policies CP3, CP25, CP43, CP57, and CP61- 64 of the Wiltshire Core Strategy, including saved policy D8 and R2, and the guidance given in the NPPF regarding planning obligations and the provision of sustainable development which mitigates its impacts.

4. Proposed Area C is located close to an active public firing range. There is currently conflicting information related to the intensity of use and operation of that firing range from the applicant and a third party. In the absence of further clarifying information from the applicant, it is considered that the proposal would be likely to result in noise impacts on some of the planned Area C dwellings to the south. On this basis, the proposal would be contrary to the aims of policy CP57 of the Wiltshire Core Strategy, and amenity and noise guidance in the NPPG.
5. The application is for a development of 315 dwellings in an area which has the potential to increase traffic within the Salisbury London Road Air Quality Management Area (AQMA). The air quality report confirms significant increases in nitrogen dioxide at the Salisbury London Road AQMA. According to the Council's draft Air Quality Management SPD,

the site would be classed as a 'Type 3' site and therefore additional documentation is required from the applicant. In the absence of such additional evidence, the Council must conclude that the scheme would have an unacceptable impact on air quality, contrary to the aims of policy CP55 of the Wiltshire Core Strategy, and related guidance in the NPPF and NPPG.

Note: The meeting was adjourned at 1.25pm for a half hour break. The meeting reconvened at 1.55pm.

58 **PL/2023/10394 - Land south of Salisbury Road, Homington, Coombe Bissett**

Public Participation

John Jarvis KC spoke in objection to the application.

John Jarvis KC read a statement on behalf of Linda Buckley in objection to the application.

Matt Lomax spoke in support of the application.

Joe Richardson, Senior Planning Officer, introduced a report which recommended that the application for construction and operation of a solar photovoltaic farm and associated infrastructure, be approved.

The site was in the open countryside about three quarters of a mile from Coombe Bissett and Homington and was comprised of 2 interconnecting agricultural fields. Slides of the location and proposed plans were shown.

The officer drew attention to the 'Rochdale Envelope Principle' which allowed for design flexibility through the assessment of maximum design parameters and worst-case environmental impacts in the early design phase. This principle was being used on this application and was explained in detail in the agenda report. As such the site had been split into 2 development zones, to ensure sufficient flexibility.

An agricultural analysis had been undertaken on the site and the whole site was comprised of grade 3 agricultural land. 49% was grade 3a (good quality) and 51% was grade 3b (moderate quality). In total the proposed scheme would remove 0.01% of agricultural land in Wiltshire.

The solar farm would generate approximately 30 megawatts (MW) of power, which would be enough to supply approximately 9,642 homes.

It was noted that the Point of Connection (POC) to the national grid was not part of the application, however there was a condition if this application was approved that the POC would be subject to a future planning application. There was however a substation to the South of the site near Homington which could be used, and the applicant had an agreement in place with the national grid to do that.

The site was shielded from the road by mature trees and there would also be further landscaping as part of the proposal. There would be 2 accesses to the site. There was a Public Right of Way (PRoW) through the middle of the site which would be retained. The site was also surrounded by a network of PRoW's. The site would not be overly visible from most viewpoints as it sat in a dip of land.

There had been no objections from statutory consultees in terms of Landscape and Ecology, and the Climate team was satisfied that the benefits of the scheme outweighed any harms. Therefore, the scheme was recommended for approval with conditions.

Members of the committee then had the opportunity to ask technical questions of the officer. Details were sought on the PRoW through the site, the POC and how the site would connect to it and the ministerial statement.

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

The unitary division member, Cllr Richard Clewer (Coombe Bisset and Honnington Division) was unable to attend the meeting, so the Chairman read a statement on behalf of Cllr Clewer. Comments included that whilst broadly in support of solar farms, this application had 2 main issues. The lack of a grid connection, which would likely involve tunnelling under the River Ebbles and could have negative impacts on the river was one. The other related to the fact that the site was approximately 50% grade 3a (good quality) agricultural land. Therefore, the application went against current policy, and Cllr Clewer urged Members to refuse the application.

Cllr Elizabeth Threlfall proposed a motion, contrary to the officer recommendation, that the application be refused due to the lack of detail on the connection to the National Grid. This was seconded by the Chairman.

A debate followed where Members discussed that there was new technology coming through which would likely render current solar panels obsolete within about 10 years. Members noted that the size of the site was just below that which Natural England would comment upon. Furthermore, it was raised that there was no battery storage facility within the application and no connection to the National Grid. The appeal decision contained within the agenda pack was discussed, and it was highlighted that the inspector had put a lot of weight whilst making his decision that there was a grid connection for that application. This application did not have a POC and the Committee felt unable to evaluate the impact on the area without details regarding the connection. Concerns were raised that the site was at the edge of an Area of Outstanding Natural Beauty (AONB). The quality of the land was also discussed.

Members sought officer advice and further discussed the reasons for refusal. The final proposal, which was agreed by both the proposer and the seconder of the motion was to refuse the application due to the absence of details relating to connection to the national grid and any battery storage. The council considered

that the application would have an adverse impact on the wider landscape, biodiversity and ecology, including the river system. Therefore, the application was contrary to CP42, CP50, CP51 and CP52 of the Wiltshire Core Strategy (WCS). This motion was put to the vote, and it was,

Resolved

That planning permission be refused for the following reason:

- 1. In the absence of details related to the connection of the panels to the national grid, and the details of any battery storage facilities, the Council considers that the proposal would have an adverse impact on the wider landscape, the river system, and its biodiversity, contrary to the aims of policies CP42, CP50, CP51, and CP52 of the adopted Wiltshire Core Strategy and the NPPF.**

59 PL/2023/05363 - Dreamlea, Cricklade Road, Purton Stoke, Swindon

Public Participation

Denise Simpkins spoke in objection to the application.

John Crawford spoke in objection to the application.

Hannah Cameron spoke in support of the application.

James Rigley spoke in support of the application.

James Rigley (Senior) spoke in support of the application.

Cllr Jacqui Lay read out a statement on behalf of Purton Parish Council in objection to the application.

The Development Management Team Leader (North), Adrian Walker, introduced a report which recommended that the application for the change of use of land from equestrian to two Gypsy and Traveller pitches, be approved. Approval would be subject to conditions and a legal agreement to secure a financial contribution to the North Meadow Special Area of Conservation Mitigation. He noted that the proposals included the change of use of an equestrian storage building to a shared day room. Key details were stated to include the principle of development as well as the highway, landscape and ecological impacts.

Attention was drawn to the location of the site within the inner zone of influence for the North Meadow National Nature Reserve (NNR), a Site of Special Scientific Interest (SSSI). However, in the officer's view, the proposed development would not cause demonstrable harm to the landscape. In addition, a contribution to the North Meadow Special Area of Conservation would mitigate against any ecological harm. The proposed development was not found to have an adverse impact on highway safety and would contribute to addressing the shortfall in Gypsy and Traveller pitches across Wiltshire.

The officer explained that, subject to the suggested conditions, the proposed development would comply with the provisions of Core Policy (CP) 47 (Meeting the needs of Gypsies and Travellers), which he outlined in turn. The proposed

development was therefore considered acceptable under special circumstances for CP2 (Delivery Strategy).

As well as the conditions stipulated in the report, the officer recommended specifying that the proposed development was not bought in to use until a scheme for the supply of water and electricity was in place. This extra condition was to ensure that the proposed development, if approved, would be satisfactory and habitable.

Members of the Committee then had the opportunity to ask technical questions of the officer.

Details were sought about the requirement for the number of Gypsy and Traveller pitches as shown on page 249 of the agenda pack. The officer explained that the requirements listed on page 249 were the requirements outlined in the Wiltshire Core Strategy (WCS). A recent assessment of pitch provision across the county had found a need for additional pitches beyond the Core Strategy particularly for the period 2022-2038, so the target was likely to change. The emerging Wiltshire Local Plan identified a need for an additional 81 pitches by 2029, although this figure had reduced slightly due to recent approvals. The Director of Planning, Nic Thomas, emphasised that there was a deficit in the number of pitches being provided and that there was a need to think about long term provision beyond 2029.

In response to a question about the additional proposed condition regarding the supply of water and electricity, the officer confirmed that Condition 13 specified that petrol or diesel generators should not be used on site at any time. It may be possible to use solar panels, but this would be subject to further approval.

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

Cllr Lay then raised concerns about the application in her capacity as the Unitary Division Member. She urged the Committee to defer consideration of the application pending further information about possible alternative sites for pitches within the local area, such as Rein and Shine.

In response to a question about whether it would be possible to add a condition specifying that the pitch should only be used by the applicant's family and their dependants, the officer explained that it was not necessary but could be included.

Cllr Stewart Palmen, seconded by Cllr Pip Ridout, proposed that the application be approved subject to the conditions and legal agreement suggested by officers, including the condition relating to the provision of water and electricity at the site.

A debate followed where issues such as the sustainability of the site and potential for flooding by contaminated water were discussed.

During the debate Cllr Ernie Clark proposed an amendment specifying that the pitch should only be used by the applicant's family and their dependants. This was accepted as a friendly amendment by the proposer and seconder and so added to the substantive motion.

The officer advised that, if this condition were to be applied, and the application was approved, he did not think that the two proposed pitches could be counted towards Wiltshire's Gypsy and Traveller pitch provision targets. He noted that similar conditions had not been applied by the Inspector in similar cases won on appeal.

Following advice from the officer, the amendment to add an extra condition, restricting the use of the proposed pitches to the applicant's family, was withdrawn from the substantive motion. At the conclusion of the discussion, it was:

Resolved

That planning permission be granted subject to the following conditions:

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

**Location Plan 2023-132-LP rev A
Proposed Site Plan 2023-132-SP Rev B
Existing Block Plan 2023-132-EBP
Proposed Plans and Elevations 2023-132-100 B
Proposed Block Plan 2023-132-BP Rev B
Existing Plans and Elevations 2023-132-101
Planning Statement
Groundwater Flood risk Technical Note B (AWP dated 26th April 2024)
Flood Risk Assessment (AWP dated 20th June 2024)**

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

- 2. 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.

- 3. The site shall not be occupied by any persons other than gypsies and travellers, defined as persons of a nomadic habit of life whatever their race or origin, including such persons who on grounds only of their own or their family's or dependants' educational or health needs or old age have ceased to travel temporarily or permanently, but excluding members of an organised group of travelling showpeople or circus people travelling together as such.**

REASON: Planning permission has only been granted on the basis of a demonstrated unmet need for accommodation for gypsies and travellers and it is therefore necessary to keep the site available to meet that need.

4. No more than four caravans, as defined in the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 as amended, of which no more than two shall be static caravans, shall be stationed on the site at any time in accordance with the Proposed Site Layout Plan.

REASON: In the interests of the appearance of the site and the amenities of the area, and to limit the number of caravans on the site in this countryside location where planning permission would not normally be granted.

5. No vehicle over 3.5 tonnes shall be stationed, parked or stored on this site, and no commercial activity or use, including the storage of materials and waste, shall be carried out on the site.

REASON: In the interests of the appearance of the site and the amenities of the area.

6. 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

7. 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 buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans shall be erected or placed anywhere on the site.

REASON: To safeguard the character and appearance of the area.

8. No external light fixture or fitting will be installed within the application site unless details of existing and proposed new lighting have been submitted to and approved by the Local Planning Authority in writing. The plans will be in accordance with the appropriate Environmental Zone standards set out by the Institution of Lighting Professionals (ILP) Guidance Notes on the Avoidance of Obtrusive Light (GN 01/2021) and Guidance note GN08/23 "Bats and artificial lighting at night", issued by the Bat Conservation Trust and Institution of Lighting Professionals.

REASON: In the interests of conserving the functionality of the local area for biodiversity and to minimise unnecessary light spillage above and outside the development site.

9. No development shall take place until surface water drainage strategy, has been submitted to and approved in writing by the Local Planning Authority. In order to discharge the above drainage, condition the following additional information must be provided:

- Details on the material specification.
- Details on the level of compaction required, and
- Cross sections through proposed gravelled area

REASON: To ensure the gravelled area will be able to accommodate the runoff from the development for the 1 in 100 year plus climate change (40%) rainfall event, and will not in effect act as impermeable surface.

10. No development shall take place until a foul drainage strategy, has been submitted to and approved in writing by the Local Planning Authority. In order to discharge the above condition it is expected that the applicant will provide:

- Evidence that the EA's General Binding rules have been met in full.
- Drawings to demonstrate the proposed siting of the Foul Package Treatment Plant
- Supporting calculations to demonstrate compliance with Building Regulations for any drainage field / mound.

REASON: To prevent pollution of nearby water courses.

11. 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 :-

- a detailed planting specification showing all plant species, which shall not include non-native species, supply and planting sizes and planting densities; all hard and soft surfacing materials

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

12. 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.

13. No petrol or diesel electricity generators shall be used on site at any time unless otherwise permitted by the Local Planning Authority.

REASON: In the interests of amenity.

14. The development hereby permitted shall not be first occupied/brought into use until the site is connected to both mains water and electricity, or an alternative scheme for the supply of water and/or electricity to service the development, details of which are first submitted to, and approved in writing by the local planning authority.

REASON: To accord with the requirements of Policy CP47 of the Core Strategy, and so that services are provided to ensure a satisfactory and habitable site, conditions are necessary in relation to the provision of a water supply and electricity.

15. INFORMATIVE TO APPLICANT:

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.

16. INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

17. INFORMATIVE TO APPLICANT:

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.

18. INFORMATIVE TO APPLICANT:

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 <https://www.wiltshire.gov.uk/dmcommunityinfrastructurelevy>.

19. INFORMATIVE TO APPLICANT

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 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 the vehicle access team on telephone 01225 713352 or email vehicleaccess@wiltshire.gov.uk for further details.

20. INFORMATIVE TO APPLICANT

Wiltshire Council is the land drainage authority under the Land Drainage Act 1991. Land drainage consent is required if a development proposes to discharge flow into an ordinary watercourse or carry out work within 8m of an ordinary watercourse.

An ordinary watercourse is a watercourse that does not form part of a main river. The term watercourse includes all rivers and streams and all ditches, drains, cuts, culverts, dikes, sluices, sewers (other than public sewers within the meaning of the Water Industry Act 1991) and passages, through which water flows.

60 **PL/2023/00900 - Charlie's Place, Land off Sodom Lane, Grittenham**

Public Participation

Ben Pearce spoke in objection to the application

Claire Speed spoke in objection to the application

Marc Willis spoke in support of the application
Cllr Alastair Fairgrieve from Brinkworth Parish Council spoke in objection to the application.

Victoria Davis, Principal Planning Officer, introduced a report which recommended that the application for the change of use of land to provide a Gypsy site, consisting of four pitches and associated hardstanding, landscaping and a commercial barn, be approved subject to conditions. Key details were stated to include the principle of development as well as the highway, heritage, ecological and visual impacts.

The officer highlighted that a typo on page 279 of the agenda pack incorrectly stated that the proposed barn was intended to be used by the applicant's storage business, when the applicant actually ran a landscaping business.

Attention was drawn to the location of the site outside of the defined limits of development, in open countryside between Royal Wootton Bassett and Lyneham. However, as the application was for specialist accommodation provision, as defined under the exception policies within the Wiltshire Core Strategy (WCS), it was considered to comply with Core Policy (CP) 47 (Meeting the needs of Gypsies and Travellers).

A condition would be applied to the development, if approved, to restrict occupation of the four proposed pitches to the applicant's family and their dependants. As such, the proposal was likely to be more sustainable than a development occupied by multiple families as it was expected to require fewer vehicle journeys.

The officer explained that since her report had been drafted, the Planning Policy for Traveller Sites 2024 had been published which superseded the requirements for the number of pitches as set out in CP 47. Although the applicant's family were not identified in the 2024 needs assessment, Wiltshire Council's Spatial Planning Team had confirmed that the four pitches would contribute towards the revised target, even with a personal permission.

It was considered by the officer that, subject to conditions, there were no barriers to the development in relation to flood risk, ground stability or contamination. Wiltshire Council's Public Protection Team had raised no objections to the application. A flood risk assessment undertaken on behalf of the applicant had been assessed by Wiltshire Council's Drainage Team and the Environment Agency. It had been assessed that the four pitches were at low risk, being in Flood Zone 1. A condition had been added to prevent the storage of caravans in the barn and to ensure it was designed in such a way as not to impede flood flow.

In addition to the conditions outlined in the report, the officer recommended specifying that the proposed development was not bought in to use until a scheme for the supply of water and electricity was in place. This extra condition was to ensure that the proposed development, if approved, would be satisfactory and habitable.

Members of the Committee then had the opportunity to ask technical questions of the officer. Questions were asked about the conditions limiting the use of the proposed barn. It was confirmed that, if approved, the barn could only be used for the applicant's landscaping business and/or to manage the surrounding agricultural land in their ownership.

It was explained that the Environment Agency had provided a design specification for the proposed barn, which the applicant had replicated in their plans. The officer also confirmed that it would be reasonable to impose a condition restricting the use of generators on site.

In response to questions about the occupancy restrictions in the conditions, it was confirmed that a new application to vary the conditions would be required if the family wanted to create an additional pitch, or pitches, on the site. There would not be a requirement to vary the permission if some of the pitches were unoccupied, as long as one of the named individuals under Condition 11, or their dependents, resided at the site.

Details were also provided about how nearby sites that had been granted permission on appeal compared to the subject application.

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

The Unitary Division Member, Cllr Elizabeth Threlfall (Brinkworth Division), then spoke in opposition to the application. Issues raised included flooding at the site; concerns regarding screening as new planting would take years to establish; Greatwood (adjacent to the site) had recently been acquired by the Wiltshire Wildlife Trust as a nature reserve; that the site would alter the character and appearance of the area; it was inappropriate in terms of scale; the application was contrary to criteria (v) within CP47; concerns regarding enforcing conditions and concerns regarding the distance of the site from services, such as schools and health care.

In response to the points raised by the public and Unitary Division Member, the officer reiterated that recent appeal decisions were material considerations. Although an application was refused on the site of the subject application in 2021 (PL/2021/05660), there were significant differences in design between it and the application before the Committee. The current application was better designed than the 2021 application, which had proposed to clad the day room in UPVC, rather than reconstituted stone.

The officer also confirmed that development would not commence on site until a scheme of hard and soft landscaping had been approved in writing by the Local Planning Authority.

Cllr Threlfall, seconded by Cllr Richard Britton, proposed that the application be refused contrary to officer recommendation. The Committee then discussed the reasons for refusal and sought officer advice.

The officer advised that it was open to the Committee to conclude that the proposed development was contrary to WCS CP 47 (v and viii). Furthermore, the Committee could decide that the impact on landscape of the proposed development meant that it would not accord with the provisions of WCS CP 47 (vi and viii), CP 51 (ii and vi) and CP 57.

The officer recommended that access to sustainable transport options was not included amongst the reasons for refusal, as a recent appeal decision relating to an application at Clack Hill Yard had distinguished between sustainable transport options and distance to services.

Following advice from the officer, the proposer and seconder were happy to accept those as the reasons for refusal. At the conclusion of the debate, it was:

Resolved

That planning permission be refused for the following reasons:

REASONS

- 1. The site is not considered to be within reasonable distance of services and facilities, in particular schools and essential health services, and is therefore contrary to Wiltshire Core Strategy Core Policy 47 (v and viii).**
- 2. The proposed development fails to integrate effectively into its surroundings, to conserve and/or enhance landscape character, or relate positively to its landscape setting. The development therefore fails to accord with the provision of Wiltshire Core Strategy Core Policy 47 (vi and viii), Core Policy 51 (ii and vi) and Core Policy 57.**

61 **Urgent Items**

There were no urgent items.

(Duration of meeting: 10.30 am - 4.55 pm)

The Officer who has produced these minutes is Tara Hunt of Democratic Services, direct line 01225 718352, e-mail tara.hunt@wiltshire.gov.uk

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