

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 23 AUGUST 2012 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Christopher Devine, Cllr Jose Green (Vice Chairman), Cllr Mike Hewitt, Cllr George Jeans, Cllr David Jenkins (Substitute), Cllr Ian McLennan, Cllr John Smale, Cllr Ian West and Cllr Fred Westmoreland (Chairman)

52 Apologies for Absence

Apologies were received from Cllrs Brian Dalton and Paul Sample. Cllr David Jenkins substituted for Cllr Dalton

53 Minutes

The minutes of the meeting held on 12 July 2012 were presented

Resolved:

To approve as a correct record and sign the minutes.

54 Declarations of Interest

There were no declarations of interest

55 Chairman's Announcements

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

56 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

57 **Planning Appeals**

The committee received details of the following appeal decisions, it was noted that there was an error in the report and S/2011/0914: should have read Committee instead of Delegated

S/2011/1395 – The Lime Yards, Crockford Corner, West Grimstead – Committee - Dismissed

S/2011/1354 - 3 Landford Manor, Stock Lane, Landford – Delegated – Part Dismissed/Allowed

S/2011/1344 - 3 Landford Manor, Stock Lane, Landford - Delegated – Part Dismissed/Allowed

S/2011/0914 - The Heather, Southampton Road, Alderbury- Committee - Allowed

S/2011/0524 - Land at Sheepwash, Mead End, Bowerchalke – Delegated - Allowed

S/2012/0214 – 58 Cheverell Avenue, Salisbury – Delegated – Dismissed

And forthcoming appeals as follows:

S/2011/0355 - 8 Flitcroft, Amesbury

58 **Planning Applications**

58a **S/2012/0628/Full - Meadow View Cottages, Winterbourne Earls, Salisbury**

Public participation:

Mr Nigel Lilley, agent, spoke in support of the application
Mr Philip Harvey, applicant, spoke in support of the application
Mr Eric Baker, Chairman of Winterbourne Parish Council, spoke in support of the application

The Planning Officer introduced the report and drew the committee's attention to the revised recommendations for refusal in the late correspondence. It was explained that this was an explanation for an amended house type with an overall height increase to allow for clay tiles instead of slate.

A debate ensued during which issues regarding whether or not there was a change in the overall footprint of the house, it was confirmed by the Planning Officer that this was not the case.

Resolved:

To approve with conditions

It is considered that subject to conditions the proposal would not cause any significant demonstrable harm to interests of acknowledged importance, in this case, the character and appearance of the conservation area, the setting of the listed building opposite, the landscape, residential amenity, highway safety, archaeology, or flooding. The development is in accordance with the following relevant policies of the Salisbury District Local Plan (which are also 'saved' policies in the adopted South Wiltshire Core Strategy), and guidance within the NPPF (paragraphs 61, 64, and 135):

G1 (Sustainable development)

G2 (General)

D2 (Design)

C2 (Development in the countryside)

C6 (Special Landscape Area)

C11 (Areas of High Ecological Value)

C12 (Protected species)

CN5 (Setting of listed buildings)

CN8 (Development in conservation areas)

CN9 (Demolition of buildings in conservation areas)

CN11 (Views into and out of conservation areas)

CN21 (Archaeology)

H30 (Replacement dwellings)

(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) No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural resources.

Policy: G1 (Sustainable development)

(3) No development shall commence on site until details and samples of the materials and finishes to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

Policy: G1 (Sustainable development)

G2 (General)

D2 (Design)

CN5 (Setting of listed buildings)

CN8 (Development in conservation areas)

CN11 (Views into and out of conservation areas)

C2 (Development in the countryside)

C6 (Development in special landscape areas)

H30 (Replacement dwellings)

(4) The finished floor levels of the completed development should be set no lower than 300mm above adjacent ground levels.

Reason: To reduce the risk of flooding to the proposed development and future occupants.

Policy: PPS25 (Development and Flood Risk)

(5) The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

Reason: In the interests of highway safety.

Policy: G2 (General)

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

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

Policy: G1 (Sustainable development)

G2 (General)

D2 (Design)

CN5 (Setting of listed buildings)

CN8 (Development in conservation areas)

CN11 (Views into and out of conservation areas)

C6 (Development in special landscape areas)

C2 (Development in the countryside)

H30 (Replacement dwellings)

(7) The garage/office building hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated single residential dwelling.

Reason: In order that the Local Planning Authority may retain planning control over the use of the premises.

Policy: G1 (Sustainable development)

G2 (General)

C2 (Development in the countryside)

CN8 (Development in conservation areas)

CN11 (Views into and out of conservation areas)

C6 (Development in special landscape areas)

(8) This development shall be in accordance with the following drawings:

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

Drawing No Hwe/p/102 Plans as Proposed, dated April 2012, received by this office 26/04/2012

Drawing No Hwe/p/03A Garage & Office, dated April 2012, received by this office 26/04/2012

Drawing No Hwe/p/05 Site Location Plan, dated Dec 2011, received by this office 26/04/2012

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

INFORMATIVE:- Wessex Water

New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Application forms and guidance information is available from

www.wessexwater.co.uk/developerservices Further information can be obtained from Wessex Water's New Connections Team 01225 526222 for water supply and 01225 526 333 for waste water.

Separate systems of drainage will be required to serve the proposed development.

No surface water connections will be permitted to the foul water system.

On 1st October 2011, in accordance with the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011, Wessex Water became responsible for the ownership and maintenance of thousands of kilometres of formerly private sewers and lateral drains (section 105a sewers).

At the date of transfer many of these sewers are unrecorded on public sewer maps. These sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and Wessex Water normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

More information relating to this transfer is available from www.wessexwater.co.uk. It is important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact the sewer protection team on 01225 526 333 at an early stage if a section 105a sewer may be affected.

INFORMATIVE:- Environment Agency
Flood Risk

Further clarification can be obtained from Gary Cleaver (Environment Agency Development & Flood Risk Engineer) 01258 483 434.

Water Efficiency

It is important that water efficiency measures are incorporated into the scheme. This conserves water and allows cost savings for future occupants.

The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. Any submitted scheme should include detailed information (capacities, consumption rates etc) on proposed water saving measures. Manufacturer's specifications should not be submitted. Applicants are advised to refer to the following for further guidance

<http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx>

<http://www.savewatersavemoney.co.uk>

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines, which can be found at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

Sustainable Construction

Sustainable design and construction should be implemented across the proposed development. This is important in limiting the effects of and adapting to climate change. Running costs for occupants can also be significantly reduced.

The Code for Sustainable Homes should be complied with, achieving the highest level possible. For details on compliance with the Code the applicant is advised to visit:

<http://www.communities.gov.uk/publications/planningandbuilding/codesustainabilitystandards>

INFORMATIVE: Wiltshire Fire & Rescue

The applicant should be made aware of the letter received from Wiltshire Fire & Rescue Service regarding advice on fire safety measures. This letter can be found on the application file which can be viewed on the council's website against the relevant application record.

INFORMATIVE:- Protected Species

Certain species are protected under Part 1 of the Wildlife and Countryside Act 1981 and others are protected under the Habitats Regulations. Some are protected under their own legislation. The protected species legislation applies independently of planning permission and the developer has legal obligations

towards any protected species that may be present. Planning permission for development does not provide a defence against prosecution under protected species legislation.

All species of bats and their roosts are legally protected. Bats may use trees with suitable holes, crevices or cavities for roosting at any time of the year but they are usually difficult to detect. If you think tree works may affect a bat roost, you should seek advice from a bat expert who will be able to advise you on how to avoid harming bats. If bats are discovered during tree works, you should stop work immediately and consult Natural England at their Devizes office 01380 725 344.

All birds are legally protected and their nests and eggs are protected during the breeding season. For most species this is between 1st March and 31st August but it may occur outside this period. If there is a likelihood breeding birds are present, you must delay works until young birds have left the nest or the nest has been abandoned.

INFORMATIVE:- Condition 3 Materials

Please note that the Planning Office does not have the facility to receive material samples. Please deliver material samples to site, with a notification to the planning office where they are to be found.

58b S/2012/0883/Full - 137 Netherhampton Road, Salisbury

Resolved:

To defer the application to enable members of the committee to attend a site visit.

59 Land at Avonview, Rambling Rose, Hillbilly Acre and Sunhill, Southampton Road, Clarendon.

The Team Leader (Enforcement) introduced the report and drew attention to the late correspondence which contained details of alleged breaches of planning control on the site. He explained that the site known as Hillbilly Acre had been split into its constituent parts and details of alleged breaches at each part were given in the late correspondence.

He also explained that the officer findings and recommendations had been passed to the legal department who were advising on next steps.

Resolved:

To note the report and request that a progress report be brought to each meeting of the committee until the matter is resolved.

60 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 6.40 pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services,
direct line (01225) 718371, e-mail pam.denton@wiltshire.gov.uk

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

**SOUTHERN AREA PLANNING COMMITTEE 23RD AUGUST 2012
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Agenda Item 7

**Plan List Item 1 S/2012/0628/Full – Variation of planning consent S/2012/0013 to demolish existing cottages and erect replacement dwelling with detached garage block (dwelling to be reversed, lean-to garden store to garage block and repositioning of garage block, dwelling roof pitch and material change)
At Meadow View Cottages, Winterbourne Earls, Salisbury. SP4 6HE**

On the advice of the Council's legal officer the reason for refusal has been amended as follows:

(1) The site is within open countryside, a special landscape area and conservation area. Policy H30 requires replacement dwellings to be of a similar size to the existing and policy CN8 requires development to preserve or enhance the existing character of the area. The supporting documentation submitted with the application advised that the cottages were probably farm labourer housing for the estate and that 'a replacement for the cottages could enhance the conservation area if it were an appropriate form of development that respected the historic character and pattern of development'. The single replacement dwelling approved under S/2012/0013 is on a similar footprint to the existing cottages; has a similar bulk and mass and is considered to preserve the character and appearance of the conservation area. The proposed building is now substantially larger than previously approved, due to **the depth of the building**, the increase in roof pitch and ridge height. The overall appearance changes from the appearance of a modest cottage to a substantial dwelling with a suburban character which is not considered to preserve or enhance the rural character and appearance of the conservation area, contrary to policies G1, G2, D2, C2, C6, CN8, CN11, H30 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy) and guidance within the NPPF (**paragraphs 61, 64 and 135**).

The following correspondence has been received since the writing of the Committee Report from the Agent: **Appendix1**

Appendix 1

LATE CORRESPONDENCE, SAC.
FROM AGENT

Nigel Lilley

Architectural Consultant

Granary Barn Studio
Church Road
Farley
Salisbury
SP5 1AH

Telephone: 01722 712356
E-mail: nigel@nigel-lilley.co.uk

21 August 2012

Wiltshire Council
Development Services
Planning Department
PO Box 2281
Salisbury
SP2 2HX

For the attention of Lucy Minting

Dear Sirs

Ref: S/2012/628/FUL – Meadow View Cottages Winterbourne Earls Salisbury

We refer to the Report to Committee regarding the above application.

We find the mass of information confusing so for clarity we request that the following information is submitted as late correspondence for the committee meeting on 23rd August next.

The Variation simply proposes a change in pitch, material and shape to the roof of a replacement dwelling that has Full Planning Consent.

The new dwelling that has been approved has a cubic volume of around 917 cu.m. The proposed new dwelling will have a cubic volume of around 972 cu.m. This means that we are increasing the mass volume of the new dwelling by 6%.

Although the ridge height increases by a little over 1.2m, it reduces in length by over 8m due to the new hipped arrangement. This is a reduction of 58% in ridge length.

We feel that these figures are a better reflection of the minor amendment proposed to the extant Planning Approval.

Yours faithfully

Nigel Lilley
www.nigel-lilley.co.uk

**Plan List Item 2 S/2012/0883/FULL – Erection of a 2 bedroom dwelling and alteration to existing access
At 137 Netherhampton Road, Salisbury. SP2 8NB**

The following correspondence has been received since the writing of the Committee Report:

A. Response from the Council's Tree Officer -

I note the Planning Statement attached to this application states that no trees are affected by the proposal. However, there is a 50 year old Oak tree in the garden of the neighbouring property to the south (1 Montague Road) and the new dwelling seems to encroach in the root protection area of the tree. Furthermore, the canopy of the tree appears to extend over the intended footprint of the new building. This will inevitably lead to future concerns about safety (especially as the tree is relatively young and has considerable growth potential) and other tree related issues such as overshadowing, leaf fall, damp problems etc.

I believe the application has failed to consider the impact on the tree which in my view could be damaged by development or come under significant pressure to be felled should Planning Permission be granted.

As consequence of this an additional reason for refusal is recommended as follows:

3. The application contains insufficient information to fully assess the impact of the proposal on an oak tree situated in an adjacent garden which is considered to be an important local amenity tree. The tree, by reason of its size, age and its proximity to the application site, would have an overbearing impact on the new dwelling, and cause other tree related issues such as leaf fall, to the detriment of the amenities of the occupiers. In turn these issues are likely to result in pressures from the occupiers of the new dwelling to reduce or remove the tree which would be detrimental to amenity in general. This is contrary to Policy G2 as saved within Appendix C of the adopted South Wiltshire Core Strategy.

B. On the advice of the Council's Legal Officer the following addition is also made to reason for refusal no. 1:

1. The existing property is located in an established residential area, adjacent to a Bridleway. The proposed sub-division of the existing property to provide an additional dwelling would result in a significant reduction in the size of the rear garden area serving the existing dwelling, and create a new dwelling with limited outdoor amenity space. It is considered that the proposal would constitute an unsatisfactory sub-division of an existing residential plot representing a cramped form of over development, out of keeping with the general scale and character of existing development in the area and would be likely to result in harm to the residential amenity experienced by occupiers of both the existing dwelling and the proposed dwelling. Given the restricted size of the plot and amenities the proposal could set an undesirable precedent for similar proposals along the Drove and in the surrounding area. The proposal is therefore considered to be contrary to the adopted policies; G2, D1, D2 and H16 as saved within Appendix C of the adopted South Wiltshire Core Strategy and the National Planning Policy Framework ([paragraph 53](#)).

Agenda Item 8

Subject **Land at Avonview, Rambling Rose, Hillbilly Acre and Sunhill,
Southampton Road, Clarendon, Salisbury**

Following detailed investigation officers have identified the following, which it is considered amount to breaches of planning control, at the site. The alleged breaches and the respective areas of the site in which these activities are taking place (which reflect the differing ownerships within the overall site) are referred to below:

“Avonview”

1. The material change of use of the Land from agriculture to a mixed use for recreation and stationing and storage of caravans (including a residential mobile home and two touring caravans), storage of vehicles and erection of buildings integral to the material change of use.

“Rambling Rose”

1. The material change of use of the Land from agriculture to a mixed use for agriculture and use for the stationing and storage of caravans (a residential mobile home), and; erection of a greenhouse.

“Hillbilly Acre”

1. The material change of use of the Land from agriculture to a mixed use for agriculture and use for the stationing and residential occupation of a caravan (a twin unit residential mobile home) and storage of a touring caravan incidental to such use; stationing and storage of a caravan (another residential mobile home) and use for domestic storage, together with; operational development undertaken as an integral part of the material change of use comprising construction of decking, hardsurfacing, storage shed and a partly constructed building.
2. Erection of fencing in excess of two metres high, adjacent to the highway.

“Sunhill”

1. The material change of use of the Land from agriculture to a mixed use for agriculture, stationing and storage of caravans (including another residential mobile home) and operational development undertaken as an integral part of the material change of use comprising construction of hardsurfacing, retaining walls and installation of a septic tank.

2. Operational development comprising erection of buildings consisting of a shed, greenhouse, toy shed, wood shed and a tractor shed.
3. Erection of fencing in excess of two metres high, adjacent to the highway.

Officers are awaiting legal advice on their findings and recommendations, following which the recommended courses of action will be undertaken. The above descriptions may change in response to legal advice. Members will be updated further once those actions have been carried out.”

