

SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 5 SEPTEMBER 2013 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Richard Clewer, Cllr Brian Dalton, Cllr Christopher Devine (Vice-Chair), Cllr Jose Green, Cllr George Jeans, Cllr Ian McLennan, Cllr John Noeken, Cllr Ian Tomes, Cllr Fred Westmoreland (Chairman) and Cllr Ian West

Also Present:

Cllr Peter Edge, Cllr Mike Hewitt and Cllr John Walsh

75 **Apologies for Absence**

There were no apologies for absence. Councillors Brian Dalton and Richard Clewer arrived for the meeting at 18:25 and 19:45 respectively.

76 **Minutes**

The minutes of the meeting held on 25 July 2013 were presented. It was,

Resolved:

That subject to correction of the spelling of Cllr Ian McLennan, to approve as a true and correct record and sign the minutes.

77 **Declarations of Interest**

Cllr Ian Tomes declared a non-pecuniary interest in Minute 89 - *13/01284/FUL* - as a result of being acquainted with the applicant's father, although not the applicant himself, and so would participate in the debate and vote with an open mind.

Cllr Brian Dalton declared a non-pecuniary interest in Minutes 87-88 - *13/01220/OUT and 13/01223/OUT* - as a result of being a Salisbury City Councillor, and stated he would consider and vote on the matter with an open mind.

78 Chairman's Announcements

The Chair announced, with the agreement of the Committee, that the application to be considered under Minute 82 - *S/2012/1603/S73* - was to be deferred to the next meeting at the request of the applicant pending receipt of additional information.

79 Public Participation and Councillors' Questions

The Chairman explained the meeting procedure to the members of the public and noted the rules on public participation.

80 Planning Appeals

The Committee received details of the appeal decisions as outlined in the agenda.

81 Planning Applications

A late list of information received, observations and alterations, as attached to these minutes, was presented. Site visits had taken place in the afternoon prior to the Committee meeting for applications *S/2013/0406* and *13/01181/FUL*.

82 S/2012/1603/S73 - Stonehenge Campsite, Berwick St James, Salisbury, SP3 4TQ

The application was deferred with the agreement of the Committee at the request of the applicant.

83 S/2012/1778 - Area 9A/9B, Old Sarum, Salisbury, SP4 6BB

Public Participation

Mr John Wilkinson, Chair of the Old Sarum Residents Association, spoke in objection to the application.

Mr Glen Godwin, agent, spoke in support of the application.

Mr Ron Champion, Laverstock and Ford Parish Council, spoke in objection to the application.

A report was presented which recommended that the application be delegated to the Area Development Manager to approve subject to the signing of a S.106 legal agreement as detailed further in the agenda. Key details also included the principle of additional dwellings on the site, the proportion of affordable housing and the impact upon the area, residential amenity and highways.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was confirmed that the outline permission for the site had not restricted the number of dwellings in Old Sarum to 630, and therefore the developers were able to apply to increase the number from the current 628 that were approved.

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

The Local Member, Councillor Ian McLennan, then spoke in objection to the application.

A debate followed, where the impact on the highways, open space and other infrastructure from the density of development across Old Sarum was raised, as well as the level of affordable housing being offered also being considered.

At the conclusion of debate, it was,

Resolved:

To REFUSE planning permission for the following reasons:

- 1) It is acknowledged that the application site is located within the allocated housing site defined by saved policy H2D of the Salisbury District Local Plan and within the approved site associated with outline application S/2005/0211. However, whilst the policy and adopted development brief alludes to additional dwellings being permitted after 2011, the Council is of the opinion that any additional dwellings were envisaged to come forward following a formal consultation and allocation as part of a future Local Plan adoption process. As no such land has been allocated at the Old Sarum site as part of the now adopted South Wiltshire Core Strategy, or is intended as part of the draft Wiltshire Core Strategy, it is considered that the proposal is contrary to the Development Plan, in particular policy H2D and the associated development brief, which stipulated a limit of 630 dwellings prior to 2011; policy CP6 of the adopted South Wiltshire Core Strategy, which does not allocated further land in this area, and similarly, draft policy CP1 & CP2 of the Wiltshire Core Strategy. The proposal would therefore also be contrary to the guidance contained with the National Planning Policy Framework, which indicates that housing provision should be considered on the basis of the adopted up to date local planning policies.**

- 2) Notwithstanding the above, the scheme would only provide for 25 percent affordable housing, and would not provide any on site public open space or provide any access to additional planned open space within the allocated Longhedge development located immediately adjacent to the site. As a result, and in the absence of a suitable Section 106 Agreement, the proposal would not accord with either the 33 percent affordable housing provision stipulated by the 2007 Section 106 Agreement related to the outline planning permission S/2005/211, or with the 40 percent affordable housing provision stipulated by adopted policy CP3 of the South Wiltshire Core Strategy. The proposal would therefore also be contrary to the provisions of saved policy R2 which also forms part of the South Wiltshire Core Strategy, in that the proposal fails to provide sufficient public open space on site or a suitable financial contribution towards the provision of such space.**

3) The proposal would result in additional dwellings, and hence additional impacts, on existing and proposed facilities. To mitigate the impacts of the development, provision would therefore need to be made towards the following:

- **Additional affordable housing**
- **Additional contributions towards the planned community centre**
- **Additional contributions towards the existing educational facilities**
- **Additional public art contributions**
- **Contributions towards the Wessex Stone Curlew project**
- **Additional contributions towards public open space and equipment**
- **Additional contributions towards sustainable transport infrastructure including bus and cycle vouchers**
- **Waste and recycling facilities**

However, the absence of any provision being made at this time for mitigation towards the enhancement of these facilities or any financial contribution offered towards them, the proposal is considered to be contrary to policies CP3, CP21 & CP22 of the adopted South Wiltshire Core Strategy, policy WCS 6 of the Waste Core Strategy, and saved policies G2 (ii), D8 & R2 and R4 of the Salisbury District Local Plan, and guidance provided in the NPPF regards planning obligations.

Councillors Jose Green, John Noeken and Fred Westmoreland requested their votes in opposition to the motion to refuse planning permission be recorded.

84 S/2012/1829 - Local Centre, Old Sarum, Salisbury, SP4 6BY

Public Participation

Mr John Wilkinson, Chair of the Old Sarum Residents Association, spoke in support of the application.

Mr Matt Pallas, Vice-Chair of the Old Sarum Residents Association, spoke in support of the application

Mr Glen Godwin, agent, spoke in support of the application.

Mr Ron Champion, Laverstock and Ford Parish Council, spoke in objection to the application.

A report was presented which recommended that the application be delegated to the Area Development Manager to approve subject to the signing of a S.106 legal agreement as detailed further in the agenda. Key details also included the principle of additional dwellings on the site, links to surrounding development land, the impact upon residential amenity, highways and parking and other issues. It was noted that a strip of land on the site was planned to be offered to the local school as part of the development.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was confirmed 102 parking spaces were planned, and that the properties above the shops and proposed Doctor's surgery would be two storeys.

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

The Local Member, Councillor Ian McLennan, then spoke in support of the application with appropriate conditions applied, despite continued concerns about residential overdevelopment at Old Sarum, in light of the need for further commercial development.

A debate followed, where the hours of operation of any businesses on the site were discussed, along with the appropriateness of the suggested parking provision. It was also noted that condition three of the recommendation ensured that should another use be desired for the proposed Doctor's surgery, a fresh application would need to be submitted to that effect.

Members fully considered the representation from the applicant which formed part of the additional correspondence. After lengthy debate, Members decided to adjust condition 12, to increase the opening time to 7am but also to slightly reduce the suggested closure time to 10pm, in order to balance the needs of the commercial operation against the impact of the operation on residential amenity. Members also decided to alter suggested condition 13 to expand the hours of delivery to allow greater scope for the commercial operation, with a caveat that no deliveries occur between 3pm to 4pm due to school finishing time. Members also requested that the suggested heads of terms be adjusted to allow for the proposed educational land to be utilised as public open space if not required for educational purposes, and also requested that the additional affordable housing being offered by the applicant be made a firm commitment.

At the conclusion of debate, it was,

Resolved:

To delegate to the Area Development Manager to GRANT planning permission subject to all parties entering into a S106 legal agreement which seeks to secure:

- i) Additional Educational facilities/contributions including secure use of the blue land as part of the adjacent school, or otherwise as public open space**
- ii) Provision of suitable additional waste and recycling provision/contributions**
- iii) Provision of additional open play space financial contributions**
- iv) Financial contribution towards stone curlew project**
- v) Additional Public open space facilities/contributions**
- vi) Additional public art financial contributions**
- vii) Additional transportation financial contributions/sustainable transport initiatives**
- viii) Additional Financial Contribution towards planned community centre**
- ix) Secure affordable housing provision, including 4 additional affordable housing units**
- x) Marketing of shop and provision/timing of shops/surgery**
- xi) The provision of an adopted path across the site and unfettered pedestrian and cycle access to and from Partridge Way**

Subject to the following conditions:

- 1. The development hereby permitted shall commence within one calendar year of the date of approval of this reserved matters application, unless otherwise agreed by the Local Planning Authority.**

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004, and in order to ensure that the local centre and associated facilities are delivered in a timely manner.

2. This approval of matters reserved discharges condition 01, 02, 03, 06, 13, 18, 21 of outline planning permission S/2005/211 only in so far as it relates to the area of land edged in red to which this application relates, but does not by itself constitute a planning permission.

REASON - For the avoidance of doubt and to comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3. The ground floor uses hereby approved shall be restricted to Class A1 retail uses (within the three retail/shop units shown on the approved plan), and a Class D1 doctors surgery use, (within the doctors surgery unit shown on the approved plan), of the Town and Country Planning (Use Classes) Order, and no other uses within or outside the Use Classes, unless otherwise agreed by the Local Planning Authority as part of a formal change of use application in that regard.

REASON: In order to retain the proposed community uses to ensure the vitality and viability of the local centre and the wider community and the limit the harm caused to adjacent residential and general amenities from other uses.

4. No development shall take place within the application site until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to, and approved in writing by the Local Planning Authority. The approved programme of archaeological work shall be carried out in accordance with the approved details.

REASON: To safeguard the identification and recording of features of archaeological interest.

5. No development shall commence on site until details and samples of the materials to be used for the external walls, roofs, and hardsurfacing 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.

6. No development shall commence until the existing trees adjacent to the site boundary with Partridge Way to the north east (as shown on the approved plans) have been protected by means of a scheme submitted to and agreed in writing with the Local Planning Authority prior to works commencing. Development shall be carried out in accordance with the agreed scheme.

The Tree Protection Plan shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as the Root Protection Area (RPA). Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 2012) and no access will be permitted for any development operation.

The Arboricultural Method Statement should specifically include details of how the hard surfacing within the RPA of any retained trees can be implemented, if necessary, without causing root damage.

The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

- 7. All new planting and landscaping shown on the approved plans, shall be provided/planted out on site within 1 calendar year of the commencement of development, unless a scheme of timing of provision is otherwise agreed in writing with the Local Planning Authority.**

REASON: To ensure that planting and landscaping are carried out and in a timely manner so that the general visual appearance and amenities of the scheme are protected and enhanced.

- 8. The pedestrian and cycle path across the site allowing access to Partridge Way shall be provided and made available for safe use concurrently with the development being completed, and prior to any of the approved units or residential units first coming into operation or being first occupied. The pathway shall remain available for public use in perpetuity until its formal adoption by the Local Authority.**

REASON: In order to ensure that access from and to Partridge Way and the wider area is provided at an early stage, so as to enhance the connectivity of the wider community and to allow access to facilities and services.

- 9. No dwellings shall be occupied until all car parking (and associated turning and access arrangements) shown on the approved plans has been provided and made available for use.**

REASON: In order that sufficient parking is available for occupiers of the dwellings, visitors, and users of the planned local centre facilities.

10. No development shall take place until a scheme of acoustic insulation, to include details of acoustic glazing, ventilation, wall and roof construction has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented prior to the dwellings being first occupied and maintained at all times thereafter in accordance with the approved details.

REASON: To ensure that the impact of the development on surrounding amenity is reduced.

11. No (non residential) unit shall be occupied until a scheme for the control of noise emanating from any externally mounted plant, equipment or ventilation systems has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented before the development is first brought into use and shall be maintained at all times thereafter in accordance with the approved details.

REASON: To ensure that the impact of the development on surrounding amenity is reduced.

12. The retail units shall not be open to the public except between the hours of 7am and 10pm all week

REASON: To ensure that the impact of the development on surrounding amenity is balanced against the needs of the commercial operation

13. No deliveries shall be taken at or collections made from the development except between the hours of 06:30 to 20:00 hrs all week (04:00 hrs start for bulk items such as newspapers), except that there shall be no deliveries between 3pm to 4pm on weekdays (outside school holidays).

REASON: To ensure that the impact of the development on surrounding amenity is balanced against the needs of the commercial operation

14. The development shall be carried out in accordance with the following approved plans :

**PL03 Rev J – Planning layout
PL04 Rev G – Materials layout
PL05 Rev E – Areas for adoption
PP-01 Rev D – Parking Plan
HT-AB02 Rev D – Elevations
HTAB02 REV D -Elevations
HTC02 REV C - Elevations
BIN-01 – Surgery store plan**

REASON: For the avoidance of doubt

15. Before development commences, a Construction Environmental Management Plan (CEMP) shall be submitted to and approved in writing by the Local Planning Authority which secures protection of

habitats and species during the construction period. The development shall be carried out in accordance with the agreed CEMP.

REASON: In order to protect habitats and species during the construction period so as to limit the impacts of the development

16. Before development commences, a scheme for water efficiency shall be submitted to and approved by the Local Planning Authority. The scheme should deliver water efficiency measures to a minimum standard equivalent to Level 3 in the Code for Sustainable Homes. Development shall be carried out in accordance with the agreed schemes.

REASON: In order to improve the sustainability of the scheme in line with Core Policy 19 of the South Wiltshire Core Strategy.

Informative:

With regard to condition 4 above the work should be conducted by a professionally recognized archaeological contractor in accordance with a written scheme of investigation agreed by this office and there will be a financial implication for the applicant.

The applicant should ensure that they have thoroughly investigated ground conditions and levels of vibration on the development site and use appropriate construction methods and materials to ensure that the occupants of the houses concerned are not adversely affected by vibration and or/reradiated noise caused by Equinox prior to any of the properties being sold or occupied.

85 S/2013/0406 - Shrewton Steam Laundries Ltd, High Street, Shrewton, Salisbury. SP3 4BZ

Public Participation

Mr Stephen Young, agent, spoke in support of the application.

Cllr Carole Slater, Shrewton Parish Council, spoke in support of the application.

The Planning Officer presented a report which recommended the application be refused planning permission. Key issues were stated to include potential flood risk, loss of potential employment space, scale and design of the proposals and impact upon the wider area.

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

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

The Local Member, Councillor Ian West, then spoke in support of the application.

A debate followed, where the current state of disrepair on the site was noted, given the concerns raised by the Parish Council. The scale of the designs was discussed, along with whether the site had been marketed appropriately before

a change of use to residential had been proposed. Issues over the lack of affordable housing were raised, as well as concerns over flooding.

Resolved:

To GRANT planning permission.

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

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

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

Reason: In the interests of highway safety.

- 4 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: To ensure that land contamination can be dealt with adequately.

- 5 No construction or demolition work shall take place on Sundays or Bank Holidays or outside the hours of 07:30 to 18:00 weekdays and 08:00 to 13:00 on Saturdays.**

Reason: In the interests of amenity.

- 6 No development shall commence (including demolition of existing buildings) within the proposed development site until:**
- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
 - b) The approved programme of archaeological work has been carried out in accordance with the approved details.**

Reason: To enable the recording of any matters of archaeological interest.

- 7 No development shall commence (including demolition of existing buildings) until a detailed construction method statement has been submitted to and approved in writing by the local planning authority to demonstrate that the river will be protected from access, litter and liquid sources of pollution during the entire demolition and construction period. The development will be completed in accordance with the agreed construction method statement.**

Reason: To ensure that the nature conservation interests of the River Avon System Site of Special Scientific Interest/Special Area of Conservation are safeguarded.

- 8 No development shall commence until details of the number, design and locations of features which will be incorporated into the development to provide nesting opportunities for birds and roosting opportunities for bats have been submitted to an approved in writing by the local planning authority. Details will also be provided showing the extent of land that will be sown with a wildflower seed mix. The development will be completed in accordance with the approved measures.**

Reason: To safeguard protected species and mitigate against the

loss of existing biodiversity and nature habitats.

- 9 Before plot 3 of the development hereby permitted is first occupied the first floor en-suite bathroom window in the south elevation of plot 3 shall be glazed with obscure glass only and the window shall be permanently maintained with obscure glazing in perpetuity.**

Reason: In the interests of residential amenity and privacy.

- 10 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 and in the interests of flood prevention.

- 11 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), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.**

Reason: To safeguard the character and appearance of the area and in the interests of flood prevention.

- 12 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), 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 on the approved plans.**

Reason: To safeguard the character and appearance of the area and in the interests of flood prevention.

- 13 No development shall commence on site until details of the design, external appearance and decorative finish of all boundary fences, gates, walls, and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.**

Reason: In the interests of visual amenity and the character and

appearance of the area.

- 14 Finished Floor Levels shall be set no lower than 80.90mAOD.**

Reason: To reduce flood risk to the proposed dwellings.

- 15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 or any order revoking and re-enacting that Order with or without modification, no development or ground level alterations at a level above 80.30mAOD shall be erected within the area of garden of plots 3 and 1 that falls within the proposed flood flow route as delineated by the light grey dashed line on Site Layout drawing 1063 P11H.**

Reason: To ensure the long term maintenance of the scheme in the interests of flood prevention.

- 16 No development shall commence until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.**

Reason: To prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

- 17 No development 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.

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

Plan reference: 1063/P10 Site Location Plan, dated May 2012, received by this office 20/03/2013

Plan reference: 1063/P11 Rev H Site Layout, dated April 2012, received by this office 20/03/2013

Plan reference: 1063P12 Plot One House Plans, dated 15/05/2012

Plan reference: 1063P13 Plot One Elevations, dated 15/05/2012

Plan reference: 1063/P14 Plot Two House Plans, dated 15/05/2012

Plan reference: 1063/P15 Plot Two Elevations, dated 15/05/2012

Plan reference: 1063/P16 Plot Three House Plans, dated 15/05/2012

Plan reference: 1063/P17 Plot Three Elevations, dated 15/05/2012

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

Informatives:-

Environment Agency –

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Main River Till. The need for Flood Defence Consent is over and above the need for planning permission. To discuss the scope of our controls and to obtain an application form please contact Daniel Griffin on 01258 483 421.

Water Efficiency - 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.

An appropriate submitted scheme to discharge the water efficiency condition will include a water usage calculator showing how the development will not exceed a usage level of 105 litres per person per day.

Pollution Prevention During Construction - Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. 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; the control and removal of spoil and wastes. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

www.environment-agency.gov.uk/business/topics/pollution/39083.aspx

Public protection - No burning of waste should take place on the site during the demolition or construction phase of the development.

Archaeology - The archaeological work would include building recording prior to demolition, as well as a watching brief during the groundworks and should be conducted by a professionally recognised archaeological contractor in accordance with a brief issued by the Council's archaeology department and there will be a financial implication for the applicant.

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 the Developer Services web-pages at our website www.wessexwater.co.uk/developerservices

New regulations will require all sewer connections serving more than a single dwelling to be subject to a signed adoption agreement with Wessex Water before the connection can be made. These new regulations will be confirmed by DEFRA later this year

Further information can be obtained from our New Connections Team

by telephoning 01225 526 222 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 sewer 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 we normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

More information relating to this transfer can be found on our website. It is important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact our sewer protection team on 01225 526 333 at an early stage if you suspect that a section 105a sewer may be affected.

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.

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. 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. There is a low risk that bats may be roosting in buildings at the application site. Bats and their roosts are protected at all times by the Conservation of Habitats and Species Regulations 2010. Planning permission for development does not provide a defence against prosecution under these pieces of legislation. If bats or nesting birds are found during the works, the applicant is advised to stop work and follow advice from their own Ecologist or to contact an Ecologist at Wiltshire Council (01225 71875) before proceeding further.

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

There was a brief recess from 21:10-21:15

Public Participation

Mrs Judi Elliott spoke in objection to the application.

Mr Richard Maloney, applicant, spoke in support of the application.

Cllr Chris Hammer, Idmiston Parish Council, spoke in objection to the application.

The Planning Officer introduced a report which recommended the application be delegated to the Area Development Manager for approval subject to the signing of a S.106 legal agreement as detailed in the agenda. Key issues were stated to include the principal of development, highways issues and the impact upon the character and appearance of the area and neighbouring properties.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding the level of financial contribution that would be sought in the event of approval.

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

The Local Member, Councillor Mike Hewitt, then spoke in objection to the application.

A debate followed, where the large nature of the site was noted in assessing the impact upon character and amenity of the area. The lack of objection from Highways officers regarding the new access was noted, as well as the busy nature of the road alongside the site.

At the conclusion of debate, it was,

Resolved:

To delegate to the Area Development Manager to GRANT planning permission subject to the applicant entering into a S106 legal agreement to secure:

- a) Financial contributions towards recreational open space;**
- b) Financial contributions towards affordable housing;**

Subject to 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 shall only be undertaken in accordance with the following approved plans:**

Plan Ref....P465-102-P2...	Dated....14.08.13....
Plan Ref....P465-103-P2...	Dated....20.06.13....
Plan Ref....P465-104-P3...	Dated....14.08.13....
Plan Ref....P465-105-P3...	Dated....14.08.13....
Plan Ref....P465-111-P2...	Dated....14.08.13....
Plan Ref....P465-112-P1...	Dated....20.06.13....
Plan Ref....P465-113-P2...	Dated....14.08.13....
Plan Ref....P465-121-P1...	Dated....20.06.13....
Plan Ref....P465-123-P1...	Dated....20.06.13....
Plan Ref....P465-124-P1...	Dated....20.06.13....
Plan Ref....P465-125-P2...	Dated....14.08.13....
Plan Ref....P465-126-P1...	Dated....20.06.13....
Plan Ref....P465-127-P1...	Dated....20.06.13....
Plan Ref....P465-128-P2...	Dated....14.08.13....
Plan Ref....P465-129-P2...	Dated....14.08.13....
Plan Ref....P465-301-P1...	Dated....20.06.13....

Reason: For the avoidance of doubt.

- 3) No development shall commence on site until details, and where so requested samples, of the materials to be used for the external walls and roofs of the development 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.

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

- **details of trees and hedges to be retained, together with measures for their protection in the course of development;**
- **details of new planting, which shall include planting to be undertaken behind the proposed visibility splay and splayed access;**
- **means of enclosure;**
- **car park layouts;**
- **other vehicle and pedestrian access and circulation areas;**
- **all hard surfacing materials;**
- **minor artefacts and structures (e.g. refuse and other storage units, signs, lighting etc).**

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

- 5) 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.

- 6) No development shall commence within the area indicated (proposed development site) until a written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority. The approved programme of archaeological shall be carried out in accordance with the approved details.

Reason: To enable the recording of any matters of archaeological interest.

- 7) 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.

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

Reason: In the interests of highway safety.

- 9) No part of the development shall be first occupied until the visibility splays shown on the approved plans ref: P465-102 P2 have been provided with no obstruction to visibility at or above a height of 0.9m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

- 10) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

Reason: To ensure that the development can be adequately drained.

11) Construction works shall not take place except between the hours of 07.30hrs to 1800hrs on Mondays to Friday and 08:00 to 13:00hrs on Saturday. There shall be no work on Sundays and Public Holidays. This condition does not apply to the internal fitting out of the buildings.

Reason: In order to limit the noise and disruption to adjacent neighbours during antisocial hours.

87 **13/01220/OUT - Land North West of The Avenue, Salisbury, Wiltshire. SP2 9PS**

Public Participation

Mr Glen Godwin, agent, spoke in support of the application.

Mr Matthew Deane spoke in support of the application

Mr Reg Williams, Salisbury City Council, spoke in support of the application.

Cllr Phil Matthews, Wilton Town Council, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be granted. Key issues were stated to include landscape and visual impact, transport and access, air quality and the existence of alternative sites. It was noted the application had previously come to the Committee in February 2013, and had been returned following revision of the application.

Members of the Committee then had the opportunity to ask technical questions of the officer. It was confirmed that all relevant Parish Councils had been consulted for their views.

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

A debate followed, where the need for a new cemetery site was accepted, but the location and impact upon the open countryside was raised, along with issues around any construction to take place on the site and the lack of a travel plan.

At the conclusion of debate, it was,

Resolved:

That planning permission be REFUSED for the following reasons:

- 1) The proposed cemetery, by reason of its prominent siting in open countryside and the inevitable high visibility of associated development (such as gravestones, the car park and associated**

storage), would detract from the amenities of the countryside contrary to saved policy C2 of the South Wiltshire Core strategy.

- 2) The proposed cemetery by reason of its siting outside of the Fugglestone Red development template area of the Core Strategy and outside the development limits of Salisbury is considered to be too remote from the city and limited primarily to servicing by private motor vehicles. It would therefore be an unsustainable form of development contrary to saved policy G1 of the south Wiltshire Core strategy

Councillor Ian Tomes left the meeting at 10:15 following this item.

88 **13/01223/OUT - Land East of the Avenue, Salisbury, SP2 9PS**

Public Participation

Mr Glen Godwin, agent, spoke in support of the application.

Mr Matthew Deane spoke in support of the application

Cllr Phil Matthews, Wilton Town Council, spoke in support of the application.

The Planning Officer introduced a report which recommended that planning permission be granted. The application was stated to be an alternate site to the proposal in the previous application, Minute 87 - 13/01220/OUT – with the key issues stated to include the landscape and visual impact, flood risk, access and other issues. It was noted that some trees would need to be removed to create visibility splays at the access site, and an archaeological survey conducted.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought on alternative access arrangements, and it was confirmed an alternative would necessitate placing an access through the light industrial and residential zones of the proposed Fugglestone Red development.

Members of the public then had the opportunity to address the Committee with their views, as detailed above.

A debate followed, where the need for a new cemetery for the Salisbury area was raised, along with parking and access details.

At the conclusion of debate, it was,

Resolved:

To GRANT planning permission for the following reason:

The site was originally allocated within the draft masterplan for Fugglestone Red which was considered at the Enquiry in Public. It was considered at that stage as a potential site for a cemetery and no objections were raised to it. None the less the site is more prominent in landscape terms than the site to the North West of the Avenue but with landscaping is not considered inappropriate in landscape terms. The site is located closer to the main built development of Fugglestone Red 2 and therefore in visual terms will be seen in this context. The proposal

therefore complies with policy Core policy two which allocates the site for development with the south Wiltshire core strategy.

Subject to the following conditions:

1) Details of the appearance, landscaping, layout and scale (hereinafter called “the reserved matters”) shall be submitted to and approved in writing by the local planning authority before any development begins and the development shall be carried out as approved.

REASON: This is an outline application submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995

2) Application for the approval of the reserved matters shall be made to the local planning authority not later than five years from the date of this permission.

REASON: This is an outline application, submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

3) The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: This is an outline application, submitted in accordance with Article 3 of the Town and Country Planning (General Development Procedure) Order 1995.

4) No development approved by this permission shall be commenced until a scheme to assess the risk to groundwater, incorporating suitable measures to mitigate those risks ,must be submitted to and approved by the Local Planning Authority. It should include the following detailed information:

1. Tier 1: Risk screening in accordance with Environment Agency guidance assessing the Groundwater Pollution Potential of Cemetery Developments

2. Where required by the tier 1 assessment, a tier 2: Preliminary quantitative riskassessment with detailed desk study and preliminary site investigation

3. Where required by a tier 2 assessment, a tier 3: Detailed quantitative risk assessment

4. Where required by any stage of the risk assessment, a method statement, based on that agreed risk assessment, for construction and operation of the proposed development.

5. A completion statement to demonstrate that work specified in the method statement has been suitably carried out.

REASON : In order to protect controlled waters

5) All burials in the cemetery shall be:

- 1. a minimum of 50m from a potable groundwater supply source;**
- 2. a minimum of 30m from a water course or spring;**
- 3. a minimum of 10m distance from field drains;**
- 4. no burial into standing water and the base of the grave must be above the local water table;**

REASON: In order to Protect controlled Waters.

6) A landscape masterplan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, shall be submitted to and approved by the local planning authority prior to the first use of the development, for its permitted use. The landscape masterplan shall be carried out as approved.

REASON: To ensure the proper management and planning of the landscaped areas in the interests of visual amenity.

7) The development shall be carried out strictly in accordance with the following plans and documents –

Site location plan PO920_01-2

Design and Access statement PO920_6-1

Planning Statement dated 7 th June 2013 CIR.P.0920

Environmental Statement dated June CIR.P.0920

Transport statement by Brookbanks

Landscape and Visual Impact Assessment dated by the Cooper partnership

July 2013

Statement of pre application community consultation dated 17th June 2013 CIR.P.0920

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

8) No development shall commence within the area indicated (proposed development site)

Until:

A written programme of phased archaeological investigation, which should include on site work and off site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the local planning authority and

The approved programme of archaeological work has been carried out in accordance with the approved details.

REASON: To enable the recording of any matters of archaeological interest.

Councillor Brian Dalton left the meeting at 10:30 following this item.

89 **13/01284/FUL - 12 Middleton Road, Salisbury, Wiltshire, SP2 7AY**

Public Participation

Mr Justin Smith spoke in objection to the application.

Mr Robert James, applicant, spoke in support of the application.

The Planning Officer introduced a report which recommended the application be delegated to the Area Development Manager for approval subject to the signing of a S.106 legal agreement as detailed in the agenda. Key issues were stated to include the principal of the development, the impact upon neighbouring amenity resulting from the conversion into two dwellings and car parking and highways issues.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought regarding placement of recycling bins and the planning history of the site.

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

The Local Member, Councillor Richard Clewer, then spoke in objection to the application.

A debate followed, where the need for small dwellings in the city was raised, along with the level of impact of the proposed conversion upon the highways network.

At the conclusion of debate, it was,

Resolved:

To delegate to the Area Development Manager to GRANT planning permission subject to the applicant entering into a S106 agreement covering the following matters:

- 1. A financial contribution towards off-site recreation provision; and**
- 2. A financial contribution towards off-site affordable housing provision,**

unless this is satisfactorily demonstrated to undermine the viability of the development;

For the following reason:

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this

development to improve the social and environmental conditions of the area.

Subject to 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. This development shall be in accordance with the following submitted drawings:

12/1832/201 A, dated 02/04/13 and received to this office on 25/06/13

REASON: For the avoidance of doubt

90 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 11.00 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line (01225) 718504, e-mail kieran.elliott@wiltshire.gov.uk

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

**SOUTHERN AREA PLANNING COMMITTEE 05th SEPTEMBER 2013
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Agenda Item 7a

**Plan List Item 1 S/2012/1603/S73 – Application for the development of land without compliance with Condition 10 of Appeal Decision S/2010/0007 and in accordance with information submitted,
At Stonehenge Campsite, Berwick St. James, Salisbury, SP3 4TQ**

1 additional third party representation of objection received:

As we understand it, the documentation supplied by the applicant and Officers' report to the Committee for the 28th July meeting are unchanged. The number of lights appears to be the same, though we note from Officers' Report that wattages for wall-mounted lights have been reduced to 9 watts, which is a start.

We understand from your conversation with Mr Douse that it is possible that the applicant may come up with some suggested compromise on the day. This is clearly unsatisfactory – indeed would it be lawful to accept such a compromise, as it would deprive interested parties from considering and commenting on the actual proposal?

Having said that, we are clearly in the hands of the lighting consultant when it comes to understanding the effects of the proposals. As we understand it, a substantial proportion of the lighting proposed has yet to be installed, and it may be that the lighting which currently exists is to be moved or altered. We would therefore ask the Consultant, when considering any future proposals, to take into account the points we raised in our letter of 11 December (attached for ease of reference), which seem to us still to be relevant. We agree with your Consultant that uplighters in the middle of the country are quite unnecessary. Also, given the position of our house relative to the site, it is the wall-mounted lights near our border that will affect us most. If these are necessary, could they please be on the outer boundary facing inwards, so that they are as invisible as possible from our house.

We also understand that the applicant has pointed out that the hedging has increased the screening over recent months. We would point out that all the plantings are deciduous and the screening will be less effective in the winter months when the lighting will need to be turned on for the maximum period. Indeed, given that the site is largely unoccupied for many days in the winter months, might it be a condition that lighting is used only for those parts of the site that are actually being occupied?

Finally, we do wonder why all this extra lighting is necessary at all, as Mr. Grant has been running the campsite for several years with the existing lighting (without planning consent for it). We are concerned that what was once a tranquil and dark field in unspoilt countryside could be further (and significantly) changed and with many (39) lights will look like a runway at Heathrow or an industrial estate.

We therefore support your refusal of the application on the grounds, essentially as we interpret your report, that the lighting proposed is excessive.

Yours sincerely

Martin and Rosemary Gairdner

Agenda Item 7c

**Plan List Item 2 S/2012/1829 – Reserved matters application for 3 retail units, a doctors surgery and 30 apartments including parking, landscaping and recycling centre (following approval of outline application S/2005/0211)
At Local Centre, Old Sarum, Salisbury, SP4 6BY**

Comment from applicant:

I am aware that you have been in correspondence with the prospective operators of the shops at the local centre. They welcome the recommendation to approve the scheme which has been prepared having regard to their commercial requirements.

However, the proposed restrictions on the hours of operation and deliveries are a concern to them as this will not allow for a viable operation.

This has been explained as follows:

From a purely informative position, I did note in the report the proposed restriction on operating times for the retail units. Whilst this is not likely to be a major issue for the 2 smaller units it will undoubtedly cause problems for the convenience store operator. As I am sure you will be aware these stores by the very nature have to operate with extended delivery and trading hours to maintain viability and effective trading against major foodstore operators in the sector. The very nature of a store such as this, is to serve the local population outside normal trading hours for top up shopping. They have the added benefit of reducing car journeys given their immediate proximity to resident populations.

I am therefore at something of a loss as to why you would want to restrict trading hours on a Saturday, which for a substantial proportion of people is a normal working day in today's society and even more so why you would not allow the store to open at 7.00 am which is a time of the day when many potential customers will be leaving for work and wish to pick up a newspaper and early morning provisions. This time is quite standard throughout the convenience sector for a start and to limit this seems unduly harsh and may even detract operators from wishing to take the unit. Equally a 9.00 am start on a Sunday is much later than many customers would expect.

The other factor which I know will be an issue is no deliveries before 7.30 am and at all on Sundays. Whilst the 7.30 time limitation can be adhered to for large vehicle deliveries I am sure you can understand that news and milk deliveries by their very nature take place before these hours. These are normally from transit type vehicles but for logistical reasons have to take place early. Neither is it possible for a convenience store to have no deliveries on a Sunday I am afraid. It is essential for the smooth operation of a store of this type to be able to take deliveries on a Sunday. Operators are sensitive to noise

issues and will always try to minimise this whilst undertaking deliveries so as to avoid complaints from neighbours.

In the circumstances I would be grateful if you could report this requested amendment to members at tomorrow's South Area Planning Committee meeting i.e an adjustment of the hours as follows:

Condition 12 *"the retail units shall not be open to the public except between the hours of 07.00 and 23.00 every day."*

Condition 13 *"No deliveries shall be taken at or collections made from the development except between the hours of 06.30 and 20.00 every day."*

This is fundamental as the prospective tenant of the local store would not be able to take the local convenience store unit unless the hours are adjusted as requested and this underpins the viability of delivering the local centre

I would suggest that this should not cause undue loss of amenity to residents on the development as the local centre has immediate access from the main road and those who purchase or rent flats above the shops will be aware of the opening hours. In terms of security the shops would be very well exposed to the main road and passers by.

Thank you for your assistance.

Regards

Glenn Godwin

Director

Pegasus Group

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Agenda Item 7d

Plan List Item 3 S/2013/0406 - Demolition of existing laundry buildings; erection of three four-bedroom dwellings with associated parking, access and landscaping works At Shrewton Steam Laundries Ltd, High Street, Shrewton, Salisbury. SP3 4BZ

1 email received from applicants in support of the application, provided in full:

We write in relation to the above application, to be considered at your Committee on 5 September. Our company is a small local building firm. This site represents a significant investment for us.

We bought the site in November 2010. It has remained on the market since this time while we sought consent for a redevelopment scheme for the site. The 3rd paragraph under heading "9.3 Loss of Employment" of the Officer Report is incorrect in this regard.

We commissioned consultants to prepare the current application for 3x 4-bedroomed detached dwellings. The application before you is the 3rd scheme for this vacant and derelict site (significant structural collapse has occurred during our ownership) and we are keen for a constructive resolution. We originally wanted to build small units, as sought by the Parish Council in their response to the current application. However a previous proposal for just this was unsuccessful on urban design and parking provision grounds (in addition to the matters referred to below). Accordingly, we have sought a pragmatic solution to address the issues affecting the site.

Highways (access and parking), ecology, heritage and design matters are all addressed by the current proposal. The only matters potentially remaining outstanding for the proposal before you are:

- flood risk considerations; and
- matters deriving from the former employment use of the site.
-

Flood Risk considerations

Finished site levels

It is relevant to note that an objection from the EA to the scheme was withdrawn in June (see attached letter), subject to a number of conditions including site and finished floor levels.

However, following lobbying by your officers, a further letter re-instating elements of the objection was submitted by the EA in July due to unfounded concerns expressed regarding ongoing control at the site.

Before doing this, it is relevant to note that the July letter from the EA states that "*Hydraulically the current submitted scheme as designed maintains and improves flood flows in this area and is therefore acceptable to us in flood risk terms*" and "*there is a satisfactory scheme to address flood risk*". In short, the application would improve the flood risk situation for Shrewton.

It is suggested, erroneously, that there may be an inability to ensure ongoing control of site levels. This is incorrect. Through a combination of both a) the site levels conditions suggested by the EA in their June letter (or a more detailed version of these) and b) the Environment Agency's legislative remit, it is considered a satisfactory level of ongoing control can be secured.

Section 6(4) of the Environment Act 1995 indicates that the EA shall "exercise a general supervision over all matters relating to flood defence". Specifically, under Section 109 of the Water Resources Act, any works within 8m of the top of the bank of a designated "main river" (such as the adjacent River Till) requires a consent from the

EA. It is relevant to note that the terms of this “any works” goes significantly beyond the scope of the planning system. It can include, for instance, headwalls; outfall structures; fences; riverbank revetments and other structures that, within the context of the Town Planning system would represent “minor” or de minimus works that would fall below the threshold of needing planning permission.

Outside the 8m consent easement width, all land raising within a floodplain including that which does not require planning consent needs consent from the EA under Section 23 of the Land Drainage Act 1991, when local bylaws and the general supervisory duty are considered alongside this.

Thus, in lay terms, the consenting regime operated by the EA is similar to that of Building Regulations – but is specific to river corridors and their floodplains. It has the ability to prevent the installation of structures that would compromise the function of main river channels and their floodplains, including the ability of land to convey flood waters.

Thus, provided acceptable site levels can be specified (and they can in this case) we see no reason why a reasonable, proportionate and enforceable position could not be established in relation to this scheme.

Sequential Test

Within the context of the Sequential Test, the site should be considered as a Windfall site. It should be seen within a *balanced* context of seeking to avoid the derelict buildings on site remaining and deteriorating further and becoming an eyesore at the heart of the village. A Strategic Flood Risk Assessment for the settlement has been undertaken by RPS. The justification to reduce the geographical area of search has been given (contrary to the contents of the Officer report). This is provided at paras 4.10 and 4.11 of our consultants’ Design and Access statement, as follows:

The parish of Shrewton represents 5% of the population of the Amesbury Community Area (33,190). The adopted South Wiltshire Core Strategy proposes an additional 2395 houses within the whole Community Area between now and 2026. Of these, most are to be provided from identified sites at the larger settlements, however 170 units still need to be provided by as-yet-unidentified sites. It is reasonable to expect that Shrewton will take its’ fair proportion of this. 5% of the additional 170 houses is around 8-9 units.

A number of sites have been suggested in the Parish to deliver housing and are documented in both the South Wiltshire and county-wide SHLAA documents (from 2009 and 2011 respectively). RPS consider the site against all of these and conclude that, of those sites within the parish potentially able to deliver the required level of development, none are more preferential in flood risk terms.

Flood Risk – Summary

It is crucial to note that, if the landform at the site now was already that proposed by the current application, development proposed on the site would not lie within any Flood Zone. Accordingly none of the above flood risk considerations would apply. Thus we consider that the position taken by Council Officers regarding these points has been unduly burdensome in financial terms, and is potentially open to challenge.

We have spent over £30,000 modelling the site and surrounding area, and assessing the flood risk of the schemes. This demonstrates a significant intent to propose a scheme that is realistic, pragmatic and safe.

Employment Uses

Our Commercial Agents, Myddleton and Major have evaluated this matter closely and their conclusions have been included in the submission. The derelict buildings are unsuitable for continued employment use, and would need to be redeveloped in any event for re-use to occur. An employment redevelopment would be “economically unviable” due to the approximate 600,000sq ft of employment space readily available (as at March 2013).

Other Matters

We have submitted a viability report to the Council, and this has been accepted by your officers as demonstrating that the development should not incur affordable housing and other developer contributions. We estimate that the development (as it stands) will make a loss of around £158,000.

Despite the lack of viability for the project (as it stands, even without S106 contributions), we are keen to implement the proposed development at the site in order to:

- minimise losses;
- to keep our local staff and contractors employed; and
- to address the eyesore that the site has become.

However the scheme is not expected to deliver a profit.

To compound this, it is further suggested in the Officer Report that, to address the flood risk matters above, Plot 3 should be omitted from the scheme. We estimate that the omission of this unit would result in a £309,000 loss.

We would be happy to answer questions regarding the scheme, and hope you will be able to support the application at the Committee on Thursday.

Yours sincerely

JOHN RATTUE & MERVYN GRIFFITHS

Representations

1 additional third party representation of comments received:

We would like to make the following two comments in relation to the proposed development of the site.

The current state of the site is a dangerous eyesore, and is having an adverse effect on residents and visitors to the village alike - anything would be better than the status quo!

We feel that the proposed plan for the old school site in the village could result in 'family' properties coming on to the market as older residents downsize to the new age-restricted properties on the school site. We believe that this could help overcome the shortage in the village of affordable family properties, removing the need for the laundry site to have the more dense layout that I believe the Council favoured at one point.

John and Sheila Sweeney - The Old Bakery, High Street, Shrewton.

1 additional third party representation of objection received:

I am unable to attend this meeting but wish to put forward my strong opposition to the proposed plans as they stand. I would like to underline once more my point of view and attach my original letter. I rely on your including them in the meeting tomorrow.

I was very concerned to read in the planner's documentation regarding this application that "it is not considered that Winterbourne House would be unduly affected" by this development. Can I suggest that planners view the actual boundary to this property in relation to the proposals?

I must agree with the correspondence recently uploaded to the relevant area of the council website – the property is in a dangerous state of disrepair and needs urgent maintenance before a serious accident occurs.

Emily Westlake, Winterbourne House, Tanners Lane, Shrewton

Letter:

I refer to the above planning application. We are the tenants of Winterbourne House, which directly borders the development site.

We have now considered the revised planning application in full and have many concerns about them, many of which were addressed in previous correspondence and are in no way tackled in the revised plans.

It is of particularly great concern that the planners have shown little empathy whatsoever to the needs of the village when considering this development. Wiltshire Council has in place many strategies to prevent building works from taking place which would not be of benefit to the local community, e.g. business/residential use (core strategy 5); inclusion of social housing (core strategy 3). Moreover, rules are in place to prevent building within flood plains. All of the above have been passed over in the current plans. To allow the current plans to be passed in their current form would be considered to be a misapplication of existing Wiltshire Council policy.

In their covering letter enclosed with the proposed plans, the planning consultants state:

Furthermore, in the context of the Sequential Test, the site should be considered as a Windfall site. It should be seen within a *balanced* context of seeking to avoid the derelict buildings on site remaining and deteriorating further and becoming an eyesore at the heart of the village.

Should we residents infer from this that we should be grateful that the developers have bought this site and should be content with their proposals, whatever form they take? The developers have allowed the site to fall in to terrible disrepair and have shown no respect for the safety of residents or the impact on the village of this neglect.

I am including detailed objections to the current plans as stated below:

- 1/ Change of use from employment land to residential
- 2/ Social Housing requirements/Appropriateness of proposed dwellings for the village
- 3/ Flooding issues
- 4/ Issues regarding the overlooking of existing properties
- 5/ Anomalies in the application form

Addressing each of these points in turn:

1/ Transfer of use of the site from business to residential

Middleton and Major have submitted a detailed report in support of the planner's application for transfer of use. The content of this report is questionable. The report contains copious erroneous statements and includes numerous phrases one can only assume are designed to mislead, as detailed below:

- The author states in paragraph 6 that 'Since purchase the current owners have had a regular dialogue with nearby local residents and the Parish Council, all of whom support proposals to remove these derelict industrial buildings and replace them with housing to complement the immediate surroundings'.

The current site owners have never made any form of contact with us, and had we have been contacted; we would have stated our absolute objection to the transfer of use. When I personally initiated contact with the planners for this site in October 2012, the two initial responses were brusque and incomplete, and when I requested further clarification, they chose not to respond at all.

- What is the purpose of the inclusion of a 2010 marketing report for use of the existing buildings commercially, when the author states themselves that it was evident that the buildings were derelict and not fit for such a purpose?

This report states that it was always transparently evident to all parties that the buildings were not fit for business or residential use, and required demolition and rebuilding for either project.

- The author states that they have undertaken 'marketing activities in the region'.

As a local business owner and director, I have not laid eyes on one single piece of marketing material from this or any other agent regarding a requirement for business premises in Shrewton.

- Referring to Appendix V - offered in direct response to Core Strategy 5 of the South Wiltshire Core Policy - it can only be assumed that the author of this report has got confused and submitted a report for another site, because many of the answers contained therein do not in any way relate to the Shrewton Laundry site. If this report does apply to the laundry site, it can only be assumed that it has been completed in such a way to present the worst possible illustration of the site. I would therefore request clarity on the following paragraphs:

Section 2.

e) Noise and other obvious pollutants: Poor (suggested answer: Excellent. This is self-evident due to the position of the site.)

g) Parking, internal circulation and servicing: Poor (suggested answer: Good. Please refer to Middleton and Major's own marketing material contained in this very report at Appendix I, which show photographs of numerous cars and vans parked at the site.)

h) Loading access: Poor (suggested answer: Good, as evidenced above.)

Section 3.

a) Adjacent land: Poor (suggested answer: Excellent. Pollution from adjacent firms – please can the author provide the details of these? We are unaware of a single adjacent firm).

b) Perception of the wider environmental quality: Poor (suggested answer: Excellent. Again, if the author could provide details of such problems, we would be most interested!!!)

c) Local facilities for workforce: Poor (suggested answer: Excellent. This particular answer gives the reader real concern! There is a public house directly opposite the site, and another next door but one, with a social club and a local supermarket within a few minutes' walk!)

Given the improper answers in this particular Appendix, the accuracy of the whole of this report should be called in to question.

The report from Middleton and Major includes precedents where other properties have been granted a similar change of use. The disparity of the use of these examples underlines how inappropriate this change of use would be; not one of these properties is in a similar location to Shrewton.

Shrewton Laundry employed 14 people (as per Transport Statement prepared by Stuart Michael Associates, September 2011). Although these employees are now mostly successfully re-employed, this does not detract from the fact that employment opportunities within the village have been reduced by around 30% by the closure of the business.

I also refer to Core Policy 5 of the Wiltshire Council Core Strategy:

“Proposals involving the significant net loss of employment opportunities in a town or main settlement or the loss of an employment use that is important to the rural economy will be resisted. The Council will consider making exceptions to this only where there is clear evidence that the land or premises are no longer viable for an employment generating use and/or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.”

I have been seeking premises in Shrewton for my business for the past 5.5 years. There is currently nothing available. One new business in the village (the hairdressing salon on the High Street) could not find premises either and resorted to dividing floor space with another local business.

Shrewton residents have few employment opportunities. Local businesses are nominal. Local employment opportunities (mostly offered by local amenities) are limiting.

According to data produced by Wiltshire Council's Economic Intelligence Unit, Shrewton has a parish working age population of around 1100. Local amenities offer the equivalent full-time employment to around 50 people. Consequently, over 1000 residents are already forced to commute to work from Shrewton.

Shrewton has a pitiable bus service. The earliest an employee can arrive in Salisbury by bus is 8.30, the latest they can leave Salisbury is 5.40pm. Despite Shrewton being classified as coming within the economic area of Amesbury, there is one bus a day between Shrewton and Amesbury. This severely limits any employment non-driving Shrewton residents can seek; underlining their reliance on employment within their own village.

It is clear that the former Laundry premises are not suitable for employment use in their current state, but I believe that it would be deeply regrettable for the use of the site to be transferred to residential as there is a clear requirement for more employment opportunities in the village.

2. Social housing requirement

A housing needs survey for Shrewton is currently underway, the results of which will be available after 22 May 2013. Shrewton is often referred to by local estate agents as 'desirable'. The village is attractive to house purchasers. Consequently, house prices are above the national average meaning that long-standing residents are forced out of the housing market in the village because they simply cannot afford to buy a house there.

It is clear that Shrewton does not need any more luxury housing. Shrewton needs more affordable or retirement housing to prevent further driving out the current residents and their families who cannot afford to live here. Retired individuals, young single people, young families and those on low incomes are forced out of the village, resulting in Shrewton becoming a commuter village.

The dwellings being proposed for this site are imposing, luxury houses with double garages. Two of the houses include pillars in their design. I would suggest that this is not in keeping with the current outlook of the village, nor does it serve the needs of local people. In the Wiltshire Core Strategy Pre-Submission Document published in February 2012:

“People, Places and Priorities: Wiltshire Community Plan 2011 - 2026 sets an objective to: address the lack of affordable housing, including social housing and shared ownership opportunities, by building new housing, bringing empty homes back into use, and through any other means that may become available to meet housing need.

6.40 This means building the right homes in the right places at the right time in order to develop more balanced communities where people can live and work locally. It's also critical that new housing developments provide for the necessary services and infrastructure to create thriving communities, and that they are built to high environmental standards and are well designed. It is also vital that a significant proportion of new housing is affordable. New jobs must be aligned to the delivery of new homes otherwise we are in danger of encouraging more commuting and congestion on roads and consequential environmental harm, as well as increased maintenance on Wiltshire's highway network leading to increased liability for the council and the taxpayer. Only by delivering both homes at the right price and a range of job opportunities can young people in Wiltshire be retained and the long term development of the economy supported. At the same time, the right kind of housing is needed for the ageing population."

<http://www.wiltshire.gov.uk/wiltshire-core-strategy-pre-submission-document-with-bookmarks-february-2012> (accessed 22.04.2013)

3. Flood risk assessment

The Environment Agency website states that the area of the laundry is:

What is the likelihood of flooding from rivers or the sea in my area?



View current flood warnings in this area

What does 'significant' mean for me?

Very Important: Be prepared!

The location you have selected is in an area that has a significant chance of flooding. The chance of flooding each year is greater than 1.3% (1 in 75). This takes into account the effect of any flood defences that may be in this area, whether or not these are currently illustrated on the Flood Map.

Flood defences reduce but do not completely remove the likelihood of flooding and can be over topped or fail in extreme weather conditions.

As per the site: <http://maps.environment-agency.gov.uk/wiyby/wiybyController?ep=query&floodrisk=1.4&lang=e&topic=floodmap&floodX=406944&floodY=144439> Accessed 22.01.2013.

Despite the lengthy document attached to the plans regarding flooding, it must be highlighted that therein, at paragraph 3.2.1 Fluvial Flood Risk: "The EA does not hold modelled flood data for the River Till and there is no gauged data available within the catchment".

Shrewton's flood warden has provided the following table as illustration of the unreliability of the River Till's flow:

Year	Start flow	Dry up	Month													
			Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec		
2008	Nov 28	-														
2009	Dec 13	June														
2010	-	July														
2011	Mar 02	June														
2012	May 31	-														
2013																

<http://www.shrewton.com/parish-council/flooding-in-shrewton/ups-and-downs-of-the-river-till/> Accessed 22.04.2013.

Unless accurate data is used for the models suggested, the flood risk assessment cannot be taken seriously. Can I also draw your attention to the flood marker at the boundary of the proposed development which shows a flood height roughly equal to the ceiling height of the ground floor of the adjacent property?

The pictures of the water courses contained in the report show the water course as being empty. These should be compared with photographs of the area in January 2013, when the river burst its banks and Elston Lane was filled with over a meter of flood water at worst, and impassable at times to vehicles. Flood warning signs are still evident in this area on 23rd April 2013.

The report accessed as above, also states: "It cannot however accurately calculate or map what happens to the water when it comes out of banks (i.e. a flood event resulting in overland flow)". Much of the water in this area of the River Till is derived from overland flow from existing higher ground, particularly around the Elston area, which is not mentioned in the report.... further underlining the guesswork on which this report is based.

4. Overlooking of existing properties

With regard to the plans that have now been drawn, I would like to underline the differences between the plans submitted in 2011 and the current submission and also the apparent anomalies contained therein. The original Design and Access Statement stated in paragraph 4.47 " Given the distance between the site boundary and the facing elevation of Winterbourne House, it is unlikely that the scheme would give rise to any overlooking of the private amenity space, provided any elevation facing Winterbourne House is located over 20m away from the existing building. In addition, should windows be proposed above the 1st floor, these should ideally be roof lights".

The plans pay no regard to this and currently, as per paragraph 4.20 of the new access statement, Winterbourne House will be overlooked by the new properties. A window is clearly shown on the current plans, directly overlooking Winterbourne House, in contradiction to the statement at paragraph 5.16 which 'anticipates' that Winterbourne House will not be overlooked. Are design plans not an exact science? The agent did not answer my question on this subject, and these newly submitted plans actually show an even higher level of overlook to our property and others.

The application makes no reference to the fact that the existing buildings form our garden boundary wall. The demolition of these buildings will have a massive impact on our property and will destroy the

vegetation which has been lovingly tended in this border. We would like to know what proposals will be made to minimise our inconvenience.

5/ Anomalies in the application form

The design statement states that "The northern elevation of the building is approximately 10m from the intervening boundary of the site, which is formed by either the end elevation to buildings on the application site or a 2.4m high larch-lap panel fence". The drawn plans actually show a 1.8m high fence. The planners refused to answer the question as to how high they actually intend the fence to be. It is also interesting to note that on the application form the net loss of full time employees is stated as 3, not the true figure of 14. I questioned the planners about this anomaly, but they chose not to reply. It is of great concern that, even at this early stage, the detail in the documentation is incorrect. In conclusion, the application as submitted is fundamentally flawed and should be withdrawn or refused planning consent.

I have faith in the fact you will appreciate these vital discrepancies and trust in Wiltshire Council's policies to ensure they will not be overlooked. I look forward to your comments and remain at your disposal should you wish to discuss any of the above points.

Agenda Item 7f

Plan List Item 4 13/01220/OUT - Outline Application for proposed new cemetery with vehicular access from The Avenue (resubmission of S/2012/0815) At Land North West of The Avenue, Salisbury, Wiltshire. SP2 9PS

Dear Sir/Madam.

REF: PLANNING APPLICATIONS: 13/01220/OUT AND 13/01223/OUT

We hope you will place the below before the Planning Committee as we are one of the principal users of this facility.

I refer to Application 13/01223/OUT and 13/01220/OUT in respect of the two proposed sites for a new cemetery to serve Salisbury and Wilton.

The situation with regard to Cemetery land is becoming desperate for Salisbury, there being little space available in either Salisbury cemeteries or the cemetery in Wilton.

Of the two sites, the one to the East of The Avenue would seem to us to be the better of the two, it being closer to the Park & Ride site and facilities available at Wilton. If, however, this site does not prove to be acceptable then we would welcome the second site, i.e. land to the North West of The Avenue. With the exception of access by public transport, there is little to segregate the two sites in our opinion.

We very much hope that the Planning Committee will be able to approve one, or both, of these sites in order that plans may be undertaken as rapidly as possible so that we may have a new cemetery, certainly by the middle of 2014.

Yours sincerely,

IAN NEWMAN
I N NEWMAN LTD

Funeral Directors
55 Winchester St
Salisbury
SP1 1HL

Agenda Item 7g

Plan List Item 5 13/01223/OUT - Outline Application for proposed new cemetery with vehicular access from The Avenue At Land East of the Avenue, Salisbury, SP2 9PS

Applicant's comments

The table below shows the trees to be removed:

Tree Number	Category	Reason
T15, T17, T18, T19	A	To facilitate visibility splay
T16, T20 – Part of G27 and G29	B	To facilitate visibility splay
H23, Part of G22, Part of G21	C	To facilitate visibility splay

This totals 6 x trees for removal, 4 x trees for removal in part and 1 x hedge to be removed in part.

Some of the trees present have been considered as groups notably G27, G29, G22 and G21 which are to be removed in part. G27,29,22 and 21 been considered as a group in accordance with BS5387:2012 *Trees in relation to design, demolition and construction*, which states:

4.4.2.3 Trees growing as groups or woodland should be identified and assessed as such where the arboriculturist determines that this is appropriate. However, an assessment of individuals within any group should still be undertaken if there is a need to differentiate between them, e.g. in order to highlight significant variation in attributes (including physiological or structural condition).

NOTE The term "group" is intended to identify trees that form cohesive arboricultural features either aerodynamically (e.g. trees that provide companion shelter), visually (e.g. avenues or screens) or culturally, including for biodiversity (e.g. parkland or wood pasture), in respect of each of the three subcategories (see 4.5).

It is of the opinion of our arboriculture consultant that recording trees as 'individuals' within these groups and recording the exact number of trees to be removed has no real benefit as the trees are relatively young, therefore the Root Protection Areas are pretty much the same throughout, with no real variation in attributes within the groups (see BS detail above). The value is of the group itself as "a cohesive arboricultural feature", we therefore propose that mitigation for its partial loss will be provided through the provision of a cohesive arboricultural feature elsewhere within the site rather than on a tree for tree basis, negating the need to identify each individual tree within the groups to be lost.

Councils Tree's officers comments

I visited site this afternoon.

The groups of trees are generally young or poor quality and could be replaced relatively easily by new planting (electricity cables run through the avenue at this point and pruning has taken its toll). I do not see any real merit in requesting further information regarding the exact number to be removed – provided new planting is secured by condition to provide further screening/a new avenue.

The mature Beech and Oak to the south of the entrance, which are shown to be removed, will be a significant loss to the amenity of the area. However, one of the Oaks is poor quality and all the Beech have significant defects or poor form. Many of the mature Beech in this avenue are in fairly poor condition and several seem to fall or lose large limbs in high winds each year.

One Oak is a fine specimen and it appears to be in good condition (T19) – although covered in Ivy (which prevented a thorough inspection). It would be a shame to lose this tree but I don't think it warrants a refusal for the whole scheme.

Agenda Item 7h

**Plan List Item 6 13/01284/FUL - Conversion of existing end of terrace 4 bedroom house to form 2 dwellings (1 x 2 bed terrace house and 1 x 1 bed end of terrace house)
At 12 Middleton Road, Salisbury, Wiltshire, SP2 7AY**

Members should note that the informative included in the report has been put on in error and does not form part of the officer recommendation for this application.