

## SOUTHERN AREA PLANNING COMMITTEE

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### DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 JANUARY 2014 AT SOUTH WILTS GRAMMAR SCHOOL FOR GIRLS, STRATFORD ROAD, SALISBURY, WILTSHIRE, SP1 3JJ.

#### **Present:**

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

#### **Also Present:**

Cllr Dr Helena McKeown, Cllr John Noeken and Cllr John Smale

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#### **1 Apologies for Absence**

Councillor Brian Dalton gave apologies that he would be late to arrive for the meeting. Councillor Dalton arrived at 18:15.

#### **2 Minutes of the Previous Meeting**

The minutes of the meeting held on 28 November 2013 were presented for consideration. It was,

#### **Resolved:**

**That subject to the inclusion of an informative on the provision of a footpath in relation to Minute 129 - 13/03515/VAR: Milford House Nursing Home, Salisbury, SP1 1NJ - to APPROVE as a correct record and sign the minutes.**

#### **3 Declarations of Interest**

There were no declarations.

#### **4 Chairman's Announcements**

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

It was also announced that there would be a change in the agenda order, with application 13/05892/FUL: 18c Firs Road, Firsdown, Salisbury, to be taken as the first planning application to be considered.

## 5 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

Three related questions had been received beyond the deadline for which a written response could be provided at the meeting. The questions were detailed as below, with written answers to be provided with the agenda for the next meeting.

- 1) Can you please ensure that all submitted documents are downloaded on the file. There is at least one application on the agenda this evening that has included only a fraction of the Parish Council response?
- 2) If the Ward Councillor calls an application in to Committee can the call-in and the reasons behind it be flagged up on the website in a timely manner?
- 3) If an application has been subject to a pre-app and the applicant refers to that pre-app in the D & A and/or on the application forms can the content of that pre-app be published on site and referred to in the agenda report?

Councillor Jose Green also delivered a comment from a parish council within her Division about concerns regarding inconsistent decisions on planning matters, and requested parishes be updated regarding any plans to arrange training for parish councils.

## 6 **Planning Appeals**

The committee received an update on recently received appeal decisions as detailed in the agenda.

## 7 **Salisbury Conservation Area Appraisal and Management Plan**

The Senior Planning Officer (Conservation) presented a report which recommended the Salisbury Conservation Area Appraisal and Management Plan be presented to Cabinet for approval with the support of the Southern Area Planning Committee, and approving the disaggregation of the Conservation Area into four parts, as detailed in the report.

The process of producing the plans beginning with surveys conducted in 2007 was detailed, and it was explained that the plans had been utilized by the planning service for some time, but as they were still in draft form they currently had limited weight.

A discussion followed, where it was confirmed that most of the work for the plans had been conducted in 2008, and then updated in 2012. It was also stated that it could not be confirmed when or if the document would be updated in future, but additional consultation would need to take place should any changes become necessary and be proposed.

It was further confirmed that proposals for Article 4 Directions - the removal of certain householders' permitted development rights - needed to undergo a separate legally prescribed consultation, and therefore had not been included in the Plans at this stage.

There were also queries about the document's integration with the Salisbury Public Realm Strategy and to confirm that Salisbury City Council had been consulted on the Plans.

After debate, it was,

**Resolved:**

**That the City of Salisbury, Britford, Milford Hill and Old Manor Hospital Conservation Area Appraisals and Management Plans be presented to Cabinet with a recommendation to approve the document, including the proposed boundary changes to the conservation area.**

**8 The Wiltshire County Council (Sheet SU 14 NE) Rights of Way Modification Order No. 11 2006 (Milston restricted Byway No. 16)**

**Public Participation**

Mr Andrew Smith spoke in objection to the proposed Order.

The Definitive Map and Highways Record Team Leader introduced a report on The Wiltshire County Council (Sheet SU 14 NE) Rights of Way Modification Order No. 11 2006 (Milston restricted Byway No. 16), for which relevant objections had been received and which would therefore need to be forwarded to the Secretary of State for the Environment, Food and Rural Affairs for determination.

Members of the Committee then had the opportunity to ask technical questions of the officer, where in response to queries it was stated the Council could not remain neutral on the proposed Order.

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

The Local Member, Councillor John Smale, then requested the matter be deferred for arrangement of a site visit by the Committee.

A debate followed, where the weight of evidence in the report was assessed, and whether it met the requirement of showing the route had been in use for a 20-year period.

After discussion, it was,

**Resolved:**

**That the Wiltshire County Council (Sheet SU14 NE) Rights of Way Modification Order No. 11, 2006 (Milston Restricted Byway No. 16) is**

**forwarded to the Secretary of State for Environment, Food and Rural Affairs for determination with the recommendation that the Order be confirmed with the modification to the Order map to show the Restricted Byway to be added by a broken line and small arrowheads.**

## 9 **Planning Applications**

Attention was drawn to the late list of observations and representations, as well as alterations to reports, provided at the meeting and to be made available on the council website.

## 10 **13/05892/FUL: 18c Firs Road, Firsdwn, Salisbury, SP5 1SQ**

### Public Participation

Mrs Joan Curtis spoke in objection to the application.

Mr Damian Gutteridge spoke in objection to the application.

Mr Brian Edgeley, Firsdwn Parish Council, spoke in objection to the application.

The Area Development Manager introduced a report which recommended that permission be granted. Key issues for the proposal included the impact on the surrounding area.

Members of the Committee then had the opportunity to ask technical questions of the officer, where it was confirmed that the proposed dwelling was higher than a previous proposal which had been refused by the Committee, but officers considered that the conditions detailed in the report were sufficient to mitigate previous concerns.

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

The Local Member, Councillor Christopher Devine, then spoke in objection to the application.

A debate followed, where the level of development in the area and the scale of the proposed dwelling were felt to have an unacceptable impact on neighbouring and wider amenity.

After discussion, it was,

### **Resolved:**

**That the application be REFUSED for the following reason:**

**The proposal, by reason of the increase in size of the dwelling and the resulting intensification in its use as a larger house, would result in an over-development of the site, to the detriment of the character and amenities of the area. Furthermore, the additional bulk created by the increase in size would result in an overbearing impact on neighbouring**

**properties. This is contrary to Policies D3 and G2 of the Salisbury District Local Plan (which are saved policies of the South Wiltshire Core Strategy).**

11 **13/01494/FUL: Tesco and Avon and Riverside Houses, 21-25 Castle Street, Salisbury, SP1 1TT**

Public Participation

Mrs Karen Rogers spoke in objection to the application.

Mrs Mary Webb spoke in objection to the application.

Mr Tony Negal spoke in objection to the application.

The Planning Officer introduced a report which recommended that approval be granted. It was confirmed the proposals involved the demolition and replace the current buildings, with a similar brickwork façade, and that key issues included the principle of the proposed retail outlet and hotel for the area, the impact on the character and appearance of the area, impact on noise and local amenity and highways considerations.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought about tree planting on the site.

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

The Local Member, Councillor Dr Helena McKeown, then spoke in objection to the application.

A debate followed, where the inelegant design of the proposal was considered, as well as the extent to which the proposals could regenerate the area. The impact of the hotel on local businesses or the nearby Maltings site was raised, in addition to problems of access and bringing more cars into the centre of Salisbury.

After debate, it was,

**Resolved:**

**That Planning Permission be GRANTED 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 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.

- 3 No development shall commence on site until a scheme of acoustic insulation for the purposes of preventing and controlling the emission of noise from all externally mounted plant and equipment, including a timetable for implementation has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the approved details and shall be maintained at all times in accordance with the approved details thereafter.

**Reason:** In the interests of the amenities of the area.

- 4 No development shall commence until a scheme for the discharge and control of fumes, gases and odours from the supermarket and hotel, including a timetable for implementation has been submitted to and approved in writing by the local planning authority. The approved scheme shall be implemented in accordance with the approved details and shall be maintained at all times thereafter.

**Reason:** In the interests of the amenities of the area.

- 5 No development shall commence until a Construction Environmental Management Plan, incorporating pollution prevent measures, including a timetable for implementation has been submitted to and approved in writing by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

**Reason:** To prevent pollution of the water environment.

- 6 If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until the developer has submitted a remediation strategy to the local planning authority detailing how this suspected contamination shall be dealt with and obtained written approval from the local planning authority. The remediation strategy shall be implemented as approved.

**Reason:** To protect controlled waters from pollution, by potential land contaminants being revealed and disturbed by construction.

**7 No development shall comment on site (including any works of demolition) until a Construction Method Statement, has been submitted to and approved in writing by the local planning authority. This shall include the following:**

- a) The parking of vehicles of site operatives and visitors;**
- b) Loading and unloading of plant materials;**
- c) Storage of plant and materials used in constructing the development;**
- d) The erection and maintenance of security hoarding;**
- e) Wheel washing facilities;**
- f) Measures to control the emission of dust and dirt during construction;**
- g) A scheme for recycling/disposing of waste resulting from demolition and construction works;**
- h) Hours of construction, including deliveries;**
- i) Routing of construction traffic.**

**The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the local planning authority.**

**Reason: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general and the natural environment through the risks of pollution and dangers to highway safety during the demolition and construction phases of the development.**

**8 No development shall commence until a Service Management Plan has been submitted to and approved in writing by the Local Planning Authority for the retail use. The agreed Service Management Plan shall be implemented in accordance with the agreed details.**

**Reason: To ensure that adequate provision is made within the site to accommodate service vehicles in the interests of highway safety.**

**9 The hotel development hereby approved shall not be first brought into use until a Service Management Plan has been submitted to and approved in writing by the Local Planning Authority for the retail use. The agreed Service Management Plan shall be implemented in accordance with the agreed details.**

**Reason: To ensure that adequate provision is made within the site to accommodate service vehicles in the interests of highway safety.**

**10 No development shall commence until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for the retail use. The agreed Waste Management Plan shall be implemented in accordance with the agreed details.**

**Reason: to ensure facilities are provided for the source separation and storage of different types of waste for recycling and or composting.**

- 11 The hotel development hereby approved shall not be first brought into use until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority for the retail use. The agreed Waste Management Plan shall be implemented in accordance with the agreed details.**

**Reason: to ensure facilities are provided for the source separation and storage of different types of waste for recycling and or composting.**

- 12 The car parking spaces and access roads thereto shown on the approved drawings shall be completed prior to the occupation of the development land uses for which they are intended.**

**Reason: To ensure that adequate provision is made for parking within the site in the interests of highway safety.**

- 13 The development hereby approved shall not be occupied until details of the cycle parking spaces and a timetable for implementation of these spaces have been submitted to and approved in writing by the local planning authority and shall be implemented in accordance with the approved details.**

**Reason: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car in the interests of sustainable development.**

- 14 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.**

- 15 No walls of the development hereby permitted shall be constructed until a sample wall panel, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall demonstrate the face bond of the brickwork and the mortar mix and finish and pointing style and shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.**

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



- 16 No development shall commence on site until details of the position, design, external appearance and decorative finish of all railings, fences (including the replacement fencing to the carpark), gates, walls, bollards and other means of enclosure have been submitted to and approved in writing including a timetable for implementation by the Local Planning Authority. Development shall be carried out in accordance with the approved details and the agreed timetable for implementation (including the removal and replacement of the palisade fencing to the car park).**

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

- 17 No development shall commence on site until large scale details (1:10 scale) of all window types (including elevations and sections of the windows, head, sill and window reveal details) and rainwater goods 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.**

- 18 No development shall commence until a method statement detailing how the brickwork facades to the Castle Street elevation will be retained has been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.**

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

- 19 No development shall commence until details of the shopping trolley storage area (which shall be within the footprint of the building) have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.**

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

- 20 No development shall commence until a scheme of water efficiency measures to reduce the water consumption of the replacement retail store and hotel has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented and thereafter retained in accordance with the approved details.**

**Reason: In the interests of the conservation of water and energy resources.**

- 21 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.**

- 22 The window glass in the ground floor Castle Street and Riverside elevation frontages shall be clear glass (unless otherwise marked on the approved plans) and shall not be painted or otherwise obscured.**

**Reason: To safeguard the appearance and character of the shopping street in the interests of visual amenity and the character and appearance of the area.**

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

**Plan reference: M1112/121D Proposed Ground Floor Plan, received by this office 23/10/2013**

**Plan reference: M1112/120C Proposed Site Plan, received by this office 23/10/2013**

**Plan reference: M1112/122D Proposed Mezzanine Floor Plan, received by this office 23/10/2013**

**Plan reference: M1112/123D Proposed Second Floor Plan, received by this office 23/10/2013**

**Plan reference: M1112/124D Proposed Third Floor Plan, received by this office 23/10/2013**

**Plan reference: M1112/125B Proposed Roof Plan, received by this office 23/10/2013**

**Plan reference: M1112/131B Proposed North and South Elevations, received by this office 23/10/2013**

**Plan reference: M1112/132C Proposed Section, received by this office 23/10/2013**

**Plan reference: M1112/127C Proposed Elevations in context (with the exception of the Castle Street Elevation which is amended by M1112/128D), received by this office 21/11/2013**

**Plan reference: M1112/128D Proposed Castle Street Elevation, received by this office 02/12/2013**

**Plan reference: M1112/129C Proposed Riverside Elevation, received by this office 21/11/2013**

**Plan reference: M1112/130C Proposed Southern Boundary Elevation, received by this office 21/11/2013**

**Plan reference: M1112/133C Remaining Elevations, received by this office 21/11/2013**

**Plan reference: M1112/135A Section and Elevation Details – River Frontage 01, received by this office 21/11/2013**

**Plan reference: M1112/137A Section and Elevation Details – East Facing Hotel 01, received by this office 21/11/2013**

**Plan reference: M1112/139A Section and Elevation Details – River Frontage 01, received by this office 21/11/2013**

**Plan reference: M1112/140A Section and Elevation Details – River Frontage 02, received by this office 21/11/2013**

**Plan reference: M1112/136A Section and Elevation Details – River Frontage 02, received by this office 21/11/2013**

**Plan reference: M1112/138A Section and Elevation Details – East Facing Hotel 02, received by this office 21/11/2013**

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

#### **INFORMATIVE: Materials**

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

#### **INFORMATIVE: Protected Species**

**Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species, work should STOP immediately and the applicant's or the council's ecologist should be contacted on 01225 718458 for advice on how to proceed.**

#### **INFORMATIVE: Permission not authorising work on land outside the applicant's control & party wall act**

**The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.**

#### **INFORMATIVE: Advertisement consent required**

**This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.**

**INFORMATIVE: Wiltshire Fire & Rescue**

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

**INFORMATIVE: Environment Agency**

***Construction Environmental Management Plan***

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

Wheel washing

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:

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

***Flood Risk***

The site lies within very close proximity of the River Avon, designated a 'main' river. The proposal includes extensive demolition works, prior to major construction works, within close proximity to the river. It is important the works are carried out in a sensitive manner, and do not adversely impact on the river corridor.

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws the prior written consent (Flood Defence Consent) of the Environment Agency (EA) is required for any proposed works (permanent or temporary), including demolition works, or structures in, under, over or within 8 metres of the top of the bank of the River Avon, designated a 'main' river. The need for this consent is over and above the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258 483 421 to discuss the scope of EA controls, and to obtain an application form.

**INFORMATIVE: Highways**

The applicant should make contact with the Area Highway Engineer with regards to protecting pedestrians using the footway across the site frontage as a footway closure may be required.

A recess took place from 2005-2010

12 **S/2012/1603/S73: Stonehenge Campsite, Berwick St James, Salisbury, SP3 4T**

Public Participation

Mr Paul Grant, applicant, spoke in support of the application.

The Planning Officer introduced a report which recommended that permission be granted. Key issues included details of a planning appeal decision as detailed in the agenda papers, and the acceptability of the revised lighting scheme that had been submitted.

Members of the Committee then had the opportunity to ask technical questions of the officer, where clarity was sought on the views of the light consultant, and that for previous refusals the presence of uplighting had been a principle concern, and these were no longer proposed.

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 detailed some of the local concerns over the number of lights proposed for the site.

After discussion, where the need for site visits in relation to future applications with similar issues was raised, it was,

**Resolved:**

**That Planning Permission be APPROVED subject to the following conditions:**

- 1 The development shall be carried out strictly in accordance with the approved plans (Site location Plan, Planning application plan: PV 316/WFG/TA, Landscape Plan 2010 and drawing WGDP 01).**

**Reason: For the avoidance of doubt.**

- 2 The land notated as "Campsite/Red Land" on drawing WGDP 01 shall only be used to accommodate a maximum of 15 caravans on any day of the calendar year.**

**Reason: To protect the visual amenity and character of the area and also help to safeguard the living conditions of nearby dwellings.**

- 3 No amplified music to be played or broadcast at any time on any day of the calendar year on the land notated "Campsite/Red Land" or land notated as "Rally Fields/Blue Land" on drawing WGDP 01.**

**Reason: To prevent noise and disturbance to nearby residents of the site.**

- 4** No music to be played after 2300 hours on any day of the calendar year on the land notated Campsite/Red Land” or land notated as “Rally Fields/Blue Land” on drawing WGDP 01.

**Reason:** To prevent noise and disturbance to nearby residents of the site at unsociable hours.

- 5** The use of the land for tented camping shall be strictly limited to that part of the site within the area notated as “Rally Fields/Blue Land” on drawing WGDP 01 and shall be used only in connection with the use of the area notated as “Rally Fields/Blue Land” as a whole. No caravans, motorhomes, campervans or other vehicle or structure adapted for human habitation which would fall within the definition of a caravan shall be stationed or parked on this land, which shall not be used for any camping other than for tented camping purposes between 19th March and the 30th September inclusive within any calendar year. That part of the application land within the area notated “Rally Fields/Blue Land” on drawing WGDP 01 shall be used only in connection with the use of the area notated as “Rally Fields/Blue Land” as a whole for a maximum of 20 tents on any day within the time period specified above, save for 10 days when a maximum of 100 tents and also a maximum of 40 tents on 14 additional days can be stationed within the period prescribed above. For the avoidance of any doubt, any day or part thereof when a tent or tents are stationed on the land or when activities incidental to camping are continuing (for example, the stationing of portaloos) is to be regarded as a day’s use for the purposes of this condition.

**Reason:** To protect the visual amenity and character of the area and also help to safeguard the living conditions of nearby dwellings.

- 6** Notwithstanding the provisions of any Class of the Schedule to Town and Country Planning General Permitted Development Order 1995 (or any order revoking and re-enacting that order with or without modification), there shall be no stationing of any tents on any part of the land other than on the area referred to as Rally Fields/Blue Land on drawing WGDP 01 or within the approved caravan site, and there shall be no stationing of caravans outside of the approved caravan site.

**Reason:** To protect the visual amenity and character of the area and also help to safeguard the living conditions of nearby dwellings.

- 7** A maximum of 10 fire pits shall be permitted within the land notated as Rally Fields/Blue Land on drawing WGDP 01 within the site and no other fires (excluding domestic barbecues and domestic garden/maintenance fires) shall be lit within any part of the site.

**Reason:** To prevent noise and disturbance to nearby residents of the site.

- 8** The applicant/site manager shall keep an up-to-date written record of all persons visiting the site for the purposes of recreation and the number of caravans and tents there on any day. The written record shall be maintained made available to the local planning authority for inspection at reasonable notice.

**Reason:** To support the other conditions.

- 9** There shall be no vehicular access and egress to and from the land used for tented camping from the southernmost vehicular access to the site (adjacent to Over the Hill).

**Reason:** To safeguard the living conditions of the occupants of Over the Hill

- 10** All external lighting shall be carried out in accordance with the approved Lighting Condition 10 Plan dated 3<sup>rd</sup> October 2013, received by this office on 7<sup>th</sup> October 2013 and Condition 10 External Lighting Schedule dated 3<sup>rd</sup> October 2013, received by this office on 7<sup>th</sup> October 2013.

Downlighter units numbered 1, 2 and 4 on the External Lighting Schedule for sign illumination shall be mounted so that they are angled into the site and away from the roadway.

Downlighter units numbered 3, 7, 8, 9, 10, 11,12,13,17, 36, 37, 38 & 39 on the External Lighting Schedule shall be mounted with the bottom surface/the source of illumination parallel to and not more than 1m high above ground level.

Wall mounted and bollard light units numbered 5, 6, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31 & 32 on the External Lighting Schedule shall be mounted to not exceed 1m high above existing ground level.

Wall mounted downlighter units numbered 33 and 34 on the External Lighting Schedule shall be mounted with the bottom surface/the source of illumination not more than 2m high above ground level.

All lights shall be on timers to switch off at 10pm.

The lighting hereby approved shall be installed in accordance with the agreed details and maintained as such thereafter. Any existing lights already installed shall be amended to be in accordance with the agreed external lighting scheme as detailed above within 3 months of the date of this decision.

Other than those agreed, there shall be no further lighting of the site, unless otherwise agreed through a new planning permission.

**Reason:** In order to safeguard visual amenity.

**11 All landscaping shall be carried out in accordance with the Stonehenge Campsite Landscape Management Plan 2009-2014 (dated 10th October 2012, reference WFG/TA/10.10.11) and the Detailed Planting Proposals 2009-2014 (dated 16/11/2012, reference 390-11 Rev A) accompanying planning application S/2012/1777 subject to the following amendments:**

**a) Paragraphs 5.4, 5.5 and 5.6 are replaced as follows:**

**The first phase will be undertaken at some point between years 2 and 5 (where year 1 is 2009). The first phase will include removal of the 6 individual conifers along the eastern part of the boundary and 9 of the trees in the solid tree belt. This will open up gaps in the existing planting, allowing light in and allowing the establishment of broadleaf species.**

**In the longer term (that is, between years 10 and 12 unless otherwise agreed in writing by the local planning authority), the remaining conifers will be removed and the gaps will be planted with further broadleaf woodland planting.**

**b) Paragraph 5.12 which refers to the woodland mix and the associated table is amended to exclude the use of non-native species of Corsican Pine, Larch, Thuja or Evergreen Holm Oak (*Quercus ilex*) or Scots Pine (*Pinus Sylvestris*). Where already planted, these shall be removed within 3 months of the date of this decision, with the exception of the 10 Scots Pine (*Pinus Sylvestris*) already planted which shall be removed by 31st March 2018.**

**c) The planting key on the Detailed Planting Proposals plan is amended to exclude the use of non-native species of Corsican Pine, Larch, Thuja or Evergreen Holm Oak (*Quercus ilex*) or Scots Pine (*Pinus Sylvestris*). Where already planted, these shall be removed within 3 months of the date of this decision, with the exception of the 10 Scots Pine (*Pinus Sylvestris*) already planted which shall be removed by 31st March 2018.**

**The approved landscape management plan shall be implemented in full in accordance with the approved timetable.**

**Reason: To ensure adequate landscaping in order to safeguard visual amenity.**

**12 The approved alarm system that has been fitted to the cesspit providing warning against overflowing, and was agreed in writing by the local planning authority on the 21st October 2011 shall be retained and maintained.**

**Reason: To help prevent pollution to watercourses.**

**13 The visibility splays of 4.5m x 75m across the site frontage measured from the centre line of the access adjacent to the**



**northern site boundary shall be maintained permanently free obstruction above a height of 300mm.**

**Reason: In the interests of highway safety.**

13 **13/04963/FUL: 2a and 4 Earls Court Road, Amesbury, SP4 7NA**

Public Participation

Miss Ruth Underwood spoke in objection to the application.

Ms Julie Edwards spoke in objection to the application.

Mr Johnnie Johnson spoke in objection to the application.

Mr Richard Greenwood, agent, spoke in support of the application.

The Area Development Manager presented a report which recommended that the application be delegated to the Area Development Manager to approve, subject to the signing of a Section 106 legal agreement to secure financial contributions as detailed in the report. Key issues were stated to include the principle of further residential development on the site, the impact on the character of the area and residential amenity, highway safety and archaeological concerns.

It was explained the application was for five dwellings in groupings of two and three, with ten parking spaces allocated at one end of the development. A previous application for six dwellings and a higher ridgeline had been refused.

Members of the Committee then had the opportunity to ask technical questions of the officer, where details were sought on the materials to be used, the wall to the rear that lay adjacent to a public footpath and nearby listed buildings.

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

The Local Member, Councillor Fred Westmoreland, then spoke regarding the application, detailing the complexity of some of the concerns regarding the design, access and principle of the application, but that on balance it was suitable.

A debate followed, where the location of the parking spaces to one side of the dwellings was raised as a potential design issue, and the overall character of the area assessed to determine if the proposed dwellings would unduly impact it. The scale of the proposed dwellings and whether this was appropriate was also discussed.

After debate, it was,

**Resolved:**

**To delegate to the Area Development Manager to APPROVE, Subject to the applicant entering into a Section 106 agreement requiring financial contributions towards affordable housing and recreation provision, and 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 section 51(1) of the Planning and Compulsory Purchase Act 2004.

2. Before development is commenced, a schedule of materials and finishes, and, where so required by the local planning authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

**Reason:** To ensure that the building is appropriately detailed

3. Prior to commencement of the development hereby approved full details of the “new trellis privacy fence between 1.8m and 2.4m high” and the “new retaining wall” shown on drawing no. 0776/02A dated 09/2013 shall be submitted to the local planning authority for approval in writing. The details shall include plans of the design and appearance of the fence and wall and, in the case of the fence, its method of fixing. The fence and wall shall be erected/constructed prior to first occupation of any of the houses, and both shall be retained and maintained in place thereafter.

**REASON:** The application contains insufficient detail to enable assessment of the fence and wall at this time. The fence is necessary to ensure the privacy of neighbouring properties is safeguarded.

4. Prior to erection of the sheds shown on drawing no. 0776/02A dated 09/2013 details of their design and appearance shall be submitted to the local planning authority for approval in writing. The sheds shall then be erected in accordance with the approved details.

**REASON:** The application contains insufficient detail to enable assessment of the sheds at this time. Assessment is necessary to ensure the design of the sheds would not have a detrimental impact on amenity.

5. No works, including demolition works, shall commence until a report providing the results of a bat survey undertaken by an independent ecologist has been submitted for local planning authority approval. The report will include the findings of a phase 1 bat survey and any subsequent phase 2 surveys deemed necessary by the ecologist, provide details of any necessary mitigation measures and recommend whether a Natural England licence is required for works

to proceed. The works will be undertaken in accordance with the recommendations of the approved report.

**REASON:** To safeguard protected wildlife species.

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

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

7. 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 window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the side elevations or roofslopes of the development hereby permitted.

**REASON:** In the interests of residential amenity and privacy.

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 construction works or deliveries shall take place on Sundays or public holidays or outside the hours of 8.00am and 6.00pm weekdays or 8.am to 1.00pm on Saturdays.

**REASON:** In the interests of neighbouring amenities- Policy G2

10. No burning of waste shall take place on the site during the demolition or construction phase of the development.

**REASON:** In the interests of residential amenity.

11. This development shall be in accordance with the submitted drawings:

- 0766/01 rev D, dated September 2013 and received to this office on 07/11/13
- 0766/02 rev A, dated September 2013 and received to this office on 09/10/13
- 0766/03 rev A, dated September 2013 and received to this office on 09/10/13
- 0766/04 rev A, dated September 2013 and received to this office on 09/10/13

**REASON:** For the avoidance of doubt.

12. Prior to commencement of the development hereby approved a scheme shall be submitted to the local planning authority indicating how surface water will be managed on site to prevent run-off from the car parking court on to the public highway. The scheme shall be implemented as approved prior to first occupation of any of the new houses and retained thereafter.

**REASON:** To ensure appropriate management of surface water in the interests of amenity and highway safety.

13. **INFORMATIVE:**

There is a risk that reptiles such as slow worms or grass snakes could occupy the application site. These species are protected by the Wildlife and Countryside Act 1981 (as amended) and planning permission does not provide a defence against prosecution under this Act. In order to minimise the risk of these species occurring on the site, the developer is advised to clear vegetation by hand. If these species are found during the works, the applicant is advised to stop work and follow advice from an independent ecologist.

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 and planning permission does not provide a defence against prosecution under this Act. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. The season is usually taken to be the period between 1<sup>st</sup> March and 31<sup>st</sup> August but some species are known to breed outside these limits.

- 14 **13/04200/FUL: Lyvers Farm, Lyvers Lane, East Grimstead, Salisbury, SP5 3RX**

Public Participation

Mr Nigel Lilley, agent, spoke in support of the application.

Mr Anthony Cooper, applicant, spoke in support of the application.

Mr Robert Amor, East Grimstead parish Council, spoke in objection to the application.

The Area Development Manager presented a report which recommended that permission be granted. Key issues were stated to include the principle of the development in its location, design and impact and highway safety.

Members of the Committee then had the opportunity to ask technical questions of the officer, where it was confirmed that demolition of existing structures was a part of the application.

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

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

A debate followed, where whether the site was in a sustainable location in the open countryside as required by national policy was raised, along with concerns regarding affordable housing contributions.

After debate, it was,

**Resolved:**

**That Planning Permission be REFUSED for the following reasons:**

- 1. The application site lies within an unsustainable location in open countryside. The proposal, to clear the site and erect a large detached house and outbuilding for unrestricted occupation, comprises inappropriate and unsustainable development in the open countryside as a matter of principle. Furthermore, the domestication of the site as a consequence of the erection of the dwelling and the laying out of a garden with associated domestic paraphernalia would detract from the visual amenities and essentially pastoral character of the area. This is contrary to Policies G1, G2(iv), C2 and H23 of the Salisbury District Local Plan (which are 'saved' policies in the South Wiltshire Core Strategy), Policy CP1 of the South Wiltshire Core Strategy, and the National Planning Policy Framework (paragraph 55).**
- 2. The application site has previously been used for uses falling within Class B1 and/or has extant consent for uses falling within Class B1 and Class B8. Policy CP5 of the South Wiltshire Core Strategy seeks to protect sites such as this which provide employment opportunities. As the site is considered to be appropriate for continued employment use and as it has not been demonstrated that the site is no longer viable for any other employment use following genuine and sustained attempts to sell or let it, its use for non-Class B1 and B8 would be detrimental to the economic objectives of the Core Strategy, and more specifically, would be contrary to Policy CP5.**

**INFORMATIVE:** The applicant is advised that reason no. 2 would be addressed in the event of a satisfactory planning obligation being

**submitted, and it is acknowledged that the applicant is agreeable to this. The reason for refusal is necessarily imposed to enable the matter to be taken into account by an inspector in the event of an appeal. The reason would be withdrawn when the obligation is provided at that time.**

**15 Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 10.20 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](mailto:kieran.elliott@wiltshire.gov.uk)

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