

Southern Area Planning Committee

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 29 JUNE 2023 AT THE PUMP ROOM - THE OLD FIRE STATION ENTERPRISE CENTRE, 2 SALT LANE, SALISBURY, SP1 1DU.

Present:

Cllr Andrew Oliver (Chairman), Cllr Sven Hocking (Vice-Chairman), Cllr Trevor Carbin, Cllr Brian Dalton, Cllr George Jeans, Cllr Ian McLennan, Cllr Nabil Najjar, Cllr Bridget Wayman and Cllr Rich Rogers

Also Present:

Cllr Pauline Church

168 **Apologies**

Apologies were received from:

- Cllr Charles McGrath
- Cllr Sam Charleston

169 **Minutes of the Previous Meeting**

The minutes of the meeting held on 1 June 2023 were presented.

Resolved:

To approve as a correct record and sign the minutes.

170 **Declarations of Interest**

There were no declarations.

171 **Chairman's Announcements**

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

172 **Public Participation**

The committee noted the rules on public participation.

173 **Planning Appeals and Updates**

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

It was;

Resolved:

To note the appeals report.

174 **Application Number:PL/2023/02118 - Land at Netherhampton Farm, Netherhampton, Salisbury, SP2 8PU**

Public Participation

Mr Dan Roycroft (Agent) spoke in support of the application

Mr Rob Hibberd (Applicant) spoke in support of the application

The Senior Planning Officer, Becky Jones, introduced a report which recommended that the application for the demolition of an existing building (unit 3) and erection of a detached 5-bedroom dwelling with associated landscaping be refused.

Key details were stated to include the principle for development and site history for approved scheme, evolution of the scheme and the impact on the character and setting of the Conservation Area, other material planning considerations affecting the site and the planning balance.

The application had generated no response from the Parish Council and one letter of objection from the Salisbury Conservation Area Panel.

The application, an earlier 2018 approval for a conversion, and details of how the scheme had evolved were explained in the presentation.

Members of the committee then had the opportunity to ask technical questions of the officer. It was clarified that the term 'model farm' was a 19c term for a specific type of farm layout, such as the one in the application.

The definition of 'less than substantial' was explained by the officer as still harming the asset but not as a complete loss.

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

The unitary division member, councillor Pauline Church who was not on the Committee, then spoke in support of the application.

For openness, Cllr Church stated that she was a Wilton Estate tenant and also provided flowers from her business on occasion to the show home at the site. She went on to note that there had been no objections from the parish council or statutory consultees. In addition, the proposals had been carefully designed

with a strong focus on quality, to sensitively replicate the layout of the original model farm. The planned pond and planting would support biodiversity.

The site was stated as being unused and derelict for over 20 years and there had never been an intention to dismantle the buildings, however this could not now be avoided. There were also another nineteen completed units on the farm.

If the building was converted it would not be able to achieve a warranty due to the issues identified with the ground.

As Cllr Church was not on the Committee, Cllr Sven Hocking moved the motion of Refusal. This was seconded by Cllr George Jeans.

The Committee sought clarification on the matter of a warranty, which it was noted was not a planning policy consideration.

The Committee then discussed the application, main points included the high level of quality and design to the units which had already been developed on the site, the conservation officer comments and the lack of objection by the statutory consultees.

The Committee then voted on the motion of refusal, in line with Officer recommendation.

The motion failed.

Cllr Hocking then moved the motion of approval with conditions. The Officer was asked to present suitable conditions to the Committee. The conditions which had been applied to the permission for the other units on the site were read to the Committee. Cllr Hocking supported the list of conditions proposed by the Officer.

This motion and the conditions as read were seconded by Cllr Rich Rogers.

The Committee then discussed the application further, with consideration given to the evidence as set out in the report which supported the need for demolition, parking spaces and conditions.

The Committee then voted on the motion to approve with conditions as read by the Officer.

It was;

Resolved

That planning permission for application PL/2023/02118 be granted with the following conditions:

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

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

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

**Proposed Site Plan ref 220034 -220-Rev A
Unit 3 Proposed Floor Plans and Elevations ref 220032 -220-Rev C
Unit 3 Proposed Site Plan ref 220031 -220-Rev B
EXTERNAL WORKS CONSTRUCTION BUILD-UPS ref SL07414-HBPW-00-ZZ-DR-C-0400 rev C1**

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

3.The access road, including any footpath and turning space, shall be constructed to ensure that, before the dwelling is occupied, it has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

4.The dwelling shall not be occupied until the parking space(s) together with the access thereto, have been provided in accordance with the approved plans.

REASON: In the interests of highway safety and the amenity of future occupants.

5.The dwelling shall not be occupied until visibility splays have been provided between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres in both directions. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 600mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

6.The development shall not be occupied until the traffic calming measures for the access road to meet 20mph zone guidance have been implemented in full in accordance with the Condition 6 document, by Hibberd development company, received on 14 December 2022 (under PL/2021/10665) and drawing EXTERNAL WORKS CONSTRUCTION BUILD-UPS ref SL07414-HBPW-00-ZZ-DR-C-0400 rev C1.

REASON: In the interests of highway safety.

7.The development shall be carried out in accordance with the submitted flood risk assessment (Ref: Rev.E, dated April 2018) including the following mitigation measures detailed in paragraph 3.8 of the FRA:

There shall be a finished floor level minimum of 50.93mAOD for the dwelling hereby approved.

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

8. The development hereby permitted shall not be occupied until provision for foul and surface water sewage disposal have been provided for the dwelling.

REASON: To ensure that the development is adequately served by foul and surface water drainage.

9. There shall be no ground raising/infilling of land within the area delineated as 'Flood Zone 2 boundary' (all land below 50.5 metres AOD).

REASON: To prevent increased flood risk elsewhere.

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

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment for the River Avon within which this development is located. This condition also contributes to sustainable development and meeting the demands of climate change. Increased water efficiency for all new developments enables more growth with the same water resources.

11. Bat roosts and mitigation (bat lofts and access tiles as shown on Figs E3a and E3b) shall be incorporated into the development in accordance with the Natural England licence ref 2019-43334-EPS-MIT as subsequently modified, before the development is occupied.

REASON: In the interest of protected bat species.

12. The development shall be undertaken in accordance with the nesting bird mitigation: Recommendations Section 6 in the Bat and Bird Mitigation Survey by Ecology Solutions dated November 2020 ref 8382.BBSMR.vf1.

Any new lighting installed within the site or on the building shall comply with the Bat Conservation Trust's Bats and artificial lighting in the UK Guidance Note 08/185.

Any mitigation for nesting birds (bird terraces and bird boxes) shall be installed on the exterior of the building and onto retained trees in accordance with plan ref ECO9 in the Bat and Bird Mitigation Survey by Ecology Solutions dated November 2020 ref 8382.BBSMR.vf1.

Any nesting boxes and terraces shall be installed before there is any occupation of the dwelling hereby approved and shall be maintained in perpetuity.

REASON: In the interest of protected species and wider ecology constraints and to ensure that bat boxes are not subject to significant light levels. To offer new

nesting opportunities for local bird populations and to secure biodiversity net gain for the site in accordance with the NPPF.

13. All existing trees shown to be retained shall be protected during development in accordance with the Tree Protection Plan (DRG No.WCM/SSR/WE/NF/TP/1 dated 10/12/17 and WCM/SSR/WE/NF/RTP/1 dated 10/12/17 showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837.

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

REASON: In the interests of tree preservation, in the interests of landscape amenity and to provide continued foraging and commuting opportunities for bats.

14. The approved landscaping scheme (Landscape Design May 2020 by Landform Consultants Ltd) shall be carried out in the first planting and seeding season following first occupation of the building(s) or the completion of the development, whichever is the sooner within that particular phase; 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.

REASON: in the interests of landscape amenity.

15. The development hereby permitted shall be completed in accordance with the Water Efficiency Statement Jan 2020 by Atlas Planning Group.

REASON: In the interests of sustainable development and climate change adaptation.

16.The construction/demolition phase of the development will be carried out fully in accordance at all times with the Construction Management Plan by Hibberd Development Co Ltd Unique No 675/001 Rev 3 dated 23/01/20 (received 23/1/20) and agreed in writing by the Local Planning Authority on 26/2/20

REASON: In the interests of amenity.

17.No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays and no burning of waste or other materials shall take place

on the development site during the demolition/construction phase of the development

REASON: In the interest of neighbouring amenity.

18. The development hereby approved shall be carried out in accordance with the details in the application hereby approved (namely stone and cladding for the walls and slate for the roof) and the details in the email from Atlas Planning Ltd dated 29/3/21 which states that:

- all reclaimed and serviceable stone from the original buildings shall be reused in the reconstruction of the dwellings hereby approved. Any reused ashlar stone shall be supplemented with new matching stone where required and finished with narrow joints to match the existing adjacent buildings where appropriate.

Reason: To ensure a harmonious form of development and to ensure that stone and stone features reclaimed from the site are re-used in the development in the interests of the character of the Conservation Area and to retain heritage features of interest as part of the final development.

19. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), 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.

20. The dwelling hereby approved shall not be occupied until a scheme of Ultra Low Energy Vehicle infrastructure has been provided on the site. The scheme shall be retained for the lifetime of the development.

Reason: Core Policy 55 Development proposals, which by virtue of their scale, nature or location are likely to exacerbate existing areas of poor air quality, will need to demonstrate that measures can be taken to effectively mitigate emission levels in order to protect public health, environmental quality and amenity.

Informatives

Safeguards should be implemented during the construction phase to minimise the risks of pollution of the river and watercourse from the development. Such safeguards should cover:

- the use of plant and machinery**
- wheel washing and vehicle wash-down**
- 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.**

WILDLIFE AND COUNTRYSIDE ACT

Recent surveys have identified evidence for water voles and otters along the north boundary watercourse. The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place.

Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

175 **Application Number: PL/2022/08374 - 26 Firs Road, Firsdwn, Salisbury SP5 1SQ**

Public Participation

Mr Brian Edgeley spoke in objection to the application

Mr David Smith spoke in objection to the application

Mr Alan Wood spoke in support of the application

Catherine Purves, Clerk to Firsdwn Parish Council spoke in objection to the application.

The Senior Planning Officer, Julie Mitchell, introduced a report which recommended that the application for the construction of a single storey detached dwelling and associated PTP together with provision of replacement PTP for existing dwelling be approved subject to conditions.

Key details were stated to include:

1. Principle of development
2. Character of the area
3. Residential amenity
4. Highway issues
5. Drainage
6. Ecology (Nitrates)
7. Other issues raised

A previous permission was granted in 2019, this had now lapsed, but was noted as a consideration, as was broadly of the same design, with a different position to the boundary. The boundary was made up of wall and fence with existing access on to a highway which would be maintained and used.

Members of the committee then had the opportunity to ask technical questions of the officer. There were no technical questions.

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

The Parish Council representative, spoke in objection to the application, noting that the proximity of new development to the junction and bus stop would create a lack of clear sight line, hindering the use of the utility boxes which were sited

opposite the development site, and vehicles parking on the site would not be able to turn to exit, but would need to reverse out on to the junction.

The unitary division member, Councillor Rich Rogers, who was on the Committee then spoke in objection to the application and noted his concern over highways safety and the negative impact on the character of Firsdawn.

Cllr Rogers stated that although the previous application on the site had been approved, he believed there to have been a flaw with some of the information at that time.

The site access, close to the proximity of the road junction was stated as a significant risk to motorists and pedestrians, with part of the pavement regularly in use as a bus stop.

Firs Road was reported as being used as a thoroughfare for traffic accessing the A30, with evidence of speeding.

Cllr Rogers noted that although the application proposed 2 parking spaces, he believed that a single vehicle would have difficulties using the space available.

Cllr Rogers moved the motion of refusal against Officer recommendation stating the reasons as CP2, CP57 and CP61.

This was seconded by Cllr Nabil Najjar.

The Committee then discussed the application, the main points included that the site had previously been granted planning permission, the distance of yellow lines on the road and the bus stop to the junction were not considered to be directly on the junction. The position of the proposed dwelling in relation to the street scene, and the driveway of the property on the opposite side of the junction were compared.

The Committee then voted on the motion of refusal for the reasons stated above. The motion failed.

Cllr Brian Dalton then moved the motion of approval in line with Officer recommendation, this was seconded by Cllr Bridget Wayman.

The Committee noted that there were no objections by Highways.

The Committee then voted on the motion of Approval, in line with Officer recommendation.

It was;

Resolved

That planning permission for application PL/2022/08374 be granted, subject to the following conditions:

Conditions: (12)

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

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

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

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

- 3 No development shall commence above ground floor slab level until the exact 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.

- 4 The proposed package treatment plants and associated drainage fields shall be installed, maintained and operated in accordance with the submitted specification and details hereby approved, namely the Rewaltec Solido Smart system. Any subsequent replacements shall have an equivalent or improved performance specification. The package treatment plants and drainage fields shall be installed, connected and available for use before the new dwelling is occupied and shall be maintained and operated thereafter for the lifetime of the development.**

REASON: To provide ongoing and adequate nutrient mitigation for the Solent Protected Sites catchment for the life of the development and to ensure that any future PTP is of an equivalent or improved standard.

- 5 The overnight development hereby approved shall be designed to ensure it does not exceed 110 litres per person per day water consumption levels (which includes external water usage) and a water efficiency assessment should be submitted. Before the development is brought into use, a water efficiency report certifying that this standard has been achieved shall be submitted to the local planning authority for its written approval.**

REASON: To ensure compliance with the prevailing mitigation strategy for nutrient neutrality in the water catchment within which this development is located.

- 6 The development hereby permitted shall not be occupied until the whole of the boundary treatment over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 600mm above the nearside carriageway level, and maintained as such thereafter.**

REASON: In the interests of highway safety.

- 7** The development hereby permitted shall not be occupied until the first 5m of the access, measured from the edge of the carriageway and/or whole of the parking area, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 8** No part of the development hereby permitted shall be occupied until the access & parking area have been completed in accordance with the details shown on the approved plans. The areas shall always be maintained for those purposes thereafter and maintained free from the storage of materials.

REASON: In the interests of highway safety.

- 9** Notwithstanding the submitted details, the proposed development shall not be occupied until means/works have been implemented to avoid private water from entering the highway.

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

- 10** The vehicle access and parking area shall remain ungated.

REASON: In the interests of highway safety.

- 11** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), 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.

- 12** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted above ground-floor ceiling height.

REASON: In the interests of residential amenity and privacy.

- 13** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no 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 visibility.

- 14 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no 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.

Informatives: (6)

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

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

The applicant is advised that, if it is proposed to drain this development directly into the river or carry out any work within 8 metres of the watercourse then a Land Drainage Consent is required from the Environment Agency. For further information see www.environment-agency.gov.uk

A non-mains sewerage system is proposed. Primary responsibility for ensuring sewage systems for new developments are adequate lies with the Building Control Department. We would recommend you satisfy yourself that a non-mains sewerage system is appropriate and practicable in the circumstances taking into account ground water conditions throughout the year and need for compliance with Building Regulations. For further guidance see the National Planning Practice Guidance "Water supply, wastewater and water quality". Any installation of a Package Treatment Plant also needs to meet approval of the Environment Agency's requirements under their permitting role.

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

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

176 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 4.12 pm)

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

Press enquiries to Communications, direct line 01225 713114 or email communications@wiltshire.gov.uk