

Southern Area Planning Committee

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 23 JUNE 2022 AT THE GUILDHALL, MARKET PLACE, SALISBURY, WILTSHIRE, SP1 1JH.

Present:

Cllr Sven Hocking (Vice-Chairman, standing in as Chair), Cllr Sven Hocking (Vice-Chairman, in the Chair), Cllr Trevor Carbin, Cllr Brian Dalton, Cllr Ian McLennan, Cllr Bridget Wayman, Cllr Rich Rogers and Cllr Graham Wright (Substitute)

96 **Apologies**

Apologies were received from:

- The Chairman, Cllr Andy Oliver – Vice-Chairman Cllr Sven Hocking chaired the meeting in his absence.
- Cllr George Jeans – who was substituted by Cllr Graham Wright
- Cllr Nick Errington
- Cllr Nabil Najjar
- Cllr Charles McGrath

97 **Minutes of the Previous Meeting**

The minutes of the meeting held on 1 June 2022 were presented.

Resolved:

To approve as a correct record and sign the minutes.

98 **Declarations of Interest**

There were none.

99 **Chairman's Announcements**

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

100 **Public Participation**

The committee noted the rules on public participation.

101 **Planning Appeals and Updates**

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

Resolved

That the appeals update be noted.

102 **Planning Applications**

103 **APPLICATION NUMBER: PL/2022/00560 - 27 The Oakbournes, Bishopdown**

Public Participation

Karen Stokes (Applicant), spoke in support of the application
Trudi Dean spoke on behalf of Laverstock & Ford PC

The Planning Officer, Tom Collins, presented the application for the single storey front extension.

The Officer summarised an update from Laverstock & Ford parish council to reiterate its objection.

The application was recommended for Approval with conditions, as set out in the report attached to the agenda.

Material considerations detailed in the report included:

- Principle of development
- Scale and design, impact to character and appearance of area
- Neighbour amenity

It was noted that the dwelling was set back from the neighbouring property and road with a mix of styles of architecture along the Streetscene. The extension would be shielded by the side gable of the neighbouring property.

Members then had the opportunity to ask technical questions of the Officer, where the position of the proposed extension was clarified in relation to the neighbouring properties.

Members of the public as detailed above, then had the opportunity to speak on the application.

The applicant would require disabled adaptations to her property in the future, having the proposed extension would enable her to continue living in her home in the ground floor rooms. The extension was of a similar size to two other dwellings in the neighbourhood and not considered to be detrimental to the neighbouring properties

The parish council representative noted its objection based on the large scale to the front of the property, the sloping nature of the site and over development of the plot.

Local Member Cllr Ian McLennan spoke on the application noting the already built large extension at the rear, the affected view of the other neighbouring properties, amounting to a loss of amenity.

He drew attention to the covenant which applied to the estate but noted that it was a civil matter and not a planning consideration.

Cllr McLennan then moved the motion of Refusal for the reasons as stated. This was seconded by Cllr Dalton.

The Committee discussed the application, the main points included clarification from the presentation slides on the extent of the extension in comparison to the side wall of the neighbouring property. The support of the neighbour subject to conditions was also noted.

After discussion, the Committee voted on the motion of Refusal. The motion failed.

The Chairman, Cllr Hocking then moved the motion of Approval in line with Officer recommendation, subject to the conditions set out in the report.

This was seconded by Cllr Wayman.

An amendment to add a condition restricting the hours of construction was made by Cllr Dalton this was supported by Cllr Hocking and Wayman.

The Committee voted on the motion of Approval with the added condition to restrict the hours of construction, as set out by the Officer.

It was,

Resolved:

That application PL/2022/00560 be Approved in line with Officer recommendation, 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 hereby permitted shall be carried out in accordance with the following approved plans:

Site Location plan – no reference

Block Plan – no reference

Existing and proposed plans and elevations ref 21/1716/01 Rev B

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

3. Materials shall be as shown on the approved plans and application form.

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

4. No construction work (excluding the internal fitting out of the extension) shall take place outside the hours of 08.00 –18.00 Monday to Friday, 0800 – 1300 on Saturday and at no time on Sundays and Bank holidays.

REASON: In order to protect the residential amenity of the adjoining residents.

104 **APPLICATION NUMBER: PL/2022/01048 - Land Adjacent to 2 Old Sarum Cottages, Portway, Old Sarum, SP4 6BY**

Public Participation

Caroline Everette (Agent) spoke in support of the application

Trudi Dean spoke on behalf of Laverstock & Ford PC

The Senior Planning Officer, Lynda King, drew attention to the late correspondence circulated at the meeting, giving a summary of the content before presenting the application for the erection of 4 terraced dwellings with parking, amenity areas and a new access road.

There were no objections from the statutory consultees, however Ecology, had requested an amended condition, and Highways, had requested a southern drop kerb be included.

The application was recommended for Approval with conditions, as set out in the report and late correspondence.

Material considerations detailed in the report included:

- Principle
- Highway safety
- Drainage
- Layout
- Impact on residential amenities of adjacent commercial operation

It was noted that it was a brown field site, just outside of the urban area, suitable for redevelopment.

The land sloped down at the rear, with a section of the site to be retained for continued use as a coach business, with office and parking. A section of coach parking would be removed, and the two existing dwellings would be retained.

The proposal was of a contemporary design, in keeping with the other development on the Old Sarum development. It was noted that the site would not be particularly visible from the road.

There was existing approval for a development of 6 dwellings, granted in 2021.

Members then had the opportunity to ask technical questions of the Officer, where it was clarified that the previously granted permission for 6 dwellings was still valid. If this application was granted, the applicant would have the option to build either permission.

The footpath between plots 1 and 2 would allow access to the rear of the properties.

Electric charging points were included on each of the new parking spaces as well as on the spaces for the existing two properties.

The current application was for four 3 bed units, whereas the previously approved was for six 4 bed units.

Members of the public as detailed above, then had the opportunity to speak on the application, some of the main points related to the design, quality of materials, retained employment use, protection of the amenity area, comparison to other local mixed-use sites.

It was noted that the flooding concerns raised related to fields which were in the ownership of a local farmer, and not part of the development site.

The Laverstock & Ford parish council representative spoke in objection, noting flooding, access, design, and the impact of mixed use on residents.

The statement of Local Member Cllr Andy Oliver, who had given apologies, was read by Cllr Hocking. It focused on the areas of objection which had been put forward by Laverstock & Ford PC, which were noise, design, safety, and flooding.

Cllr Hocking then moved the motion of refusal for the reasons given above. This was seconded by Cllr Mclennan.

The Committee then discussed the application where it was noted that the reasons for refusal had been addressed by means of the conditions.

The provision of a zebra crossing, for 4 dwellings was advised as unlikely, as it was not within the power of the applicant to agree to.

The Committee then voted on the motion of refusal. The motion failed.

Cllr Wayman then moved the motion of approval, in line with Officer recommendation. This was seconded by Cllr Wright.

With no further discussion, the Committee voted on the motion of approval with conditions.

It was,

Resolved:

That application PL/2022/01048 be Approved, 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 hereby permitted shall be carried out in accordance with the following approved plans:

Proposed location and block plan – Drw. No. P20-033 02-02-003 Dated Jan 2022, received on 9th Feb 2022

Proposed Site Plan – Drw. No P21-090 02-02-004A dated Jan 2022, received on 24th March 2022

Proposed Elevations Plot 1 – Drw. No. P21-090 02-02-001 Dated Jan 2022, received on 9th Feb 2022

Proposed Elevations Plots 2 – 4 – Drw. No. P21-090 02-05-002 Dated Jan 2022, received on 9th Feb 2022

Proposed Bin/Bike stores – Drw. No. P21-090 02-05-003 Dated Jan 2022, received on 9th Feb 2022

Proposed Floor Plans Plot 1 – Drw. No. P21-090 02-03-001 Dated Jan 2022, received on 9th Feb 2022

Proposed Floor Plans Plots 2 and 3 – Drw. No. P21-090 02-03-002 Dated Jan 2022, received on 9th Feb 2022

Proposed Floor Plans Plot 4 – Drw. No. P21-090 02-03-003 Dated Jan 2022, received on 9th Feb 2022

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

3) No development shall commence above slab level on site 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in

an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4) The dwellings hereby approved shall not be occupied until the Building Regulations Optional requirement of maximum water use of 110 litres per person per day has been complied with.

Reason: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation (SAC).

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

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

6) 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.

7) The development shall only be carried out in accordance with the approved Drainage Documents
4288-SARU-13-001-BR-01.001-Infiltration Rate
4288-SARU-ICS-01-XX-P02 Storm Simulations
4288-SARU-ICS-01-XX- M2-C-0205-P01-S2_ Exceedance Routing
4288-SARU-ICS-01-XX- M2-C-0300-P01-S2_ Surface Finishes
4288-SARU-ICS-01-XX- M2-C-0100-P01-S2_ Levels Design
4288-SARU-ICS-01-XX- M2-C-0200-P02-S2_Drainage Design
and the Surface Water Drainage Strategy contained within it.

REASON: To ensure that the development can be adequately drained without increasing flood risk to others.

8) No development shall commence within the area indicated within the red line of the application site (2021/01048) 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to enable the recording of any matters of archaeological interest.

9) Prior to the commencement of any works, including ground preparation or vegetation removal, the details of the proposed biodiversity enhancement scheme, including the number, design and locations of bat roosts and opportunities for birds, hedgehogs and insects and hedgerow planting specification in accordance with the 'Ecology Report' KP Ecology, 1st June 2020, shall be submitted to the local authority for approval. The scheme shall be informed by the findings of an updated Extended Phase 1 Habitat Survey (dating no more than 24 months earlier than the scheme). The approved details shall be implemented before occupation of the final works. This condition will be discharged once photographic evidence of installed features has been submitted to and approved by the local planning authority.

REASON: To provide mitigation /enhancement for biodiversity.

10) Prior to first occupation at section of footway shall be provided across the site frontage (as per drawing P21-090 02-02-004), together with a dropped kerb opposite, in accordance with details which shall first be submitted to and approved by the LPA.

REASON: In the interests of sustainable travel.

11) No development shall commence on site 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 115 metres to the right (west) and 125 metres to the left (east) from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

Reason: In the interests of highway safety

12) 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.

13) No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces (including the parking spaces for Old Sarum Cottages) 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.

14) The development hereby permitted shall not be first occupied until the first 5m 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

15) Prior to the occupation of the first dwelling, details of the charging points infrastructure shall be submitted to and approved in writing by the local planning authority. No individual dwelling shall be occupied until the points have been installed in accordance with the approved details.

REASON: In the interests of reducing the carbon footprint of the development.

Informative

The development involves work to provide a new footway across the site frontage on land which is existing public highway. A S278 legal agreement is necessary with the Highway Authority to facilitate this work.

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.

The development hereby approved could be subject to the Community Infrastructure Levy. Wiltshire Council has now adopted a Community Infrastructure Levy (CIL) charging schedule. CIL is a charge that local authorities can place on new development in their area. The money generated through CIL will contribute to the funding of infrastructure to support growth.

More information and the charging schedule for CIL can be found using the following link:

<http://www.wiltshire.gov.uk/planninganddevelopment/dmcommunityinfrastructurelevy.htm>

105 **Urgent Items**

There were no urgent items

Late correspondence

(Duration of meeting: 3.00 - 4.05 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

Update Sheet for Southern Area Planning Committee Meeting
23rd June 2022

Item 7a - 2022/00560 27 - The Oakbournes, Bishopdown

Item 7b – 2022/01048 – Land adjacent 2 Old Sarum Cottages, Portway, Old Sarum

Additional Conditions proposed following consultation responses from WC Ecology and WC Public Protection

Ecology:- No objection in principle subject to the following conditions.

(Replaces condition 9 contained in the Committee Report)

1) No development or removal of trees or shrubs shall take place until full details of a Wildlife Protection and Enhancement Scheme have been submitted to and approved in writing by the local planning authority. These details shall be in accordance with the mitigation and enhancement recommended in Sections 6 and 7 of the Ecology Report prepared by (KP Ecology, 1 June 2020), and include:

(i) Details of proposed measures that will be taken to avoid harm to wildlife, including but not exclusively, nesting birds, reptiles and bats.

(iii) Quantification of biodiversity net gain provision.

(iii) A development drawing showing the location(s) and type(s) of feature(s) to enhance the site for birds, bats, hedgehog and invertebrates.

(iv) A development drawing showing the location of 50m of native hedge.

REASON: To avoid adverse impacts on biodiversity.

2) No new external artificial lighting shall be installed at the site unless otherwise agreed in writing by the local planning authority. The submitted strategy must demonstrate that artificial light will not be directed on retained and vegetated corridors at the western boundaries of the Site.

REASON: In the interests of conserving biodiversity.

Informative:

Bats

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost.

Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space.

Bat roosts are protected all times by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019 even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

Public Protection:- No objection in principle to the development subject to the following conditions.

1. 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 (including asbestos) 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 and any adjacent sites for at least the last 100 years and a description of the current condition of the sites 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 and the potential impact of any adjacent sites.

Step (ii) If the above report indicates that contamination may be present on, under or potentially affecting the proposed development site from adjacent land, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be 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 must be 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 any contaminants are remediated from the site prior to the development hereby approved commencing.

2. Prior to commencement of development an acoustic report shall be submitted to the LPA for approval in writing prior to implementation. The report shall demonstrate that the internal and external amenity standards of BS8233:2014 *Guidance on sound insulation and noise reduction for buildings (or any subsequent version)* and WHO *Guidelines for Community Noise* (1999) can be achieved within the development. The report must include full details of any scheme of mitigation required to achieve this which if approved must be implemented in full and maintained in that way in perpetuity.

In discharging this condition the applicant should engage an Acoustic Consultant. The consultant should carry out a background noise survey and noise assessment according to BS8233: 2014 (or any subsequent version) and demonstrate that internal and external noise levels will not exceed the guideline noise levels contained in Section 7.7 (table 4) of BS8233:2014. The report should also demonstrate that internal maximum noise levels in bedrooms will not normally exceed 45dB L_{Amax} between the hours of 23:00 and 07:00.

REASON: To ensure that the occupants of the dwellings hereby approved are safeguarded from any potential traffic noise.

3. No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 0800 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: In the interests of the amenities of nearby residents

4. No pressure washers shall be used on the adjoining coach parking area on the land outlined in blue on the approved plans after 18:00 and before 08:00 Monday to Sunday.

REASON: In the interests of the amenities of nearby residents

This page is intentionally left blank