

## Southern Area Planning Committee

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### MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 14 OCTOBER 2021 AT THE GUILDHALL, MARKET PLACE, SALISBURY, WILTSHIRE, SP1 1JH.

#### **Present:**

Cllr Richard Britton (Chairman), Cllr Sven Hocking (Vice-Chairman), Cllr Brian Dalton, Cllr Nick Errington, Cllr George Jeans, Cllr Ian McLennan, Cllr Nabil Najjar, Cllr Andrew Oliver, Cllr Rich Rogers and Cllr Robert Yuill (Substitute)

#### **Also Present:**

Cllr Paul Sample

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#### 21 **Apologies**

Apologies were received from:

- Cllr Charles McGrath who was substituted by Cllr Robert Yuill
- Cllr Andy Oliver

#### 22 **Minutes of the Previous Meeting**

The minutes of the meeting held on 19 August 2021 were presented.

#### **Resolved:**

**To approve as a correct record and sign the minutes.**

#### 23 **Declarations of Interest**

In relation to Item 7c – Application PL.2021.03958, it was noted that the Applicant Amanda Newbury was known to most of the Committee members due to her various roles within the community.

#### 24 **Chairman's Announcements**

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

#### 25 **Public Participation**

The committee noted the rules on public participation.

#### 26 **Planning Appeals and Updates**

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

**Resolved:**

**That the Appeals Report be noted.**

27

**Planning Applications**

28

**PL.2021.06492 - Land Adjacent to The Bowman Centre, Shears Drive, Amesbury, Wiltshire, SP4 7XT**

Public Participation

Samantha Covington spoke in objection to the application

A statement of Objection from Caroline Pollard was read by Samantha Covington

A statement of Objection from Michael Holloway was read by Samantha Covington

Simon Rutter (Agent) spoke in support of the application

Attention was drawn to additional information which had been published in Supplement 1 to the agenda, which detailed the Town Council objection and no objection from the MOD or Public Protection. One further letter of objection had been received and summarised and a revised recommendation was set out.

The Senior Planning Officer, Georgina Wright, presented the application which was for the erection of a new church with day nursery, on land adjacent The Bowman Centre, Shears Drive, Amesbury, Wiltshire, SP4 7XT.

The main issues which had been considered to be material in the determination of the application were listed as Principle, Character & Design, Neighbouring Amenities, Highway Safety, Waste Management, and Archaeology.

The site consists of one parcel within the local centre at the Kings Gate residential development, which was secured in line with the strategic allocation of the wider site as an urban extension to the Market Town of Amesbury.

The local centre which had been subdivided into a number of parcels, of which applications had been approved and, in most cases built out, for various uses on these parcels. This application involved the last remaining parcel (parcel D).

The Officer outlined two previous applications for the parcel of land, and the outcomes of those in 2016 and 2019. The amendments were shown and explained, these included additional car parking spaces on site and the use of additional public spaces around the site, and the height of the proposed building in comparison to the surrounding properties.

The application was recommended for Approval with conditions as set out in the report.

Members then had the opportunity to ask technical questions of the officer, where it was clarified that the remit for the site included use as a church so there was no requirement for a needs assessment.

The town council objection had been received in time, but had been missed off the original report, which was why it was later uploaded as an update (Supplement 1) to the agenda.

Conditions for ventilation, solar panels and electric charging points could be added if the Committee was minded to approve.

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

Some of the main points in objection were focused around the size and scale of the development. Parking issues associated with a large congregation travelling from Tidworth and Bulford and the impacts on the road network.

The suitability of the site for a development with an associated high footfall and whether the new application sufficiently addressed previous concerns.

Noise concerns relating to highly amplified singing and whether it would be intrusive to residents.

Some of the points in support included the intention for the church to be a part of the local community centre, the changes made to this application to address previous concerns, including a reduced footprint which was now further away from residents, reduced eaves and internal measures for sound absorption.

Local Member Cllr Yuill who was on the Committee as a substitute, spoke in objection to the application, noting points around an insufficient amount of parking spaces and the concerns of the Centre Management company which had also expressed concern around additional parking requirements.

The days and times which it was expected the church would be at its busiest and the clash with other local facilities and businesses which in turn would cause a congestion issue and a lack of parking, which he felt would cause inconsiderate parking and in turn would impact on access for the emergency services.

The impact on the Bowman centre which he stated had been intended to be the dominant building in the centre.

Whether the noise survey carried out in 2019 included the proposed air conditioning which he felt would increase to the noise levels, as would the nursery due to the proposed indoor and outdoor play areas.

He queried the ventilation plant, proposed to be contained in the building, with external vents, noting that air conditioning did not extract but instead cooled air already in the building.

Cllr Yuill then moved the motion of Refusal, against Officer recommendation on the grounds of lack of car parking, noise and Highway Congestion.

This was seconded by Cllr Rich Rogers.

The Committee was invited to discuss the application, the main points included the number of existing public car parking spaces, which were already in demand.

The size of the proposed church and that 60% of its congregation would commute from elsewhere to attend.

That there was an existing outline permission for the site.

Whether if approved a condition requiring the windows to be closed during singing sessions.

Members noted other similar situations where residents on new estates were opposed to development on green spaces even when a development plan was present which included clear intentions for development from the outset.

The application was for both a church and a day nursery and could not be considered separately.

The Highways Officer was in attendance and was able to explain how he had arrived at his position of no objection. The impact of the development was not accepted to be a significant impact on the Highway network.

The Bowman centre car parking was privately owned and could not be included for use by the church or nursery visitors.

The Committee then voted on the motion of refusal against officer recommendation, on the grounds stated above.

The motion was not carried.

The Chairman then moved the motion of Approval, in line with Officer recommendation, with additional conditions, and informatives as below:

#### Solar panels

- Electric charging point
- Solar Panels
- keeping doors shut
- Windows fixed
- Green travel plan

#### Informative:

- Air source heat pump

This was seconded by Cllr Hocking.

The Committee then voted on the motion of Approval with conditions.

It was:

**Resolved**

**To approve application PL.2021.06492 - Land Adjacent to The Bowman Centre, Shears Drive, Amesbury, Wiltshire, SP4 7XT, in line with Officer recommendation 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 the Planning and Compulsory Purchase Act 2004.**

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

**Application Forms & Certificate**

**Ref: D300 – Location Plan. Received – 25.06.2021**

**Ref: D311 – Site Layout With Context. Received – 13.10.2021**

**Ref: D302 – Ground Floor Plan. Received – 25.06.2021**

**Ref: D303 – First Floor Plan. Received – 25.06.2021**

**Ref: D304 – Roof Plan. Received – 25.06.2021**

**Ref: D305 Rev A – Elevations. Received – 25.06.2021**

**Ref: D306 – Elevations. Received – 25.06.2021**

**Ref: D307 – Site Sections A-A and B-B. Received – 25.06.2021**

**Ref: D308 – Site Sections C-C and D-D. Received – 25.06.2021**

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

- 3. No development shall commence above 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: 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. 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 & boundary treatments;**
- car park layouts;**
- other vehicle and pedestrian access and circulation areas;**
- all hard and soft surfacing materials;**

**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.

**5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.**

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

**6. No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being brought into use.**

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

**7. No development shall commence on site until a construction management plan has been submitted to and approved in writing by the**

local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- i. The movement of construction vehicles;
- ii. The cutting or other processing of building materials on site;
- iii. Wheel washing and vehicle wash down facilities;
- iv. The transportation and storage of waste and building materials;
- v. The recycling of waste materials (if any)
- vi. The loading and unloading of equipment and materials
- vii. The location and use of generators and temporary site accommodation

The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

**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 the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

8. No part of the development hereby permitted shall be first brought into use 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:** To ensure that adequate provision is made for parking within the site in the interests of highway safety.

9. The development hereby permitted shall not be first brought into use until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

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

10. No development shall commence on site until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

**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 road safety and reducing vehicular traffic to the development.

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

**REASON:** In the interests of neighbouring amenities

**12. 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 interests of neighbouring amenities

**13. The use of the Church/Worship part of the building hereby permitted shall only take place between the hours of 08:00 and 21:30 Monday to Friday and between the hours of 10:30 and 14:00 on Saturdays and Sundays.**

**REASON:** To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

**14. The use of the children's nursery part of the building hereby permitted shall only take place between the hours of 08:00 and 18:00 Mondays to Friday and not at all on Saturday and Sundays.**

**REASON:** To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

**15) Except for access and egress, all external doors shall remain closed during worship, choir practice and when other noise generating meetings or activities are taking place.**

**REASON:** To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

**16. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the**



**Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.**

**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 the amenity of the area.**

**17) Notwithstanding the approved plans, the detailed design of the building shall be designed and constructed so as to ensure that any reverberation from the approved use of the building does not exceed 0.8 second Tmf , as defined by table 6 of BB93 'Acoustic design of schools: performance standard'(Department of Education, 2015) and in line with the submitted acoustic report (Hayes Mackensie Partnership Ltd, Ref: 3278\_R03\_EXT2 and dated 03/08/2021).**

**REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.**

**18) All roof lights above the room labelled 'Main Hall' on the approved plans and windows in the North West elevation of the building hereby approved, shall be non-openable. The glazing detail and design of the fire exit door/s shall meet the specifications set out in S. 4.5-4.7 of the submitted acoustic report (Hayes Mackensie Partnership Ltd, Ref: 3278\_R03\_EXT2 and dated 03/08/2021).**

**REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.**

**19) Prior to occupation of the building hereby approved, an assessment of the acoustic impact arising from the operation of the air conditioning units shall be undertaken in accordance with BS 4142: 2019 and a scheme of attenuation measures to demonstrate the rated level of noise is 5dB below background for new plant or less than background and protective of local amenity, shall be submitted to and approved in writing by the Local Planning Authority. The background levels are to be taken as a 15 minute LA90 at the boundary of the nearest residential noise-sensitive receptors.**

**A post installation/occupation noise assessment shall be carried out within 3 months of occupation of the building hereby approved to confirm compliance with the noise criteria and additional steps required to achieve compliance shall be taken, as necessary in accordance with an approved timeframe. The approved attenuation measures shall be**

**maintained in accordance with the manufacturer specification and permanently retained in perpetuity.**

**REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.**

**20) Notwithstanding the approved plans, at least one electrical charging point shall be installed at the site and the roof shall be fitted with solar panels. Details of which shall be first submitted to and agreed in writing by the Local Planning Authority. The equipment shall be installed/fitted at the site in accordance with the approved details before the building is first brought into use and shall thereafter be retained and maintained in accordance with the manufacturer's specifications.**

**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 that the Council's sustainable development objectives are achieved.**

#### **INFORMATIVES**

**1) 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/communityinfrastructurelevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy).**

**2) This permission shall be read in conjunction with The Deed of Variation Legal Agreement (dated when agreed).**

**3) In discharging condition 19 the applicant should engage an Acoustic Consultant. The consultant should carry out a thorough background noise survey and noise assessment in accordance with**

**BS4142:2019 (or any subsequent version) and demonstrate that the rated noise level is 5dB below the background noise level.**

**4) The applicant shall consider every possible option for alternative heating of the building hereby approved including air source or ground source heat pumps**

29 **PL.2021.04201 - Land Previously Occupied by Alderbury Football Club**

Public Participation

Chris Harmon spoke in objection to the application

Nick Billington (Agent) spoke in support of the application

Cllr Elaine Hartford (Chair) spoke on behalf of Alderbury PC

Attention was drawn to additional information which had been published in Supplement 2 to the agenda, which detailed additional conditions and informative notes.

The Senior Planning Officer, Lynda King, presented the application which was for all outstanding Reserved Matters (appearance, landscaping, layout and scale) for the erection of 50 residential units, pumping station and replacement guide hut with associated infrastructure, parking, landscaping, open space and works, all pursuant to permission 17/04001/OUT.

It was noted that Highways was not a matter for consideration due to having been decided by the inspector at outline stage. In 2018 there had not been a 5-year land supply, this was still the case.

The main issues which had been considered to be material in the determination of this application were listed as Principle, Highway Safety, Drainage, Layout and House Design.

The site was a generally level area of open land to the west of Alderbury and West Grimstead Primary School and was bordered by Junction Road along it's western boundary and a footpath leading from Junction Road and Firs Road along it's southern boundary.

The land was currently used by Alderbury Football Club, along with the new facilities for the club on land immediately to the north of the site granted under ref no. S/2011/0029. The site also housed the existing Guide Hut, which would be replaced on a different section, as part of the proposals.

Access was also previously approved as part of the outline application.

The footpath was not part of the application site and therefore improvements to this could not be requested.

The proposals included a significant amount of contributions and the site was in a sustainable location on edge of the village. There was also an affordable housing contribution.

Members then had the opportunity to ask technical questions of the officer, where it was clarified that whilst the affordable housing on the site was under the usual 40% requirement, at 22%, this had been approved by the Inspector at the outline stage of the appeal.

The site was also liable for CIL at the usual contribution rate. The 106 had already been written and could not be added to at this stage.

An informative for the provision of fibre broadband to the properties could be added, should the Committee be minded to approve.

The provision of a pre-school was part of a separate application.

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

Some of the main points in support included the urban appearance in a rural landscape, excess water run-off.

Some of the main points in support included the changes made to alleviate concerns raised, including materials, a shared surface area, a more formal street layout, and a redesigned drainage scheme.

The Parish Council (PC) representative spoke in objection to the development on this greenfield site. Noting that of most concern was the safety of children and parents as the proposed access would bring hundreds of additional vehicle movements near the school and suggested the inclusion of drop-off and collection spots.

It was also disappointed with the design and layout, as it was felt to be an urban design which was incongruous and out of keeping with the local area.

Additional water discharge was suggested as a flooding risk to neighbouring properties. The site was also outside of the neighbourhood boundary.

Local Member Cllr Britton who was on the Committee, spoke in objection to the application, noting his frustration with the Inspectors view on Wiltshire Council not being able to demonstrate a 5-year land supply and having no regard to the site being outside of the settlement boundary. Permission had therefore been given for 50 houses on the site.

He aired frustration on Highways consideration of parking issues around the school, noting that the proposals would increase traffic directly in front of the school and that there was an egress pinch point which would result in a conflict at school drop and pick up times.

He noted that the applicant had taken on board the comments of the proposal being bland which had resulted in an improvement on the layout and appearance.

The site was in a greenfield setting and he share concerns around drainage in this notoriously boggy area, noting that experts had stated that the pumping station would solve the problem.

Issue comes down to whether the changes had mitigated the urban nature of the site.

Cllr Britton then moved the motion of Refusal, against Officer recommendation on the grounds of CP57 sec 1, 2 & 6 – in line with the comments made by the Urban Officer.

This was seconded by Cllr Hocking.

The Committee was invited to discuss the application, the main points included that school chaos could be experienced at every school, and the efforts to improve the appearance from what had previously been proposed was welcomed.

It was felt that if materials could not be obtained that then the applicant should not be permitted to use a substitute which was of a poorer quality, but instead a like for like replacement should be imposed.

The Committee then voted on the motion of Refusal against Officer recommendation for the reasons stated above.

The motion failed.

Cllr Jeans then moved the motion of approval in line with Officer recommendation, with the following additional conditions:

- External materials with like for like standards
- Provision of electric charging points
- Provision of Fibre optic broadband

Informative:

- To comply with relevant conditions on outline consent
- Heating system by heat pumps

This was seconded by Cllr Najjar.

There was no further debate, therefore the Committee then voted on the motion of Approval:

It was:

Resolved

To Approve application PL.2021.04201 – Land previously occupied by Alderbury Football Club, subject to the following conditions:

1) Approved plans

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

Site Layout Pegasus P19-1086\_13J J

Site Location Pegasus P19-1086\_14 B

House pack Pegasus P19-1086\_17

[see below for ref for each plan] N/A

[See below for rev]

Tenure Plan Pegasus P19-1086\_22E E

Guide Hut Pegasus P19-1086\_26 -

Street Scenes Pegasus P19-1086\_27 B

Materials Plan Pegasus P19-1086\_28 E

Open Space Plan Pegasus P19-1086\_16 C

HOUSETYPESEveleigh Floor Plans and elevations 42, 43 P19-1086\_29-Sheet-1 -

Eveleigh Floor Plans and Elevations 40, 41 P19-1086\_29-Sheet-2 -

Elmsie Floor Plans and Elevations 26,25 P19-1086\_29-Sheet-3 -

Elmsie/Eveleigh/Elmise Elevations 30 - 32 P19-1086\_29-Sheet-4 -

Elmsie/Eveleigh/Elmise Floorplans 30-32 P19-1086\_29-Sheet-5 -

Becket Floorplans and Elevations 10, 29 P19-1086\_29-Sheet-6

Becket Floorplans and Elevations 33 P19-1086\_29-Sheet-7 -

Becket Floorplans and Elevations 20,21,13

P19-1086\_29-Sheet-8 -

Mylne Floorplans and Elevations 28,34 P19-1086\_29-Sheet-9 -

Mylne Floorplans and Elevations 2, 35, 38,44, 3,36,39,45 P19-1086\_29-Sheet-10 -

Pembroke Floorplans and Elevations 11, 24 P19-1086\_29-Sheet-11 -

Knightley Floorplans and elevations 1,9,27 P19-1086\_29-Sheet-12 -

Knightley Floorplans and elevations 16 P19-1086\_29-Sheet-13 -

Knightley Floorplans and elevations 12,19,22 P19-1086\_29-Sheet-14 -

Knightley Floorplans and elevations 23,46 P19-1086\_29-Sheet-15 -

Knightly Floorplans and Elevations 37 P19-1086\_29-Sheet-16 -

Atkins Floorplans and Elevations 47, 48 P19-1086\_29-Sheet-17 -

Atkins Elevations 4-6 P19-1086\_29-Sheet-18 -

Atkins Floorplans 4-6 P19-1086\_29-Sheet-19 -

Asher Floorplans and elevations 7,15,8,14 P19-1086\_29-Sheet-20 -

Atkins/Asher Floorplans and Elevations 49/50 P19-1086\_29-Sheet-21 -

Garage Floorplans and Elevations See site layout P19-1086\_29-Sheet-22 -

1 External Levels Plan Ardent 2101520-002 B

2 Drainage Plan Ardent 2101520-003 B

4 Tracking Ardent 2101520-005 B

5 Geometry and Visibility Ardent 2101520-006 E

1 Soft Landscape Proposals Sheet 1 of 2 CSA 5477\_100\_D D

2 Soft Landscape Proposals Sheet 2 of 2 CSA 5477\_101\_D D  
3 Hard Landscape Proposals sheet 1 of 2 CSA 5477\_102\_D D  
4 Hard Landscape Proposals Sheet 2 of 2 CSA 5477\_103\_D D  
5 Landscape Masterplan CSA 5477\_104\_D D  
6 Ecological enhancements Plan CSA 5477/106 A  
3 Planning Statement (incorporating Affordable Housing Statement and SCI) Tetra Tech HP21007 - 784-B027568 - PS V2  
C7  
Arboricultural Impact assessment (incorporating tree survey and protection plan) Barton Hyett BHA\_4323\_AIA B  
8 Update Ecological Appraisal (Submitted 10.05.21) CSA CSA/5477/02 -  
9 Information to Inform Habitat Regulations Assessment (Submitted 10.05.21) CSA CSA/5477/01 –

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

2 The external materials to be used on the development hereby approved shall be in accordance with the Materials Plan (P19-1086\_28 rev E) unless materials of a similar standard are agreed in writing by the Local Planning Authority.

**REASON;** To allow for different suitable materials to be agreed in case those approved are unavailable.

3 The development hereby approved shall be undertaken in such a way as to ensure that 'fibre to the premises' broadband is available for connection to each of the new dwellings.

**REASON:** In the interests of the connectivity of the dwellings hereby approved and to ensure that later retro fitting of this facility is not required.

4 Provision will be made for the installation of Electric Vehicle Charging Points to serve each dwelling on the site.

**REASON:** To ensure that the development assists in meeting local and national carbon reduction targets by enabling residents to use electric vehicles

**Informatives:** (4)

5 This approval of matters reserved refers only to conditions 1, 7, 12, 14, of outline planning permission 17/04001/OUT dated 7th December 2018, but does not by itself constitute a planning permission.

6 The further approval of the Local Planning Authority in respect of those matters reserved by conditions 6, 8, 10, 13, 15, 16, of outline planning permission dated 7th December 2018 is required before development commences.

**7 Your attention is also drawn to the conditions imposed on the outline planning permission reference 17/04001/OUT and dated 07/12/2018 that still require to be discharged.**

**8 This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the 22nd November 2018.**

30 **PL.2021.03958 - 29 and 29A Brown Street, Salisbury, SP1 2AS**

Public Participation

Dr Roger Frost (Charter Court Management Company) spoke in objection to the application

Jonty Newbury spoke in support of the application

Amanda Newbury spoke in support of the application

Cllr Atiqul Hoque spoke in support of the application

Attention was drawn to additional information which had been published in Supplement 3 to the agenda, which detailed the response of the Environmental Health Noise Officer in relation to the requirement and position of the noise barrier.

The Planning Team Leader, Adam Madge, presented the application which was for Demolition of existing building with retention of existing façade with minor modifications and use of land as a hospitality area (Description revised following changes to the proposed frontage – previously “Demolition of existing building, erection of gates and railings as modification to front facade to facilitate use of land as a hospitality”). The application had been deferred at the last meeting to allow discussions to take place and a plan for a noise barrier to be formed.

The main issues which had been considered to be material in the determination of this application were listed as demolition of the existing building and impact on the Conservation Area, Principle of the proposed use, Impact on residential amenity and noise/disturbance.

Officer recommendation was for a noise barrier in a set location, of at least 4m in height.

Members then had the opportunity to ask technical questions of the officer, where it was clarified that the final specifications of the barrier were not yet determined, however a condition was suggested that approval of materials was delegated to Officers prior to the installation of the barrier. The noise barrier would also need to comply with any conditions relating to the conservation area.

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

Some of the main points in objection included that the closest dwelling was 35 yards. The application had been opposed as it was felt there would be



inadequate noise protection, however since the last meeting there had been discussions between the residents, the applicant and the Council to remedy the noise concerns.

Haze McKenzie were appointed to assess the site and had suggested a noise barrier be erected and noise be restricted to 65dbs.

Residents agreed with the barrier, however felt this should be a minimum of 5m in height and be in place by spring of 2022.

Some of the main points of those in support included that a Noise Consultant had been contracted to advise on a solution. Discussions with resident and the council had been held to find a solution as it was important to the applicant to work with her neighbours.

The applicant was supported by the city council ward councillor who spoke in support, noting that the applicant was known for her good work in the community.

Local Member Cllr Sample who was not on the Committee, spoke to the application, noting that the identified gap had been acting as a funnel and that there had been local concern from local charter court residents. Thanks to the committee for deferring to allow time for this to be resolved by the two parties.

Following advice the applicant had come forward with a plan to implement a noise barrier. He asked on behalf of the residents that the Committee increased the barrier to the 5m requested by the residents.

Cllr Hocking then moved the motion of approval in line with Officer recommendation, but with a minimum of 5m height and a maximum limit of 65dbs.

This was seconded by Cllr Jeans.

The Committee was invited to discuss the application, the main points included that it was good that a solution had been reached.

The Committee then voted on the motion of approval in line with Officer recommendation with the added height of 5m and max noise level of 65dbs.

It was:

### **Resolved**

**To approve application PL.2021.03958, 29 & 29a Brown Street Salisbury, subject to the following conditions:**

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

**Site Location Plan PP1338/100 P3 dated 25.03.2021**

**Ground Floor Plan PP1338/101 P3 dated 22.03.2021**

**First Floor Plan PP1338/202 A dated 05.10.2021  
Street Elevation PP1338/104 P1 dated 04.06.2021  
Site Survey PP1338/DM02 dated 10.03.2021**

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

**2 Detailed plans of an acoustic barrier to a height of 5 metres above ground level, as specified at Sections 4.3 and 4.4 in Hayes McKenzie Noise report dated 10th September 2021, shall be submitted within 1 month of the date of this decision and approved in writing by the Local Planning Authority. The acoustic barrier shall be installed and sited in accordance with the approved details by 1 March 2022 and maintained at all times thereafter. The use of the outdoor venue shall be closed to members of the public during January and February 2022 to enable the required works to be undertaken and tested prior to re-opening.**

**REASON: In order to ensure that it achieves the required sound attenuation in the interests of residential amenity and ensure the appearance of the wall would relate satisfactorily to the existing buildings in the interests of preserving the character and appearance of the Conservation Area.**

**3 The use hereby permitted shall only take place between the hours of:  
11am and 10pm Monday – Wednesday,  
11am – 11pm Thursday  
11am – midnight on Friday and Saturday, and  
11am – 9pm on Sunday and Public/ Bank Holidays.**

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

**4 Amplified music (live or recorded) played on the application site shall not be above 65dB LAeq, 1min in listener areas at any time (in accordance with recommendation at Section 4.5 in Hayes McKenzie report dated 10<sup>th</sup> September). No Amplified music will be played on the development site after 2300hrs.**

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

**5 A Noise Management Plan shall be submitted by the applicant within 1 month of the date of this decision and approved in writing by the Local Planning Authority in consultation with Wiltshire Council Public Protection. The application site will be managed strictly in accordance with the approved Noise Management Plan at all times thereafter.**

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

**Informatives: (2)**

**The applicant is advised 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.**

**Any alterations to the approved plans, brought about by compliance with Building Regulations, Licensing or any other reason, and resulting in external alterations to the approved details must first be agreed with the Local Planning Authority before commencement of work.**

31 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 6.20 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](mailto:lisa.alexander@wiltshire.gov.uk)

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