

SOUTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 9 JUNE 2016 AT SARUM ACADEMY, WESTWOOD ROAD,
SALISBURY, WILTSHIRE, SP2 9HS.**

Present:

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman),
Cllr Brian Dalton, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian Tomes,
Cllr Ian West and Cllr John Smale (Substitute)

40 Apologies for Absence

Apologies for absence were received from:

- Cllr Richard Britton – who was substituted by Cllr John Smale
- Cllr Richard Clewer
- Cllr Ian McLennan

41 Minutes

The minutes of the meeting held on Thursday 28 April 2016 were presented.

Resolved:

To approve as a correct record and sign the minutes of 28 April 2016.

42 Declarations of Interest

There were none.

43 Chairman's Announcements

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

44 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

45 **Planning Appeals**

The committee received details of planning appeals logged and those determined by for the period 21 March and 27 May 2016.

Resolved

That the report be received and noted.

46 **Planning Applications**

46a 16/03468/FUL: Oak View, High Post Road, Netton

Public Participation

Mr Matt Glover spoke in objection to the application

Mr Tim Elliot spoke in objection to the application

Mr Rob Foster spoke in objection to the application

Ms Caroline Everett spoke in support of the application

Mrs Rosalind Bee spoke in support of the application

Cllr Steve Langdon (chairman) of Durnford Parish Council spoke in objection to the application.

The Senior Planning Officer noted that there had been a site visit earlier that day and introduced the application which was for a proposed construction of new detached dwelling and relocation of existing access to serve new dwelling. With the creation of new access to serve existing dwelling. This application was a resubmission of application 15/09441/FUL.

Previous planning permission was already in place for a large garage with accommodation in the roof, however if this application was granted then that garage would no longer be possible.

The application site was in open countryside and outside of the Housing Policy Boundary, so was recommended for refusal.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the grass banks along the roadside, which were currently being used for parking could be reinstated to a greater height to prevent cars parking there. The site had previously been within the Housing Policy Boundary prior to this being moved a few years ago. The fence and hedge at the exits of the property could be conditioned to a maximum height to provide good visibility for vehicles.

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

The Unitary Division Member; Cllr Mike Hewitt then addressed the Committee stating that the original development started as one house, then went on to be studios and a garage. The site was outside of the Housing Policy Boundary, however there were two local development sites which could provide work in the area and could be considered sustainable. The steep bank along the roadside should remain to prevent parking. He felt that any additional Planning already permitted should be taken away. Discussions could be had with the developer as to whether a contribution back in to the village could be agreed upon.

The Committee discussed the application, noting that the existing garage and hedge height acted to obscure the view to the neighbouring property from the windows on the proposed development.

The Legal Officer advised that applications for planning permission must be determined in compliance with the Core Strategy and Planning Policy Boundary.

It was raised that the Core Strategy and Housing Policy Boundary originally set out many strategic sites for housing development; however it only identified 80-85% of the housing numbers required for a five year supply. It was always assumed that other sites would come to light in other ways. The five year supply would never be achieved unless they looked outside the Planning Policy Boundary. It was argued that the application could be considered, the question was whether it was a sustainable development for the site.

Cllr Mike Hewitt moved the motion to approve the application with conditions. This was seconded by Cllr John Smale.

Resolved

That the application 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. No development shall commence on site until finer details, and where so appropriate samples, of all external materials, flint work, eaves, windows, landscaping and boundary treatments to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in

accordance with the approved details.

REASON: The application contained insufficient information to enable 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.

3. The grass bank to the south-eastern boundary of the site shall be retained at the same height as the existing grass bank, and the separation distance between the neighbouring driveway and the new access shall be permanently maintained. The existing site access shall be permanently stopped up and reinstated as a grass bank prior to the occupation of the dwelling hereby approved. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of visual amenity and highway safety.

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

REASON: In the interests of highway safety.

5. 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.

6. 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.

7. The bathroom and ensuite windows in the eastern elevation shall be glazed with obscure glass and fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

8. No part of the development shall be first brought into use until the visibility splays shown on the approved plans have been provided, with no obstruction to visibility at or above a height of 1000mm above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

9. Demolition or construction works shall not take place outside 0730 hours to 1800 hours Mondays to Fridays and 0800 hours to 1300 hours on Saturdays nor at any time on Sundays or Bank Holidays.

REASON: In the interests of neighbouring amenity.

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

- Location Plan, P15-086 02-02-001A, dated 21/09/15 and received to this office on 04/04/16

- First Floor Plan, P15-086 02-03-002D, dated 21/03/16 and received to this office on 04/04/16

- Ground Floor Plan, P15-086 02-03-001C, dated 21/03/16 and received to this office on 04/04/16

- Elevations, P15-086 02-05-001D, dated 29/03/16 and received to this office on 04/04/16

- Roof Plan, P15-086 02-03-003C, dated 21/03/16 and received to this office on 04/04/16

- Site Plan, P15-086 02-02-002D, dated 01/03/16 and received to this office on 04/04/16

- Elevations, P15-086 02-05-002D, dated 29/03/16 and received to this office on 04/04/16

- Streetscene, P15-086 02-05-005D, dated 29/03/16 and received to this office on 04/04/16

REASON: For the avoidance of doubt.

INFORMATIVE:

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

INFORMATIVE:

The applicant is advised that the development hereby approved represents chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice will be

issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

46b 16/02517/FUL: Deems, Rollestone Road, Shrewton, Wiltshire, SP3 4HG

Public Participation

Ms Heather Smith spoke in objection to the application.

Cllr John Berry of Shrewton Parish Council spoke in objection to the application.

The Planning Officer drew attention to the late correspondence circulated at the meeting, detailing amendments to the garage roof, side and front elevations which were not in accordance with the plans. She then introduced the application for the newly submitted plans, explaining that Planning permission had been granted in 2015 for a single-storey side extension and a single-storey rear extension. The current application was inside the same footprint, but sought retrospective approval for amendments to the scheme. The amendments included changes to the side and roof windows, materials, roof design, flue and patio doors.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the side windows had increased from 2 obscure fixed closed to 3 obscure opening windows. There was no safety reason why the side windows could not be fixed closed, as not required for ventilation.

A flue had been added and a parapet wall all the way around, resulting in a slight raise to the elevation. The side of the extension was now cladded instead of plain brick, however if the cladding was removed then the other changes would be permissible under permitted development rights. It was noted that the application had not been to Committee the first time. The new build was 30cm away from the neighbouring boundary.

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

The Unitary Division Member Cllr Ian West then addressed the Committee stating that he had visited the site and felt the closeness to neighbouring properties and the impact upon residents as a result was unacceptable.

Although there were a lot of parts of the development which had not been carried out to plan, he felt that the three opening windows along the side

were a step too far. He proposed that the developer be required to revert back to the original 2 fixed shut windows.

The Committee discussed the application, noting that it was sorry that this application had not come before them originally. It asked that Building Control be urged to visit the site to ensure that the wood burner and flue had been installed in compliance with regulations, ensuring that the fumes did not go into the neighbouring property.

A general feeling of empathy for the neighbour was felt and in support of that it was proposed that the three opening side windows should be fixed shut opaque windows.

Cllr Ian West moved the Officers recommendation with an amendment as detailed above for Approval subject to conditions; this was seconded by Cllr Chris Devine.

Resolved

That the application 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:
0128/PL/01 Rev C dated 05/05/16 received 05/05/16
0128/PL/02 Rev C dated 05/05/16 received 05/05/16
0128/Ex/01 dated 05/05/16 received 11/03/16**

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

- 3 The windows in the East elevation of the side extension shall be glazed with obscure glass only to an obscurity level of no less than level 4 and permanently fixed shut within 2 months of the date of this planning permission and shall be permanently maintained in perpetuity.**

REASON: In the interests of residential amenity and privacy.

46c 16/02778/FUL: 22 Cholderton, Salisbury, SP4 0DL

Public Participation

Mr David Shearer spoke in objection to the application

Mrs Jaqueline Shearer spoke in objection to the application

The Senior Planning Officer introduced the application for a proposed single storey rear kitchen extension and link, which would not result in any demonstrable harm to the character or setting of the existing house which was a grade II listed building, nor would it have a harmful impact on the appearance of the wider Cholderton Conservation Area.

Following an earlier application for an identical development which was refused planning permission on 19 March 2015 and dismissed at appeal on 15 October 2015, the application was accompanied by a Sun Study and BRE compliance statement which indicated that the proposed extension would not cause loss of light to the neighbouring property. The Sun Study has been independently scrutinised by another expert in this field and found to be sound.

Appendix A of the report detailed the appeals decision, listing the two reasons for refusal, of which reason one had not been supported by the Inspector, which left reason two standing. The application was recommended for approval.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the sun study was aimed at providing a rounded view through the year.

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

The Unitary Division Member Cllr John Smale then addressed the Committee stating that the size of the development was 60% of the original property size, which he felt to be overdevelopment on this plot. The development was too close, only 0.8m from the neighbouring boundary. His concerns had been raised with the Parish Meeting who supported them, however did not wish to speak at the meeting.

The Committee discussed the application, noting that on a previous site visit to the development site and the neighbouring property it was felt that the development would result in an unacceptable loss of light and overshadowing to the neighbouring property, which included ambient light as well as direct sunlight. It was felt that a development of 60% the size of the original property was excessive for a property in the existing row of Victorian cottages. The sun study took readings at staggered times of the day, including at 8am and again at 10am, missing the sun which had risen to a

point where it shone on the neighbouring property at 8.09am until it passed before 10am, thus not providing a reflective account.

Cllr John Smale moved a motion for refusal with reasons; this was seconded by Cllr Chris Devine.

Following debate on the reasons for refusal, an amendment to the motions reason for refusal to take out 'loss of light' was put forward by Cllr Westmoreland, this was seconded by Cllr Smale.

Resolved

That the application be REFUSED for the following reasons:

1. The proposed single storey extension by reason of its height and proximity to the boundary with No 23/24 Cholderrton (Saddlestone Cottage) would have an adverse impact on the amenities of No 23/24 Cholderton in particular overshadowing contrary to core policy57 (vii) of the Wiltshire Core Strategy.

46d 16/02547/DP3: Winterbourne Earls School, Winterbourne Earls, Salisbury, SP4 6HA

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting and introduced the application which was for the proposed renewal of permission for two existing mobile classrooms at Winterbourne Earls School. The application was being considered by committee because it was a council application and objections had been received by the Parish Council relating to impact on traffic.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that it was not known whether the school had a current traffic plan. The late correspondence was a response from Highways which indicated they had no concerns.

Cllr Ian West moved the Officers recommendation for Approval; this was seconded by Cllr Chris Devine.

Resolved

That the application be APPROVED subject to the following conditions:

- 1 The building hereby permitted shall be removed and the land restored to its former condition on or before 09/06/2021 in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority prior to that date.**

REASON: The building is constructed out of materials which are likely to deteriorate to the detriment of the external appearance of the building and which would have an adverse effect upon the visual amenities of the area.

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

**Application Forms
Site Location Plan
Drawing No. 1623/46 Rev O**

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

47 Urgent Items

There were no urgent items; however the following Site Visits were requested:

- Cllr Ian West – Stonehenge 16/03988/FUL

The Chairman then put forward a motion to grant delegated authority to the Development Control Team Leader in consultation with the Chairman to organise site visits when required, without the need to submit a request at the meeting.

Resolved

The Southern Area Planning Committee gave delegated authority to the Development Control Team Leader in consultation with the Chairman to organise site visits when required.

(Duration of meeting: 6.00pm – 8.52pm)

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

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