

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 6 APRIL 2017 AT SARUM ACADEMY, WESTWOOD ROAD, SALISBURY, WILTSHIRE, SP2 9HS.

Present:

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

Also Present:

Cllr Mary Douglas, Cllr Julian Johnson & Cllr John Walsh

157 **Apologies**

158 **Minutes of the Previous Meeting**

The minutes of the meeting held on Thursday 16 March 2017 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on Thursday 16 March 2017.

159 **Declarations of Interest**

There were none.

160 **Chairman's Announcements**

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

161 **Public Participation**

The Committee noted the rules on public participation.

162 **Salisbury Footpath No.9 - Definitive Map and Statement Modification Order 2016" Parish of Idmiston**

Public Participation

Mark Jones spoke in Objection to the Order

Don Whittlestone spoke in Objection to the Order

Bob Pope spoke in Objection to the Order on behalf of Mr and Mrs Tidd

Steve Castellano spoke in support of the Order

Valerie Creswell spoke in support of the Order

Wesley Bight spoke in support of the Order

Cllr Gould of Idmiston Parish Council spoke in Objection to the Order

The Rights of Way Officer; Janice Green drew attention to the late correspondence circulated at the meeting from the land owner. She presented the report for Footpath No.9 – Definitive Map and Statement Modification Order 2016 in the Parish of Idmiston. It was explained that Wiltshire Council received an application dated 3 November 2015 and made under Section 53 of the Wildlife and Countryside Act 1981, to add a footpath to the definitive map and statement of public rights of way in the parish of Idmiston.

The application was made on behalf of Porton Neighbourhood Plan Group, on the grounds that public footpath rights could be reasonably alleged to subsist or subsist over the claimed route, based on user evidence and should be recorded within the definitive map and statement of public rights of way, as such.

Key points noted were that part of the land the footpath would cross was privately owned and the other part in Bourne Close was across an un-adopted road.

The Committee was asked to consider the evidence of use over a 20 year period from 1995 to 2015, as supported in the evidence forms. Other matters such as planning matters could not be considered.

The Order would be forwarded to the Secretary of State for determination by an appointed Inspector.

There had been 27 completed user evidence forms detailing use within the 20-year period, with some evidence of use dating back as early as 1960.

The Committee then had the opportunity to ask technical questions of the Officer, it was noted that the evidence contained within the witness forms submitted, was consistent.

Prior to the housing estate being built, the site was part of Manor Farm, and a route (possibly a private access to the Manor Farm buildings), located alongside the boundary of Rose Cottage, as per the Order route, could be seen on historic mapping.

For transparency, Cllr Britton noted that he lived in Porton and regularly walked past the site, however he was not affected by the proposals at all.

Clarity was sought on whether the Order recommendation could be changed by the Committee. The Officer explained that the Secretary of State would consider only the Order before them and if the Committee were minded to make any amendments to the Order, i.e. moving that part of the Order route A-B onto the Bourne Close roadway, clear evidential reasons for Wiltshire Council's recommendation to the Secretary of State to confirm the order with modification, must be provided.

If the Committee were minded to support the Order in full, then there could be an opportunity at a later date, following the determination of the definitive map modification order, to divert the footpath.

Members of the public then presented their views as detailed above.

Cllr Gould of Idmiston Parish Council spoke in Objection to the Order.

The parish council had no objection to there being a public path, however felt that section A to B provided little or no benefit to pedestrians, and would be a disadvantage to the landowner of that section of the proposed path. They felt that the route should remain on the surfaced route through Bourne Close.

The Vice Chairman of Idmiston Parish Council noted that Cllr Gould's statement went far beyond the remit of what he had been asked to say by the Chairman.

The Unitary Division Member Cllr Mike Hewitt spoke in Objection to the proposed route, stating that he felt that the section of the Order route A to B should be moved to the surfaced route through Bourne Close, and points B to C should remain as per the Order.

He noted that there had been an attempt to make this path a Community Asset, which had been rejected, followed by an application to put a footway adjacent to the High Street at the southern edge of this land, which had been rejected by Highways.

He asked for the path to be put on the map at a better location than what was proposed, and that there was a purpose-built access by the river going into the park.

Cllr Westmoreland proposed the motion to support the Officers recommendation which was seconded by Cllr McLennan.

The Committee discussed the Order where it was noted that the report and the evidence provided by path users who had addressed the Committee, showed compelling evidence of public use of the Order route for a period of at least 20 years. Whether the proposed route was the best option could be debatable.

Resolved

That “The Wiltshire Council (Parish of Idmiston) Path no.9 Definitive Map and Statement Modification Order 2016”, be forwarded to the Secretary of State for determination, with a recommendation from Wiltshire Council that the Order be confirmed without modification.

163 **Salisbury Footpath No.6 - Diversion order and definitive map and statement modification order 2016. Stratford sub Castle**

Public Participation

Penny Fulton spoke in Objection to the Order

Arnold Harrison spoke in support of the Order

Richard Griffiths spoke in Support of the Order

WC Cllr John Walsh spoke (as a local resident) in Support of the Order

The Rights of Way Officer; Sally Madgwick presented the report for The Wiltshire Council City of Salisbury (Stratford sub Castle) Salisbury footpath No. 6 Diversion Order and Definitive Map Modification Order 2016 and The Wiltshire Council Stratford sub Castle footpath linking Salisbury 24 with Salisbury 6 Extinguishment Order 2016. Different legislation than the last RoW Order. The Committee has the power to abandon the order or to send to the Sec of State.

It was noted that due to Planning Permission already granted to the applicant for the replacement of a garage, alteration of vehicular access and a new boundary wall at Parsonage Farm House. If the committee is minded to abandon these Orders then a further Order under Town and Country Planning Act 1990 legislation would need to be made as the development would obstruct part of the path, therefore the footpath would need to be diverted to enable the consented development to proceed

The new route had uninterrupted views of Old Sarum. The use and enjoyment of the route was an important factor in the decision to move the route.

Advantages of the new route included better accessibility, as it was wider, easy to find, had no styles and was already in popular daily use.

There had been eighteen representations and one objection received to the making of the orders.

The Committee then had the opportunity to ask technical questions of the Officer, it was noted that the Order width of the path would be 3m. As the path was currently wider than 3m, the planting of a hedge would be permitted.

Members of the public then presented their views as detailed above.

The Unitary Division Member Cllr Douglas spoke in support of the order, noting that it was a sensible plan which would mean less mud, more use, and had wide community support.

Cllr Westmoreland then moved the motion to support the Order. This was seconded by Cllr Hewitt.

Resolved

That the Wiltshire County City of Salisbury (Stratford sub Castle) Salisbury Footpath No. 6 Diversion Order 2016 and Definitive Map Modification Order 2016 and the Wiltshire Council Stratford sub Castle Footpath Linking Salisbury 24 with Salisbury 6 Extinguishment Order 2016 are forwarded to the Secretary of State for the Environment, Food and Rural Affairs with the recommendation that they be confirmed as made.

164 **Planning Appeals and Updates**

The committee received details of the appeal decisions for the period of 03/03/2017 to 24/03/2017 as detailed in the agenda.

Resolved

That the report be noted.

165 **Planning Applications**

166 **16/09919/FUI & 16/10183/LBC - Old Ship Hotel, Castle Street, Mere, BA12 6JE**

Public Participation

Cllr Bret Norris of Mere Town Council spoke in Objection to the Application

The Planning Team Leader; Richard Hughes, introduced the application for the conversion and renovation of the existing Grade II* Listed Old Ship Inn into 7 Apartments and 2 x three bed cottages. To include the demolition of outbuildings and the construction of an additional new build two bed cottage to the rear (10 dwellings in total).

He drew attention to the combined report which included both Full and Listed Building applications for this development.

Key details stated included the insertion of new roof lights in the existing property. There were no elevations of the proposed cycle store included in the application, therefore a condition would need to be included if the application was approved, to request these prior to any work taking place.

There was a separate cottage at rear of the development which did not form part of the application site. There were planning restrictions in place on the historic car park.

The application was recommended for APPROVAL subject to conditions.

The Committee then had the opportunity to ask technical questions of the Officer. Details were sought on why the red line at the front of the site was shown on the highways owned road. It was explained that this was to show access and not ownership.

The garden space at the rear was the only amenity land on the proposal, and was to be accessed solely by the 2 bed property.

The 7 apartments would consist of 1 and 2 bedroom properties. The cottages were 3 bedrooms.

Historic England's had not imposed any conditions regarding their comments that there was an opportunity to reinstate some of the buildings historic layout. Any conditions were generally left to the Conservation Officer and the Local Authority to make judgement.

A vacant buildings credit was applicable to this development, which was a policy from Central Government allowing smaller developments of ten or less properties to avoid too many contributions in the planning system, such as affordable housing. Factors taken into consideration included the vacant building and the preference to see houses built and buildings being brought back into life with smaller requirements.

Members of the public were then able to present their views, as detailed above.

Cllr Bret Norris, Mere Town Council spoke in objection to the application. He noted that although the Planning team and applicant had been working to alleviate concerns, the parish still had some concerns with over development of the site, Inadequate parking, the bin area was insufficient and it was felt that this should be swapped for the cycle shelter. Measures should be taken to protect the tree roots in the car park during excavation of earth and associate works.

Other desired alterations included the front arched doors to remain as wood, and the bracket and sign to be retained at the front of the property to preserve the character of the building.

The Town Council was not against a residential accommodation in principle and would be supportive of revised plans which incorporated changes to address its concerns.

The Unitary Division Member Cllr Jeans moved the motion of APPROVAL in line with Officers recommendation. This was seconded by Cllr Devine.

Cllr Jeans withdrew this motion, before moving a second motion to defer the application.

He noted that he did not want to see the Kingston Avery brewery sign disappear from the front of the property. There were many issues with the proposals which he felt could be clarified before the Committee considered them.

He noted that there was no design for a cycle storage, and that the bin and cycle storage areas should be swapped over.

He asked for additional conditions to be added to include the car parking spaces to be allocated to the new properties, that the sign and bracket be retained,

The motion of deferral was not supported.

Cllr Westmoreland moved the motion of APPROVAL in line with Officer's recommendations and additional conditions as made by the Committee. This was seconded by Cllr Clewer.

The Committee then discussed the application where it was noted that the proposals included the wooden doors at the front be retained.

Other conditions to include the allocation of parking spaces to the new and existing properties, with these spaces meeting the minimum size (4.5 x 9). That the Brewery sign and bracket be maintained.

It was noted that as the Waste Officer was happy with the bin provision in the plan, it would be down to the applicant to decide whether in the future they wished to move the bin storage to the cycle shelter should it be found that the allocated space was inadequate.

It was disappointing that there was a central location in Mere which was missing out on Affordable Housing.

Some Members felt the internal layout of the apartments looked cramped. Having 10 properties squeezed on to this site, with virtually no amenity space, was felt to be over development.

The Committee voted on the motion of APPROVAL with conditions.

Decision

That application 16/09919/FUL be APPROVED in line with Officers recommendation, 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:**

**Drawing number ASP.14.067.202 B dated 16.03.17, as deposited with the local planning authority on 05.04.2017, and
Drawing number ASP.14.067.203 B dated 16.03.17, as deposited with the local planning authority on 05.04.2017, and
Drawing number ASP.14.067.105 dated June 2016, as deposited with the local planning authority on 05.04.2017, and
Drawing number ASP.14.067.101 B dated 04.04.17, as deposited with the local planning authority on 05.04.17, and
Drawing number ASP.14.067.104 dated June 2016, as deposited with the local planning authority on 05.04.17, and
Drawing number ASP.14.067.201 B dated 02.02.17, as deposited with the local planning authority on 17.03.17, and
Drawing number ASP.14.067.100 B dated 02.02.17, as deposited with the local planning authority on 17.03.17, and
Drawing number ASP.14.067.301 dated Feb 2017, as deposited with the local planning authority on 17.03.17, and
Drawing number ASP.14.067.300 dated Feb 2017, as deposited with the local planning authority on 17.03.17, and
Drawing number ASP.14.067.200 B dated 02 Feb 2017, as deposited with the local planning authority on 17.03.17, and
Drawing number ASP.14.067.002 D dated 01.03.17, as deposited with the local planning authority on 17.03.17.**

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

- 3 Notwithstanding the approved drawings, no works shall commence until details of the following matters have been submitted to and approved in writing by the Local Planning Authority:**

- (i) Large scale details of all new external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;**
- (ii) Large scale details of all proposed new internal joinery (1:5 elevation, 1:2 section);**
- (iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;**
- (iv) Full details of the routes of all proposed ventilation ducts and pipework to be incorporated within the existing building(s), to include details of how they access/exit the building;**
- (v) Full details of the proposed treatment of fireplaces, panelling, overmantles, ornate cornicing and historic wide floorboards;**
- (vi) Length and width wise sections of the proposed new staircase(s) for units 1 and 2;**
- (vii) Full details of proposed internal service routes;**
- (viii) A full schedule of internal finishes to walls, ceilings and floors;**

and

(ix) Full details and samples of external materials.

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

- 4 No development shall commence on site until a scheme for the discharge of surface water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

- 5 No development shall commence on site until details of the works/methodology for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

- 6 Before any development commences, a scheme and suitable plans for the laying out and provision of the parking area shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include as a minimum:

- Parking spaces be allocated and clearly marked for residents and new occupiers, and retained for the use of those units in perpetuity.
- Parking spaces all be built out to the minimum highway standard dimensions
- Details of the bin and cycle store structure
- Details of the protection of the mature tree and its root zone in the car park during construction and after completion of the car park

Development shall be carried out in accordance with the approved scheme and plans.

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

- 7 The secondary glazing described in the section: 'Recommended Noise Mitigation - Front Façade of the submitted ISVR Consulting Noise Assessment Reference 9813 - R01' dated August 2016 shall be implemented in full prior to the occupation of the dwelling(s) and shall be maintained in that way at all times thereafter.

Reason: To mitigate the impacts of road noise, in the interests of amenity.

- 8 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.**

Reason: In the interests of amenity.

- 9 No development shall commence within the area indicated (proposed development site) until:**

- (i) 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**
- (ii) The approved programme of archaeological work has been carried out in accordance with the approved details.**

REASON: To enable the recording of any matters of archaeological interest.

Further Recommendations in respect of Condition 9: The work should be conducted by a professional archaeological contractor in accordance with a Written Scheme of Investigation agreed by this office. There will be a financial implication for the applicant.

- 10 The main archway in the front (South) elevation of the building shall retain timber doors (not the originally suggested glass doors) and the archway shall not be used for vehicular access.**

Reason: In the interests of the character and setting of the listed building and the existing character of the conservation area.

- 11 The existing wrought iron wall mounted bracket and hanging sign on the front of the building shall be retained in perpetuity.**

Reason: To preserve the character and setting of the listed building and the surrounding conservation area.

Decision

That application 16/10183/LBC be APPROVED with the following conditions:

- 1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.**

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

Drawing number ASP.14.067.202 B dated 16.03.17, as deposited with the local planning authority on 05.04.2017, and

Drawing number ASP.14.067.203 B dated 16.03.17, as deposited with the local planning authority on 05.04.2017, and

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Drawing number ASP.14.067.200 B dated 02 Feb 2017, as deposited with the local planning authority on 17.03.17, and

Drawing number ASP.14.067.002 D dated 01.03.17, as deposited with the local planning authority on 17.03.17.

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

3 Notwithstanding the approved drawings, no works shall commence until details of the following matters have been submitted to and approved in writing by the Local Planning Authority:

(i) Large scale details of all new external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;

(ii) Large scale details of all proposed new internal joinery (1:5 elevation, 1:2 section);

(iii) Full details of proposed rooflights, which shall be set in plane with the roof covering;

(iv) Full details of the routes of all proposed ventilation ducts and pipework to be incorporated within the existing building(s), to include details of how they access/exit the building;

(v) Full details of the proposed treatment of fireplaces, panelling, overmantles, ornate cornicing and historic wide floorboards;

(vi) Length and width wise sections of the proposed new staircase(s) for units 1 and 2;

- (vii) Full details of proposed internal service routes;
 - (viii) A full schedule of internal finishes to walls, ceilings and floors; and
 - (ix) Full details and samples of external materials.
- The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

167 **17/00444/FUL - Florance House, Romsey Road, Witteparish, SP5 2SD**

Public Participation

Cllr Neil Sutherland of Witteparish Parish Council

The Planning Officer; Christos Chrysanthou introduced the application for the erection of a 2 bay garage to the front of Florance House.

The application was recommended for APPROVAL subject to conditions.

The Committee then had the opportunity to ask technical questions of the Officer.

Members of the public had the opportunity to speak as detailed above.

The Parish Council spoke in Objection to the application, and made the point that the primary consideration was the visual impact. The original development of two properties on the site of the old village hall, had been granted permission without garaging.

The two new houses sat back in line with neighbouring properties, none of which had garages at the front. It was noted that to have the garage at the side of the property may present issues relating to an underground sewer.

The applicant had made steps to reduce the size of the construction but it was felt that the visual impact was still too great.

The Unitary Division Member Cllr Britton spoke in Objection to the application. He noted his concerns in respect of the design of the development, visual impact upon the surrounding area and relationship to adjoining properties.

This was the site of the old village hall which had been a dilapidated building. These attractive houses were set back from the road, and in this case having a garage at the front would be an unnatural feature. He felt that the plot was quite large, going well back with ample room at the rear for a garage.

Cllr Britton moved the motion of REFUSAL against Officer's recommendation, this was seconded by Cllr Jeans.

The Committee then discussed the application, where it was noted that the streetscene would be impacted upon if there was a garage at the front of the property, along the edge of the road. In addition, there was ample space at the rear of the property where a garage would be better placed.

Resolved

That application 17/00444/FUL be REFUSED for the following reasons;

- 1. The proposed garage would be sited directly in front of the main dwellinghouse and would be readily visible in the surrounding street scene, being positioned closer to the road than the existing dwellinghouses. The proposed garage, by reason of its scale, mass and siting would be visually prominent and would have a detrimental impact on the character and setting of the street scene.**
- 2. The proposed development is therefore considered contrary to the aims and objectives of CP57 of the Wiltshire Core Strategy and the aims and objectives of the National Planning Policy Framework.**

168 **16/12123/FUL - Land at Whitsbury Road, Witsbury Road, Odstock, Salisbury**

Public Participation

Alison Whalley (Agent) spoke in support of the Application

The Planning Team Leader, Richard Hughes introduced the application for Construction of two residential dwellings. The application was recommended for REFUSAL

The Committee then had the opportunity to ask technical questions of the Officer.

Members of the public then presented their views as detailed above.

It was noted that the Parish Council was in support of the application.

The Unitary Division Member Cllr Johnson spoke in Support of the Application. He noted that Odstock was a small village, where an opportunity was available to build a couple of dwellings. He added that people should be encouraged to stay in the village, developments like this would assist with that.

Cllr Westmoreland moved the motion of REFUSAL in line with Officer Recommendation. This was seconded by Cllr Devine.

The Committee then discussed the application. The main points raised included that the proposal in the form suggested did not represent infill as defined by the Policy, and was considered as a back-land development. However, they noted that they liked the actual design of the dwellings, and may look more favourably on a scheme which located the dwellings along the main road.

The Committee voted on the motion for REFSAL in line with the Officer's recommendation.

Resolved

That application 16/12123/FUL be REFUSED for the following reasons:

- 1. The proposal is located within a small village which the Wiltshire Core Strategy identifies as having a low level of services and facilities. This proposal for two dwellings does not meet the definition of permitted infill development within small villages and the development will result in the creation of back-land development contrary to the established linear pattern of development along the eastern side of Whitsbury Road. The development will consolidate the existing loose knit sporadic development along Whitsbury Road and the proposal fails to promote a sustainable pattern of development with the resultant occupiers dependent on the use of private car for day-to-day activities and journeys. Therefore, the proposed development is considered contrary to Core Policies 1, 2, 44, 48 and 60 of the Wiltshire Core Strategy and paragraph 14 of the National Planning Policy Framework.**
- 2. The creation of two back-land dwelling houses would result in the introduction of direct overlooking to the side elevation of the application dwelling known as No.219 Whitsbury Road and undue overlooking across the rear garden area to the detriment of the privacy currently afforded to the neighbouring dwelling. The creation of the realigned vehicular entrance will bring an increased number of vehicles within close proximity to the front elevation of the neighbouring dwelling to the detriment of amenity. The proposed development is considered contrary to Core Policies 57 of the Wiltshire Core Strategy and paragraph 17 of the National Planning Policy Framework.**

169 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 9.15 pm)

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

Press enquiries to Communications, direct line (01225) 713114/713115