

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 8 MARCH 2018 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Richard Britton (Vice-Chairman), Cllr Matthew Dean, Cllr Christopher Devine, Cllr Jose Green, Cllr Mike Hewitt, Cllr Sven Hocking, Cllr George Jeans, Cllr Ian McLennan, Cllr John Smale and Cllr Trevor Carbin (Substitute)

Also Present:

Cllr Tony Deane
Cllr Mary Douglas
Cllr Bridget Wayman

253 **Apologies**

Apologies were received from:

- Cllr Brian Dalton who was substituted by Cllr Trevor Carbin.

254 **Minutes of the Previous Meeting**

The minutes of the meeting held on 10 January 2018 were presented.

Cllr Britton noted that in relation to minute number 250 - Nightwood Farm – the accuracy of our resolution, is correct, but not consistent with the decision notice that had been published.

This matter would be addressed under Public Participation of the meeting, when responding to the Public Question that had been submitted in relation to this application.

Resolved:

To approve as a correct record and sign the minutes.

255 **Declarations of Interest**

There were none.

256 **Chairman's Announcements**

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

257 **Public Participation**

The committee noted the rules on public participation.

A question had been submitted in advance of the meeting by Dr Claydon.

Question

In relation to application 17/10079/FUL: Nightwood Farm, Lucewood Lane, West Grimstead, SP5 3RN, considered by Committee on 10 January 2018:

1. Why was the full resolution, which required the removal of the bunds, excluded from the Notification of Refusal letter?
2. What has the Enforcement Department done about the resolution since 10th January?

Response

Planners response to question 1

The removal of the bunds are purely an enforcement matter, thus they are not referred to by the decision notice. However, it is quite correct that the minutes of the meeting refer to the possibility of future action to remove the bunds as this is what members resolved to do.

Enforcement response to question 2

Following the refusal of the application at Committee officers have been requesting updates from the Environment Agency (EA) as to their intentions given that matters such as asbestos are usually dealt with directly from that organisation. The EA have come back to us in recent days that they intend to take no further action. We are aware of members views on this matter and therefore will be taking the matter forward with the owner seeking to remedy the breach.'

Dr Claydon was granted one supplementary question.

Since it was a retrospective application for the authorisation of unlawful bunds, and the bunds should not have been there in the first place, it was essential that they be removed.

I have been in correspondence with Environment Agency (EA) for many months, they informed me that the Local Planning Authority (LPA) chose to write to the wrong office.

They informed me that they had made a decision based on the fact that they were told the bunds were not on ancient woodland but adjacent to it. They had been misled from the start.

The LPA is perfectly entitled to remove the bunds in their own right. I would hope that within two months after the SAPC made their decision nothing has been done. I believe the EA are reviewing the matter.

The Chairman noted that the Committee would continue to monitor the situation through updates from the Officers.

258 **Path No. 83 Diversion Order and Definitive Map and Statement Modification Order 2017 - Tisbury**

Public Participation

Dr Myers spoke in support of the recommendation
Tim Martin spoke in support of the recommendation
Jeremy Hooper spoke in support of the recommendation
Janet Amos spoke on behalf of Tisbury Parish Council

The Acting Team Leader for Definitive Map and Highway Records, Sally Madgwick, introduced the report which recommended the diversion order be abandoned and revoked.

An Order had been made to divert the footpath to the dashed line, as indicated in the pack and on the screen at the meeting.

The route of the current path was explained by the Officer. The path travelled past St Anne's Cottage, then past the Priory, it was the owners of the Priory who had made the application for a diversion. The diversion route was then explained.

These Orders were a power that the Council has, it may choose to abandon the order or to support it.

The Officer noted that they had not realised that one of the land owners objected to the Order. They had also received objections from residents of St Anne's Cottage and the owners of Spring Cottage and School Cottage which lay beside the school and used the path to access the chapel and the wider network.

There had been 33 objections made to the Order.

The Officer drew attention to some irrelevant points as listed on page 18, paragraph 36.

Members had no technical questions to ask the Officer.

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

The Division Member Cllr Tony Deane then spoke in support of the abandonment of the order.

He noted that this was the first time he had heard a public debate on this footpath. He offered to Chair a meeting of interested parties, to be held at Wardour School to see if some of the concerns could be addressed, to enable those involved to agree a way forward.

Cllr Westmoreland moved Approval, in support of the Officers recommendation to revoke the order, this was seconded by Cllr Hewitt. He suggested that the parties get together and find a way forward.

Resolved

That the Wiltshire Council Parish of Tisbury Path No. 83 Diversion Order and Definitive Map and Statement Modification Order 2017 is revoked and the application abandoned.

259 **Planning Appeals and Updates**

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

Resolved

To note the update for the period 21/12/2017 to 23/02/2018

260 **Planning Applications**

261 **17/00842/OUT - Land opposite Horefield, Idmiston Road, Porton, SP4 0LD**

Public Participation

Kevin Hannah spoke in objection to the application

Hayley Hannah spoke in objection to the application

David Neal spoke in objection to the application

Valarie Creswell (Idmiston NP) spoke in support of the application

Tony Allen (Agent) spoke in support of the application

Andrew Oliver spoke on behalf of the Parish Council in support of the application

The Senior Planning Officer, Lucy Minting introduced the report for Outline Planning permission for a residential development of 16 dwellings with all matters reserved. Provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 18 public car parking spaces for Horefield residents/school use. This application was recommended for approval subject to a S106 agreement.

The Officer clarified a mistake in report – p205, refers to it as full planning application, where as it actually is an outline application with all matters reserved.

The site was outside the limits of development and had been identified as a site for development in the adopted NP.

There was an outstanding permission for 20 dwellings at Porton, thus leaving a gap for a remaining 12 dwellings to be developed. This proposal of 16 dwellings was considered as filling that gap.

The LPA required the results of the tree survey and bats roost survey, this had now been submitted and was contained in the report.

Policy 12 of the NP identifies a lack of parking outside of the school. The application included the provision of 18 public parking spaces for public use. That number had increased from 15 to 18 since the last meeting.

A list of conditions was included at page 209.

Members then had the opportunity to ask technical questions, where it was noted that the probable reason for the proposed path crossing the road and not running through the existing school path was due to the need for public use ~~whit~~ when the school was closed.

The report stated that there was no to negligible evidence of bats. The use of the parking spaces was recommended to be included as part of the S106 agreement as they were not managed by Wiltshire Council.

The legal agreement would be delegated back to Officers, however when the full application was submitted it would come back to committee for consideration.

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

The representative from Idmiston Parish Council (IPC) noted that it had met to consider the application in May 2017 and supported the aims and objectives, adding that the proposal would deliver smaller housing for people to downsize and stay in the village.

The Division Member Cllr Mike Hewitt then spoke. There were 3 large sites brought forward for development. Two sites were not accepted by the IPC planning team, one came to this committee (Chalke House) and was approved. The time to develop that site was running out. This was the only other larger site to be built on. It was not easy to restrict development to just one or two. The village want smaller properties for elderly people to downsize into, and affordable housing. The developer has done a lot to try and alleviate the parking issues. The committee deferred the application last time pending further info on the ecology report for bats, this has now come back.

Cllr Hewitt moved the motion of Approval this was seconded by Cllr Westmoreland.

A debate followed where the key issues raised included, that during the school drop off times the road was congested.

Concerns about loss of on street parking to existing houses in Horefield.

A development of this scale may change the nature of the area. It was for the Parish Council to now engage with the developer and the existing residents to discuss the parking arrangements.

There had been a 47% turn out for the referendum on the NP.

This was an outline application. This proposal was for 2 sites which could each take 10, however the proposals were proposing 16 between the two.

Condition 4 may need adjusting, this could be delegated to Officers.

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

Resolved

That application 17/00842/OUT be APPROVED with conditions:

To delegate to officers to grant planning permission:-

- (a) Subject to the prior completion of a Section 106 legal agreement (for the provision of 5 affordable dwellings; financial contribution for waste and recycling containers; financial contribution towards off site recreational open space and the provision and transfer of 18 "public" spaces for Horefield resident/school use to the Parish Council.**

And subject to the following conditions:

(1) The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 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 details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**
- (e) The means of access to the site.**

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

(3) An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

(4) The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Reference: 1:500 and 1:1000 Site Location Plans received by this office 19/12/2017, in so far as identifying the site location and red line of the application site only.

Bat Potential Roost Feature Inspection Survey & Bird Potential Report January 2018, received by this office 20/02/2018

REASON: For the avoidance of doubt and in the interests of proper planning. This is an outline application to establish the principle of the residential development of the site with 16 dwellings, the provision of new footways and dropped kerb crossings to Nicholas CofE Primary School and 18 public car parking spaces for Horefield resident/school use only. All matters are reserved (Scale, layout, external appearance, landscaping and means of access) so all submitted drawings are indicative only.

(5) No development shall commence on site until the exact details and samples of the materials including any finishes 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.

(6) No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until foul water drainage for that dwelling has been constructed in accordance with the approved scheme and the last dwelling to be occupied on the site shall not be so occupied until the foul water drainage scheme for the whole of the site has been completed in accordance with the approved scheme.

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 proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

(7) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the accesses/driveways), incorporating sustainable drainage details together with permeability test results to BRE365 has been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until surface water drainage for that dwelling has been constructed in accordance with the approved scheme and the last dwelling to be occupied on the site shall not be so occupied until the surface water drainage scheme for the whole of the site has been completed in accordance with the approved scheme.

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 development can be adequately drained.

(8) 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;**

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.

(9) 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 dwelling 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.

(10) No development shall commence on site until details of the proposed paved footway, accesses, drive gradients, car parking and any other associated highway works, have been submitted to and approved by the local planning authority. The development shall not be first occupied until the works referred to above have been constructed and laid out in accordance with the approved details.

REASON: To ensure that the paved footways and associated highway works are constructed in a satisfactory manner.

(11) 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 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 for at least the last 100 years and a description of the current condition of the site 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.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been 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 have been 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: 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 land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

(12) No development shall commence until details for the provision of a water supply and fire hydrants necessary to meet the fire-fighting needs of the housing development (including the installation arrangements and the timing of such an installation) have been submitted to and approved in writing by the Local Planning Authority. The approved measures shall be implemented in full accordance with the agreed details.

REASON: To ensure that adequate measures for fire-fighting can be incorporated into the development, including the construction phase.

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

REASON: To minimise disturbance to nearby residents during the construction.

(14) The proposed development shall be undertaken in accordance with the recommendations and timings stipulated in section 4.0 of the Bat Potential Roost Feature Inspection Survey & Bird Potential Report (Daniel Ahern Ecology, January 2018).

REASON: To ensure implementation of appropriate mitigation measures for protected species and to ensure compliance with wildlife legislation and the NPPF.

(15) The proposed development shall retain vegetative boundary features and shall not include the felling of any trees along the boundary of the site. Trees and hedgerow along the boundaries of the site shall be suitably protected during the pre-construction and construction phase.

REASON: To ensure appropriate protection for habitats and protected species and to ensure compliance with wildlife legislation and the NPPF.

(16) No development shall commence until a Landscape and Ecological Management Plan (LEMP) has been submitted to the local planning authority for written approval. The LEMP shall include but not be limited to including the following: details of ecological mitigation measures to be implemented during construction including the protection of hedgerows and trees; details of the ecological enhancement measures to be implemented in accordance with section 4.0 of the Bat Potential Roost Feature Inspection Survey & Bird Potential Report (Daniel Ahern Ecology, January 2018) and these shall be shown on a site plan; and shall provide details/plans and schedules of proposed planting and soft landscaping.

REASON: To ensure appropriate avoidance, mitigation and enhancement measures for biodiversity and landscape.

(17) No new external lighting shall be installed until a Sensitive Lighting Strategy has been submitted to the local planning authority for approval in writing. The lighting strategy shall specify the number, type and

location of luminaires and lighting columns to be installed and will be accompanied by a lighting contour plan/lux plot. In addition, details of mitigation measures setting out how light spill onto retained habitats will be minimised and how the boundaries will be retained as dark corridors shall be submitted for approval.

REASON: To ensure appropriate mitigation for protected species and the retention of dark corridors along the site boundaries.

INFORMATIVE TO APPLICANT: S278 Agreement

The applicant should be advised that he will be required to enter into a S278 Legal Agreement with the Council to secure the highway works including the adoption of the new paved footway across the frontage of the application site.

INFORMATIVE TO APPLICANT: Reserved Matters Outstanding

The indicative layout submitted with the application is not considered acceptable, particularly with respect of the access and parking arrangements. The applicant is advised to discuss the detailed proposals further with the parish council and the LPA (using the pre-application advice service) prior to submission of any reserved matters application/s.

**INFORMATIVE TO APPLICANT: Wessex Water
Water Supply and Waste Connections**

New water supply and waste water connections will be required from Wessex water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

Separate Sewer Systems

Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer system. An extract plan from Wessex Water records showing the approximate location of our apparatus within the vicinity of the site can be found on the application file which can be viewed on the council's website against the relevant application record.

INFORMATIVE TO APPLICANT: Community Infrastructure Levy

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/communityinrastructurelevy.

INFORMATIVE TO APPLICANT: Material Samples

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.

262 **17/06709/FUL - Corrindale, The Street, Teffont Magna, SP3 5QP**

Public Participation

Rowena Taylor spoke in objection to the application

Chris Edwick spoke in support to the application

David Gregory spoke in support to the application

Cllr Tony Deane spoke on behalf of the Parish Council.

The Senior Planning Officer Lucy Minting introduced the report detailing the proposed construction of a new house and vehicular access, which was recommended for Approval.

The proposals included the removal of five trees, with the dwelling set in to the existing landscaping. Level one was an under croft area, Level 2 included the entrance, and Level 3 had 3 bedrooms and a study.

The site was part of a previously proposed development which had been refused.

The recommendation included the removal of permitted development rights.

Members then had the opportunity to ask technical questions, where it was clarified that the proposed access to the site would be a new access.

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

Cllr Tony Deane spoke on behalf of Teffont PC, as Cllr Wood had sent his apologies. He noted that the PC's objections were included in the agenda, adding that it recognised there would be a house at this site at some time, however the present design was considered as over development of the plot. Cllr Dean thanked the Officers for the balanced report and conclusion.

The Division Member Cllr Bridget Wayman then spoke in Objection to the application, noting that there had been around 15 new properties in Teffont over the last 10 years, which she felt was quite a high number.

Teffont was a small village, the site lay within the designated conservation area. The Teffont VDS had a section on the settlement layout of the village. If this site was granted permission there would be a further decline in gaps between dwellings within Teffont. She urged the Committee to refuse this application.

Cllr Devine moved the motion of approval this was seconded by Cllr John Smale.

He noted that this would be a perfect place for infill in this village. He felt that if someone was proposing to bring a family with young children to settle, this was a good thing.

A debate followed where the key issues raised included, that a house on this site would fill an obvious space, however to minimise the excavation to the rear of the property had been brought forward, in comparison to the neighbouring dwellings.

The proposals had been changed to reflect the comments of the Conservation Officer, to move the dwelling back and down in height, through further excavation.

The design was imaginative, and there was already a good mix of historic and contemporary design properties in the village.

Resolved

That application 17/06709/FUL be APPROVED with 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:

Plan Ref: 1689.P-01 Rev A, received by this office 02/11/2017

Plan Ref: 1689.P.02 Rev A, received by this office 02/11/2017

Plan Ref: 1:1250 Location Plan Position of Cottage Revised Oct 2017, received by this office 03/11/2017

Biodiversity survey/assessment, received by this office 12/07/2017

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

(3) No development shall commence within the area indicated (proposed development site) until:

- **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**

- 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.

(4) No development shall commence on site until a scheme for the discharge of surface water from the site access/driveway, incorporating sustainable drainage details, together with permeability test results to BRE365, to prevent discharge onto the highway has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained, in the interests of highway safety.

(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:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- 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, in the interests of visual amenity and the character and appearance of the area.

(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) No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

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

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work – Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

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 Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

(8) Notwithstanding the approved drawings, no walls of the development hereby permitted shall be constructed until details of the following have been submitted to and approved in writing by the Local Planning Authority:

(i) Large scale details of all 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) Full details of proposed rooflights and solar panels, which shall be set in plane with the roof covering;**
- (iii) Full details of external flues including finish, background and mechanical ventilation, soil/vent pipes and their exits to the open air;**
- (iv) Full details of rainwater goods;**
- (v) Large scale details of proposed eaves and verges (1:5 section)**

The works 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, to ensure that the development is appropriately detailed due to its location within the conservation area and setting of listed building.

(9) All windows shall be of timber. No paint or stain finish shall be applied to external timber until details of the paint or stain to be applied 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 first occupied.

REASON: In the interests of visual amenity and the character and appearance of the area, to ensure that the development is appropriately detailed due to its location within the conservation area.

(10) No walls of the development hereby permitted shall be constructed until details and samples of the materials and finishes to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

(11) No walls of the development hereby permitted shall be constructed until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

(12) No external lighting shall be installed on site until details of external lighting have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site, to prevent light pollution and harm to the AONB.

(13) The development hereby permitted shall not be first occupied until the first five metres 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.

(14) No part of the development hereby permitted shall be first occupied until the access, turning area and parking spaces (including the undercroft car and cycle 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: In the interests of highway safety.

(15) The development hereby permitted shall not be occupied until the area between the nearside carriageway edge and a line drawn 2.4m metres parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 600mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

(16) The development shall be undertaken and completed in accordance with recommendations and precautionary mitigation measures outline on section 5 of the Biodiversity survey/assessment Version 2 dated 11 May 2017.

REASON: To ensure adequate protection, mitigation and compensation for protected species.

(17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (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.

(18) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the elevations, roofslopes or gable ends of the development hereby permitted.

REASON: To safeguard the character and appearance of the area and in the interests of residential amenity.

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

INFORMATIVE: Material samples

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.

INFORMATIVE: External lighting

The application site is located within the countryside of the AONB which is currently bidding for 'Dark Sky Reserve Status' (further information can be found via - <http://www.ccwwdaonb.org.uk/our-work/dark-night-skies/>). It is therefore recommended the applicant consider a scheme of screening/louvres to be attached to and used on all approved rooflight windows in the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

In considering any proposed external lighting, the applicant should comply with the Cranborne Chase and West Wiltshire Downs AONB position statement on Light Pollution available from: http://www.ccwwdaonb.org.uk/projects/pub_other.htm

INFORMATIVE: CIL

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.

INFORMATIVE TO APPLICANT: Works on the highway

The application involves an extension to the existing dropped kerb. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath,

carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

INFORMATIVE TO APPLICANT: Archaeological work

The work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office and there will be a financial implication for the applicant.

If archaeological remains are encountered, this may have an effect on the programme of works.

INFORMATIVE TO APPLICANT: Exhumation of Human Remains

Nothing in this permission shall authorise the exhumation, removal, or interference with human remains which may exist on the site. Separate legislation exists for such matters.

INFORMATIVE TO APPLICANT: Wessex Water

Water Supply and Waste Connections

New water supply and waste water connections will be required from Wessex water to serve this proposed development. Application forms and guidance information is available from the Developer Services web-pages at our website www.wessexwater.co.uk.

Further information can be obtained from our New Connections Team by telephoning 01225 526222 for Water Supply and 01225 526333 for Waste Water.

Separate Sewer Systems

Separate systems of drainage will be required to serve the proposed development.

No surface water connections will be permitted to the foul sewer system. Please find attached an extract from our records showing the approximate location of our apparatus within the vicinity of the site (this letter can be found on the application file which can be viewed on the council's website against the relevant application record)

INFORMATIVE TO APPLICANT: Surface Water and Foul Drainage

The application form states foul drainage disposal will be main sewer – the applicant will need to investigate the location of existing foul drainage system and pipework within the site as there may be S105A public sewers crossing the site which would require permission from Wessex Water.

The application form states storm water drainage disposal to be via a soakaway in the driveway – Any proposed use of soakaways will need to be backed up by permeability testing to BRE 365 plus in chalk areas any soakaway needs to be at least 10m from buildings/structures.

INFORMATIVE TO APPLICANT: Wildlife and Countryside Act

The applicant should note that under the terms of the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and

experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.

263 **17/11250/FUL & 17/11681/LBC - Little Manor Nursing Home, Manor Farm Road, Millford, Salisbury, SP1 2RS**

Cllr Hewitt and Cllr Jeans left the meeting.

Public Participation

Mr Fuller spoke in Objection to the application

Matthew Airey spoke in Support of the application

Matthew Holmes spoke in Support of the application

Jonathan Ross spoke in Support of the application.

The Senior Planning Officer Becky Jones introduced the report for external and internal alterations/refurbishments of the historic part of a 24 bed residential care home. Demolition of the recent extensions to the rear, and construction of a Care Quality Commission (CQC) compliant replacement extension, increasing the capacity to 30 beds and alteration to existing access. Demolition of 2 ancillary buildings and associated landscape works. The application was recommended for refusal.

The Officer noted that the proposed site plans had been amended since publication of the agenda, as detailed in the late correspondence circulated at the meeting. As a result the Conservation Officer had removed a reason for refusal. He had also asked for the scale and amenity to be added to the reasons for refusal.

Members then had the opportunity to ask technical questions, where it was Clarified that the recommended reasons for refusal had been edited since the report was published.

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

The Division Member Cllr Sven Hocking then spoke in support of the application. Noting that with regards to conservation and heritage, the front of the property did have character, however he felt that the rest of the building did not, adding that there was a need to bring the facility up to the required standards.

He acknowledged that Mr Fuller would have a large development at the rear of his property and that would need to be addressed, however the benefits outweighed the negatives, so he supported the application. He would expect the applicant to work with the residents to mitigate the negatives to their properties.

Cllr Hocking moved the motion of approval this was seconded by Cllr Smale.

A debate followed where the key issues raised included that the Applicant Wessex Care were a major provider in care for the elderly in the area, however it was a matter of balance, to consider the local need for the nursing provision over the loss of the protection to the building and limiting the impact on neighbouring properties.

The Conservation Officer had raised some concerns on the effects the proposed development would have on the listed building. The residents living at the property next door had raised concerns on the impact of the development would have on them.

The scale of the proposed building was too big and would impact on those around it.

The Committee voted on the motion of approval, this motion was not carried.

The Chairman then moved the motion of Refusal, for application 17/11250/FUL, this was seconded by Cllr Britton.

Resolved

That application 17/11250/FUL be REFUSED for the following reasons:

1. The development seeks to remove modern extensions and to extend and alter a Grade II listed building comprising a 24 bed nursing home. The proposed extension and alterations would add six new bedrooms and other facilities, to create a modern, 30 bed nursing home facility. The listed building, despite its relatively poor quality extensions, is pre-eminent on the site and the present extensions are very much secondary and partially obscured from view from Manor Farm Road. The proposed extension is a substantial three-storeyed cranked range occupying a footprint that is significantly disproportionate to its host.

Whilst there are some elements of heritage gain within the proposals (such as the proposed stairs to the front door) and neutrality by removing the poor quality modern extensions and refurbishment works to the original building, the alterations to the historic core of the listed building (such as removal of masonry walls to the rear of room 3 and the kitchen) appear to result in the loss of historic fabric and are inadequately justified in public benefit terms as required by NPPF para 134.

Therefore, the proposed extension, by virtue of its overall design, height and footprint, would cause "substantial" harm to the character and setting of the listed building, contrary to section 16 and 66 of The 1990 Act and paragraph 133 of the NPPF and the aims of Wiltshire Core Strategy Core Policy 58; and alterations to the historic core of the listed building would cause "less than substantial" harm and are inadequately justified in public benefit terms, contrary to NPPF paragraph 134.

2. The site lies adjacent to No 10 Westbourne Close, Milford Grove and White Lodge. The proposed 3 storey extension to the listed building, by virtue of its design, scale, massing and proximity to boundaries would result in an unacceptable level of actual and perceived overlooking towards neighbouring residential properties, is likely to give rise to unwanted light intrusion and would appear unduly dominant, to the detriment of the neighbouring occupiers,

contrary to Wiltshire Core Strategy Core Policy 57 (vii) and paragraphs 9, 56 and 64 of the NPPF.

The Chairman then moved the motion of Refusal for application 17/11681/LBC, this was seconded by Cllr Britton.

Resolved

That application 17/11681/LBC be REFUSED for the following reasons:

1. The development seeks to remove modern extensions and to extend and alter a Grade II listed building comprising a 24 bed nursing home. The proposed extension and alterations would add six new bedrooms and other facilities, to create a modern, 30 bed nursing home facility. The listed building, despite its relatively poor quality extensions, is pre-eminent on the site and the present extensions are very much secondary and partially obscured from view from Manor Farm Road. The proposed extension is a substantial three- storeyed cranked range occupying a footprint that is significantly disproportionate to its host.

Whilst there are some elements of heritage gain within the proposals (such as the proposed stairs to the front door) and neutrality by removing the poor quality modern extensions and refurbishment works to the original building, the alterations to the historic core of the listed building (such as removal of masonry walls to the rear of room 3 and the kitchen) appear to result in the loss of historic fabric and are inadequately justified in public benefit terms as required by NPPF para 134.

Therefore, the proposed extension, by virtue of its overall design, height and footprint, would cause “substantial” harm to the character and setting of the listed building, contrary to section 16 and 66 of The 1990 Act and paragraph 133 of the NPPF and the aims of Wiltshire Core Strategy Core Policy 58; and alterations to the historic core of the listed building would cause “less than substantial” harm and are inadequately justified in public benefit terms, contrary to NPPF paragraph 134.

264 **17/10559/OUT - 34 Park Lane, Salisbury, SP1 3NP**

Public Participation

Mr Weaver spoke in Objection to the application

Rachel Yeomans spoke in Support of the application

Rodney Job spoke in Support of the application

The Senior Planning Officer Warren Simmonds introduced the report for an outline planning application for demolition of existing five bedroom detached bungalow and replacement with two detached chalet style dwellings and a single block containing four apartments. which was recommended for approval with conditions.

Members then had the opportunity to ask technical questions, where it was clarified that the Ecologist had not visited the site, but had instead conducted a desktop study.

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

The Division Member Cllr Douglas had had to leave the meeting, provided a statement which was read out by the Officer:

I have called this to committee due to concerns regarding visual impact, relationship to surrounding properties and design. Although I recognise that this is an outline application, and that the accompanying design and layout is merely indicative, I want to stress that the design and layout are not acceptable, as indicated in the officers report (section 9.2, para 3 and 4 under 'Impact on the amenity of neighbours'; and INFORMATIVE at the end of the report). I would urge the committee to make that very clear in their decision.

The Chairman moved the motion of approval this was seconded by Cllr Devine

A discussion then took place, where the main points raised included that during the site visit it was evident how enormous the site actually was. It was felt that a development of the proposed size would still leave a reasonable amount of amenity space around it. The front building would be placed inline with the building next door, and the 2 chalets seem of an entirely reasonable size.

The application if approved would need to be followed up by an un reserved matters application.

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

Resolved

That application 17/10559/OUT be APPROVED with the following conditions:

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 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 details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The external appearance of the development;**
- (b) The landscaping of the site;**
- (c) The scale of the development;**
- (d) The layout of the development;**
- (e) The means of access to the site.**

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. The development shall be limited to a maximum of 6 dwellings only, and in terms of the access and parking arrangements and protection of existing trees only, the scheme shall be carried out in general accordance with the following plans:

Drawing number 1710-SK002 revision E dated 01.02.18, as deposited with the local planning authority on 06.02.2018, and

Drawing number 1710-SK003 revision E dated 01.02.18, as deposited with the local planning authority on 06.02.2018, and

REASON: The proposal is only acceptable in terms of the number of dwellings, the general parking, turning and access provisions, and in terms of how the mature trees on the site would be retained and protected.

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

REASON: To ensure that the development can be adequately drained

6. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 with location of ground water levels, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

7. Development shall be carried out in strict accordance with the submitted Arboricultural Impact Statement and Method Statement (Woodland & Countryside Management Ltd, 2nd February 2018) and associated submitted documentation.

REASON: To ensure the retention and protection of important trees.

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, unless an alternative layout arrangement is otherwise agreed in writing by the local planning authority as part of a future consent.

The areas and spaces so agreed shall be maintained for those purposes at all times thereafter.

REASON: In the interests of public safety.

9. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- the parking of vehicles of site operatives and visitors;
- loading and unloading of plant and materials;
- storage of plant and materials used in constructing the development;
- the erection and maintenance of security hoarding including decorative displays;
- wheel washing facilities;
- measures to control the emission of dust and dirt during construction;
- a scheme for recycling/disposing of waste resulting from demolition and construction works;
- measures for the protection of the natural environment.
- hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

10. 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. 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 amenity

INFORMATIVE

The Council considers that the overall design and positions of the two suggested chalet bungalows shown on the indicative plans may need further consideration prior to the submission of a future reserved matter or full application, so that the impacts of the scheme on neighbouring amenity can be limited as far as possible, whilst retaining adequate parking and turning areas and protecting/retaining existing trees on site. It is recommended that any future scheme is discussed with officers prior to any future application being submitted.

265 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 7.05 pm)

The Officer who has produced these minutes is Lisa Moore of Democratic Services,
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