

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 4 APRIL 2019 AT ALAMEIN SUITE, CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton (Vice-Chairman), Cllr Brian Dalton, Cllr Christopher Devine, Cllr Jose Green, Cllr Mike Hewitt, Cllr Sven Hocking, Cllr George Jeans, Cllr Ian McLennan, Cllr John Smale and Cllr Robert Yuill (Substitute)

Also Present:

Cllr Tony Deane

13 **Apologies**

Apologies were received from:

- Cllr Fred Westmoreland
- Cllr Leo Randall – who was substituted by Cllr Robert Yuill

14 **Minutes of the Previous Meeting**

The minutes of the meeting held on Thursday 7 February 2019 were presented.

Resolved:

To approve as a correct record and sign the minutes.

15 **Declarations of Interest**

There were none.

16 **Chairman's Announcements**

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

17 **Public Participation**

The committee noted the rules on public participation.

18 **Planning Appeals and Updates**

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

Resolved:

To note the Appeals report for the period of 25/01/19 – 22/03/19.

The Chairman provided an update on Nighwood Farm. An Enforcement Notice had been issued at the start of the week requiring the asbestos bunds to be removed within the next four months.

19 **Planning Applications**

20 **18/03678/FUL - 4a & 4b, The Crescent, Hill View Road, Salisbury, SP1 1HY**

Public Participation

Ros Liddington spoke in objection to the application

Timothy Pennell spoke in objection to the application

The Senior Planning Officer Tim Pizzey, presented the application which was for reversion of 4A and 4B The Crescent, to a single dwelling including side/rear extension with parking. The application was recommended for approval with conditions, as set out in the report.

Late correspondence was circulated at the meeting, which included a report clarification and photos provided by a third party.

It was explained that the site had a reasonable amount of planning history as detailed in the report.

The proposal was to revert two flats back into one dwelling, with an extension. The original application had included a car port; however this had since been removed, and now substituted with two car parking spaces.

There was a bank along the boundary with a row of trees, and around the extension it was proposed that there would be a retaining wall.

There would be one single entrance door to the front, with the extension on the side of the dwelling. There was already accommodation in the roof.

The previous scheme that was dismissed on appeal included a larger extension, with a path close to the boundary, and involved an additional of a flat, with the rear extension deeper and wider than was now proposed. That scheme was dismissed on appeal on the grounds of impact on the conservation area.

On the rear of the property, there was currently a flat roofed extension which would be retained and incorporated into the proposed extension.

The proposal included removing some more of the bank to make way for the side extension, with some trees identified in the arboricultural report to be felled, some to be pruned back and some new planting.

There was reference in the most recent appeal decision of the importance of the trees. There were no TPO's on the trees but they had been identified as contributing to the conservation area.

The appeal decisions are a material planning consideration; the main consideration was the impact on the conservation area.

The Members had the opportunity to ask technical questions of the Officer, where it was clarified that there was a condition which required the details of the tree species proposed for re-planting. The Officers would work with the Tree Officer to seek clarification on what types of trees would be required. The following points came out of that questioning:

- The whole area was of archaeological interest, due to the potential for Palaeolithic remains, known to be in the area.
- The Arboriculture report would cover aspects of avoiding nesting season during construction.
- If this application was approved, the applicant would be able to submit further applications to increase the development. All applications are considered on their own merits, however unless something materially changed it was likely to have same decision.

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

The main points raised included:

- the alleged damage caused by previous removal of some trees, and the subsequent negative effect on the remaining sycamore trees following the removal of part of the bank the concern that the removal of the proposed trees and bank would result in the removal of the natural screening between the Girls School and these houses.
- The digger used previously had allegedly damaged a piece of archaeology.
- Areas of the scheme had insufficient information for the Committee to consider at this point.
- The Salisbury City Council had rejected this application, since that time there had been 3 rapid plan revisions.
- Concerns of multiple occupation and associated vehicle movements. The movement of construction vehicles and the times of work.

The Division Member Cllr Sven Hocking then spoke in objection to the application, noting that :

- the current application was pretty close to the previous proposal. It was already cramped at the top of the road and would become more so and the level of upheaval to local residents due to there being no room for construction vehicles to turn.
- There would be a change of character to the area and the proposal for tree planting would be difficult as there would be little bank left to do any planting on.
- There had been a long history of applications on this site, all centred around getting another building on the end of the terrace.
- There was a covenant in place which was a legal document to restrict any more building on the site.

Cllr Sven Hocking then moved the motion of refusal against Officer recommendation on the grounds of overdevelopment, parking impact on neighbours and impact on a conservation area. This was seconded by Cllr Hewitt.

Cllr Hocking also requested that the Conservation Officer attend the site to advise on the re-instatement of the trees.

A debate followed where the key points raised included that the proposed development was in a conservation area, and Members raised the following issues:

- The associated vehicle movements in the restricted lane would be a disruption to the other residents.
- The trees, once damaged could not be repaired.
- The covenant was irrelevant, and not a planning consideration, as it was a civil matter.
- The upheaval would be a temporary matter, and the vehicular movement of works vehicles could be addressed by restrictions on hours.
- The trees had some protection by virtue of being in a conservation area. The applicant could apply to remove trees for development.
- If approved, the submitted scheme identified works to remove some trees and in effect an approval of this scheme would be granting permission for those trees to be removed. The bank has no separate protection status.

- Condition 11 gave protection against the dwelling becoming a multiple occupancy. The property as one dwelling was considered to be of an adequate size for a large family, without an extension.

The Committee then voted on the motion of Refusal.

Resolved:

That application 18/03678/FUL be refused, against Officer's recommendation, for the following reason:

1. **The proposed development by virtue of the size and cramped siting of the proposed extensions and retaining wall and the resultant adverse impact on the bank and trees of importance along the eastern site boundary, would be harmful to the character and appearance of this attractive part of the Milford Hill Conservation Area. Furthermore, notwithstanding the changes made to the previous proposal, it is considered that the proposed development would not adequately overcome the Inspector's reasons for dismissing the most recent appeal in respect of application 16/01910/FUL (APP/Y3940/W/17/3174421). The proposal would therefore be contrary to Core Policies 57 and 58 of the Wiltshire Core Strategy and aims of the NPPF.**
2. **The proposed development, by reason of its location at the top of a narrow private driveway, with limited parking for motorised vehicles and servicing, would provide insufficient parking and turning space for future occupiers and visitors of the site, likely to result in obstruction and inconvenience for users of the narrow congested private road leading to the site and associated disruption and disturbance during construction. As such the proposal would result in unacceptable harm to the residential amenity of the occupiers of neighbouring properties and would be contrary to Core Policy 57 and 64 of the Wiltshire Core Strategy.**

Note: The Committee also requested immediate remedial action be taken to reinstate the bank and trees that has been removed without permission. The Planning Officer would liaise with the Enforcement Officer to progress this request.

21 **19/00441/FUL - Pythouse Farm, Tisbury, SP3 6PA**

Public Participation

Richard Hickman spoke in objection to the application
Trudy Austreng spoke on behalf of Tisbury Parish Council

The Senior Planning Officer Warren Simmonds, presented the application which was for the erection of an agricultural building to house poultry. The application was recommended for approval with conditions, as set out in the report.

The proposed building would be 46 x 12m and approx. 3m high, with a 4.4m overall height of ridge.

The proposed juniper green colour was sympathetic to the surroundings, and the building included ventilation fans.

The building would house organic free-range chickens. The applicant was a provider to a major supermarket chain.

There was a requirement for the chickens to have a large area of outside space to qualify for free range.

There were other existing buildings on the site which also housed chickens. The new building would be sited so far to the north to maximise the distance between the existing unrelated dwellings in either direction.

Views of the building would be mitigated by other hedgerow and buildings. The proposed building was of relatively low height and not considered to have a detrimental impact on surrounding landscape. It was approximately 360 meters away from the nearest residential dwelling and there were no odour concerns.

The Members had the opportunity to ask technical questions of the Officer. There were no questions.

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

The main points raised included the visibility of the proposed building in the open countryside in an AONB, and raised the following points:

- The raised position of the chosen site, as opposed to the suggested preferred option of positioning the new building between the existing farm buildings.
- The duration it would take for planting to grow up to form cover.
- The use of the proposed service road, instead of an opening along the lane.

Trudy Austreng spoke in objection, on behalf of West Tisbury PC. She noted that the Officer had not mentioned the letter submitted by the AONB which stated their concern about the siting of the chicken house in this location and suggested that it be placed in between the farm buildings. She also raised the following points:

- The chosen location was in the skyline and not appropriate in an AONB. There were also concerns raised about the close proximity to the lane.
- Some current issues relating to an existing shed had not yet been addressed, and it was felt that this second chicken shed was also going to be a problem.

- Local knowledge was that it was along a narrow lane and large vehicle movement would cause an issue.

The Parish Council noted that a precedent would be set for large scale rural agriculture in an area of AONB. They wished for it to be positioned away from residential dwellings but not on the skyline.

The Division Member Cllr Tony Deane then spoke noting that he had called this application in because the Parish Council had wished it to be. There had been two parish debates, the second one he had attended. He had also received letters of objection from residents.

The main objections were the location being on the crest of the hill, and the existing building reflected the light and looked oppressive in the area.

We have read about the organic egg production and the restrictions of space. But it is in an AONB. This was the fourth of three other similar buildings. The prevailing wind went through the plantation across the site. It was intrusive in the AONB especially if it was built in a similar way as the others, we are told they will be using camouflage colours.

Cllr Devine then moved the motion of approval in line with Officer recommendation. This was seconded by Cllr Hewitt

A debate followed where the key points raised included that the site was not at the top of a hill but it was on high land. Environmental Health had no objections.

The proposed site was in front of a wooded area to reduce visual impact.

In the countryside we look across and see farm buildings, it is expected. The condition relating to external lighting needed to be clear.

The only planning issue was whether it affected the AONB.

With regards to the roof, it would be difficult to put a grass roof on it, but they could use a non-reflected paint.

The Committee then voted on the motion of approval in line with Officer recommendation.

Resolved:

That application 19/00441/FUL be Approved in line with Officer 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 19002 02 Revision B dated 14.01.19, as deposited with the local planning authority on 22.01.19, and Drawing number 19002 03 dated 10.01.19, as deposited with the local planning authority on 22.01.19.

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

3. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. Any external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E1 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

Reason: In the interests of amenity and the character of the surrounding landscape

4. No development shall commence on site above ground level until details of the materials and colours/external treatments to be used on the external surfaces of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

Informative: The external finish(es) of the building should be non-reflective.

22 **19/00386/FUL - 12 Woodville Road, Salisbury, SP1 3JQ**

Public Participation

Marzia Parodi spoke in objection to the application

James Murphy spoke in objection to the application

Mrs Reed (applicant) spoke in support of the application

John Barber spoke on behalf of Salisbury City Council

The Planning Officer James Repper, presented the application which was for a two-storey side extension. The application was recommended for approval with

conditions, as set out in the report. He showed a variety of slides, and highlighted the following points:

- The proposal included the removal of a side window and move that to the rear of the extension.
- The objections received included a claim of reduction in sunlight to the neighbouring property and as a result an adverse effect on it.
- There were other similar extensions on neighbouring properties. The extension would facilitate a bedroom and en-suite
- There was currently a boundary dispute, Surveyors were involved and reports had been produced to state who owned the boundary.
- Property number 14 had an extension of a similar in size, with the proposed being slightly narrower.

The Members had the opportunity to ask technical questions of the Officer, where it was clarified that it was not possible to show where the shadow of the proposed extension would fall in the neighbouring rear garden, as it would be dependent on several factors which were changeable with time of day, and whether it was summer or winter. However, slides were shown of existing overshadowing caused by the existing dwelling.

Members of the public then had the opportunity to present their views as detailed above. The main points included:

- that the neighbouring property number 14 already had the extension up to the boundary when that house was purchased. If number 12 had a similar extension, there would not be enough of a gap between the two and as such would not be enough to distinguish the two properties as semidetached.
- The properties were set out in a staggered style and sat at different heights, with number 12 higher than number 14. An extension of this size would subject the rear garden of number 14 to additional shadow.
- New developments should provide a high standard of amenity. The neighbours property sat higher and further back from number 14, and it was felt that those factors had not been taken in to consideration.
- The applicants had lived in the property for a number of years and had a detailed knowledge of the area.
- There were other extensions of varying sizes and styles in the area, and the design had followed planning criteria closely. The proposed extension at 2.5m wide, was smaller than others nearby and that of the next-door neighbour at number 14.

- The property was in the corner of a cul-de-sac only used by residents and those turning. The existing adequate parking of 2 spaces would remain.

Salisbury City Council (SCC) representative, John Barber spoke in objection to the application, noting that SCC had refused the application on grounds of scale and overdevelopment, and indicated the following:

- The proposal was up against a building line so it had been rejected. It was felt that the proposal would change the character of number 14 and would create a considerable shadow at the rear of the neighbouring property.
- There would be no access for the neighbour to access their guttering between the two extensions, and would produce the visual effect of a terrace.
- The development would change the parking, as they propose to park a car on the front garden. The existing front porch was constructed from the wrong material, SCC would not have approved that either.
- SCC felt that the proposal was not complimentary to the local community.

The Division Member Cllr Derek Brown was unable to attend the meeting.

Cllr Hewitt then moved the motion of Approval in line with Officer recommendation. This was seconded by Cllr McLennan.

A debate followed where the key points raised included that:

- loss of sunlight did not constitute a planning refusal. There was nothing to say that as one neighbour had their extension first, that meant the other neighbour could not have one, because the two would be next to each other.
- The height could be considered over bearing and because of the layout of the staggered houses, there would be some over shadowing.
- Both properties were orientated east west, so light would be restricted by the houses themselves.
- The proposal would have an effect on the street scene and create the appearance of a terrace.

The Committee then voted on the motion of Approval.

Resolved:

That application 19/00389/FUL be Approved in line with Officer 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:**

**Application Form & Certificate Received 20th January 2019
Revised Proposed Elevations Rev A Received 20th March 2019
Revised Proposed Floorplans Rev A Received 21th March 2019
Location & Block Plans Received 20th January 2019
Revised Proposed Parking Plan Rev A Received 20th March 2019**

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

- 3. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.**

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

- 4. WE12 OBSCURE GLAZING**

Before the development hereby permitted is first brought into use the window in the Western elevation (serving the En-Suite) shall be glazed with obscure glass and be top opening only. The window shall be maintained as such in perpetuity.

REASON: In the interests of residential amenity and privacy.

23 Urgent Items

There were no urgent items

(Duration of meeting: 3.00 - 5.10 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