

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 5 MAY 2011 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Christopher Devine, Cllr Mary Douglas, Cllr Jose Green (Vice Chairman), Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian West and Cllr Fred Westmoreland (Chairman)

Also Present:

Cllr Richard Clewer

54. **Apologies for Absence**

Apologies for absence were received from Cllr Brian Dalton.

55. **Minutes**

The minutes of the meeting held 14 April 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes subject to the addition of Cllr Mary Douglas under minute no.45, Apologies for Absence.

56. **Declarations of Interest**

Cllr Mary Douglas declared a personal interest in planning application S/2011/0046 – 151 – 161 and 169 Fisherton Street, Salisbury. She explained that her interest was a result of her active role in the local Christian community, but clarified she was not a member of the St.Paul's Parochial Church Council nor did she have any sort of role on any steering committee.

57. **Chairman's Announcements**

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

The Chairman added that further to the Councillors' request at the previous meeting a meeting for the committee members with the new Area Head of Planning Andrew Guest was in the process of being arranged. It would take place in advance of the next committee meeting.

58. **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

59. **Planning Appeals**

The committee received details of one forthcoming appeal as follows:

S/2010/1699 - Land Opposite Southview Cottage, Brook Hill, Donhead St. Andrew, Shaftesbury, SP7 9LG.

60. **Planning Applications**

60a **S/2011/0046 - 151-161 and 169 Fisherton Street, Salisbury SP2 7RP**

Public Participation:

Mr Andrew Robertson, spoke in support of the application.

Cllr Richard Clewer, the local member spoke to convey local residents' concerns regarding parking and some elements of the design (at least partially addressed), and expressed support of the plan as a whole.

The Planning Officer introduced the application and drew members' attention in particular to the conditions listed under point 11 of her report regarding glazing and the opening of windows on the proposed community centre.

A debate ensued wherein members of the committee discussed the potential community benefits of the scheme and regenerating effect it could have on the St. Paul's roundabout area, and also the situation regarding parking provision for this and other such inner-city developments.

It was

Resolved:

That the application be GRANTED, subject to the completion and agreement of a s106 legal agreement / a unilateral undertaking which provides contributions towards off site open space and educational facilities, for the following reasons:

The proposed development would not cause any significant demonstrable

harm to interests of acknowledged importance, in this case, the impact on the character of the area, amenities, highway safety/parking, contamination, protected species and open space/education requirements. The proposal is considered to be in accordance with the aims and objectives of the following saved policies in the Salisbury Local Plan namely:

G1 - Sustainable development
G2 – General
G9 – Planning obligations
C12 – Protected species
H8 - Housing Policy Boundary
D1 - Design
D2 – Design
CN5 – Development affecting the setting of a listed building
TR11 - Off street car parking
TR14 -Provision of cycle parking
R2 - Recreational open space
E16 –Employment

And subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) No development shall commence until details of the entry gate and traffic light signal system, including the locations of the installations, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until the gates and traffic light signal system has been installed in accordance with the approved details and shall be serviced and maintained at all times thereafter.

Reason: To ensure that vehicles do not meet on the access ramp and prevent the need for vehicles to reverse onto the highway.

Policy: G2 (General)

(3) No development shall commence until details of the reinstatement of the footway to remove existing vehicle crossings, in accordance with Wiltshire Council footway specification, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until the footway has been reinstated in accordance with the approved details.

Reason: In the interests of amenity and public safety.

Policy: G2 (general)

(4) No development shall commence until full large scale drawings and details (1:10 scale) of all architectural features including door and window surrounds, window heads/sills, windows, doors and rainwater goods have been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

Policy: G2 (General), D2 (Design)

(5) No development shall commence until a schedule of external facing materials of the roof and walls (including, bricks and mortar colour) has been submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

Policy: G2 (General), D2 (Design)

(6) No development shall commence on site until a sample wall panel for the side extension to the former school building, 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.

Policy: G2 (General), D2 (Design)

(7) No development shall commence until a noise pollution attenuation scheme for flats 6, 9, 10, 13 and 14 has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include the glazing specification to the flats, full details of the acoustic insulation and air ventilation systems. The flats shall not be occupied until the approved scheme has been completed in accordance with the approved details.

Reason: In the interests of the amenities of the occupiers of the proposed flats facing onto St Pauls roundabout.

Policy: G2 (General)

(8) No development shall commence until full details of the acoustic insulation between flats 8, 9, 12 and 13 have been submitted to and approved in writing by the local planning authority. The flats shall not be occupied until the development has been completed in accordance with the approved details.

Reason: In the interests of the amenities of the occupiers of the proposed flats due to the arrangement of living accommodation within flats 8, 9, 12 and 13 where there is a conflict in adjacent room uses on the first and second floors.

Policy: G2 (General)

(9) No development shall commence until full details of the acoustic insulation between the community centre and adjoining Nos 157 and 163 Fisherton Street have been submitted to and approved in writing by the local planning authority. The community centre shall not be used until the development has been completed in accordance with the approved details.

Reason: In the interests of the amenities of the occupiers of adjacent residential units.

Policy: G2 (General)

(10) No development shall commence until a scheme for protecting the proposed residential units against noise from the underground car park and any associated extraction or ventilation equipment has been submitted to and approved by the Local Planning Authority.

The flats shall not be occupied until the approved scheme has been completed in accordance with the approved details.

Reason: In the interests of the amenities of the occupiers of the proposed flats.

Policy: G2 (General)

(11) No development shall be commenced until details of the obscure glazing and means of restrictive opening/non-opening windows to the 2nd floor meeting room, stairwell and first floor kitchen in the community centre building have been submitted to and approved in writing by the local planning authority. The community centre shall not be used until the development has been completed in accordance with the approved details and shall be maintained as such for perpetuity.

Reason: In the interest of neighbouring amenity.

Policy: G2 (General)

(12) No construction work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. This condition shall not apply to the internal fitting out of the development.

Reason: In the interests of the amenities of the occupiers of adjacent residential units.

Policy: G2 (General)

(13) The use of the commercial premises on the ground floor of the development shall be solely limited to uses within Classes B1a) Offices or A2 of the (Town and Country Planning) Use Classes Order 1995 as amended in 2005 (or any Order revoking or altering that Order).

Reason: In the interests of the amenity of the area and highway safety, to allow the Local Planning Authority to consider any future proposals for a change of use having regard to the circumstances of the case.

Policy: G2 (General)

(14) The community centre hereby permitted shall only be in use between the hours of 08:00am and 00:00 midnight.

Reason: In the interests of the amenities of the occupants of the nearby residential properties.

Policy: G1 & G2 (General Development Criteria)

(15) This development shall be in accordance with the following drawings:

733-20-11A Location Plan

733-20-14 Section F-F & Bin Store Elevations

733-20-01A Ground floor and basement plans

733-20-02A First Floor Plan

733-20-03A Second Floor Plan and Third Floor Plan

733-20-04A Roof Plans

733-20-05A North East and South West Street Elevation

733-20-06A West, East & South Elevations of flats

733-20-08A Sections B-B, C-C, D-D and E-E flats

733-20-10A Site plan

733-20-12A Block plan

733-20-17 Section G-G

733-20-07A North West, South East, south West elevations, & Section A-A Youth and Community Centre

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

INFORMATIVE:- Traffic Regulation Order

A traffic regulation order will be required prior to the construction of the new vehicular access and existing road markings and repositioned to ensure that the on-street parking spaces are correctly indicated. It will be necessary for the applicant to request that the necessary changes to the traffic regulations order are undertaken by Wiltshire Council, including the necessary changes to road markings. The total cost of the order and works will be in the order of £4,000 and the applicant shall deposit the sum with the Council at the appropriate time in order to ensure the order and works are implemented to meet the programme of works. It will not be permitted that the new access is constructed until the order is made and the full cost of the order and works have been paid in advance.

INFORMATIVE: Wiltshire Fire & Rescue

The applicant should be made aware of the letter received from Wiltshire Fire and Rescue Service regarding advice on fire safety measures. This letter can be found on the file, which can be viewed on the council's website against the relevant application record.

INFORMATIVE: Condition 7

In order to comply with condition 7, the ventilation system should be sufficient to allow a proper degree of ventilation, including during the warmer months of the year, and should allow the occupants to control the degree of ventilation to their needs and comfort. The applicant should also demonstrate that the equipment itself will not generate an excessive level of internal noise.

INFORMATIVE: - Party Wall Act

It is noted that the development hereby approved involves construction on or near a boundary with an adjoining property. The applicant is advised that this planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

INFORMATIVE:- Wildlife and Countryside Act

The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. For further advice, please contact the district ecologist at Wiltshire Council.

Immediately prior to construction checks should be made for the presence of nesting birds and roosting bats.

Construction should proceed with care and removal of roof tiles should be by hand.

Bats are a Wiltshire BAP priority and consideration should be given to incorporating the provision of roosting opportunities in the form of bat boxes or bat bricks into the development scheme.

INFORMATIVE: Environmental Health

The site is inappropriate for the use of brick crushers and/or screeners on site which can have a very large impact in terms of noise and dust on people living and working nearby. Any significant processing of demolition materials should take place in a more appropriate location.

INFORMATIVE:- Residents Parking Zones and Permits

The applicant/owner is advised that the occupants of the new properties hereby granted planning permission may not be entitled to parking permits under the residents parking scheme operating in this area, including

additional units resulting from the conversion of properties to flats. You are advised to contact Parking Services 01722 434326 should you require any further information regarding the issuing of residents parking permits by the City Council.

60b **S/2011/0329 - Landford Manor, Stock Lane, Landford, Salisbury SP5**
2EW

Public Participation:

Mrs Carol Hewson spoke in objection to the application

Mr Richard Hewson spoke in support of the application

Mr Ray Avery spoke in support of the application

Cllr John Martin, Landford Parish Council, spoke in objection to the proposal.

The Chairman informed the committee that a number of letters had been received as submissions for inclusion under the late list, however the content of these was contested and offered no new and relevant information in planning terms.

The planning officer introduced the retrospective application and answered technical questions on the case officer's report.

A motion for permission was proposed and seconded and then debated. Contributions focused on the following factors:

- The intent behind the original permission for the renovation of Landford Manor
- The sustainability of the business as operated out of these premises
- The need to encourage the development of the rural economy
- Fire safety and fire mitigation measures
- The amenity of the other occupants of Landford Manor
- Traffic levels in the proximity of the Manor and the levels of parking available on the site

On being put to the vote the motion for approval was lost.

A new motion for refusal was proposed and seconded on the grounds that the application was an inappropriate change of use of part of a listed building in a conservation area, was contrary to the rules governing development within listed buildings and objecting in principle to the assertion that the unit was suitable for use as offices, noting further that such use would be detrimental to the amenity of local residents.

Following discussion it was

Resolved:

To REFUSE planning permission for the proposed continued use of the upper floor of Unit 1 of Landford Manor by Innovative Consultancy UK Ltd, for the following reasons:

- 1) the scale of the use having resulted in a significantly large number of cars being parked in front of the Manor, which is considered to be visually detrimental to the setting of the listed building;
 - 2) the changes that would be required in order to facilitate the provision of adequate fire precautions for such a large office employing up to 12 persons; are likely to be unsympathetic to the historic interest of the building,
 - 3) the changes would have unacceptable long term implications for the historical integrity of the building being incompatible in terms of its scale and impact upon the listed grade II* Landford Manor, and would adversely affect the amenities of neighbours. As such the proposal is considered to be contrary to the provisions of the Development Plan, and in particular Policies G1 and G2 (General Criteria for Development), CN4 and CN5 (Listed buildings) and E17 (Employment) of the saved policies of the adopted local plan, and PPS4.
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Cllr Mike Hewitt requested his vote against the refusal of planning permission be recorded.

61. **Urgent Items**

None.

(Duration of meeting: 6.00 - 7.20 pm)

The Officer who has produced these minutes is Liam Paul, of Democratic Services, direct line 01225 718376, e-mail liam.paul@wiltshire.gov.uk

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