

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 16 JUNE 2011 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Christopher Devine, Cllr Jose Green (Vice Chairman), Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Paul Sample, Cllr John Smale (Substitute), Cllr Ian West and Cllr Fred Westmoreland (Chairman)

Also Present:

Cllr Bridget Wayman

70. Apologies for Absence

Apologies were received from Councillors Brian Dalton and Mary Douglas. Councillor John Smale substituted for Councillor Douglas.

71. Minutes

The minutes of the meeting held 26 May 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes.

72. Declarations of Interest

There were no declaration of interest

73. Chairman's Announcements

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

74. Public Participation and Councillors' Questions

The committee noted the rules on public participation.

75. **Planning application no. S/2006/1599 for: The erection of 26 Dwellings and formation of Vehicular and Pedestrian access thereto, at Downside Close, Mere.**

The Principal Development Officer presented the report which requested consent to vary the affordable housing elements of the S106 agreement.

Members asked questions for clarification on other options, if any, that were available.

The committee noted that the emerging core strategy proposed that the threshold for triggering the provision of affordable housing would be reduced so that sites capable of delivering 5 homes would be subject to the provision of a small number of affordable homes. The issue however of whether such homes could be provided without the use of registered affordable housing providers was a matter of policy.

Resolved

To delegate authority to officers to work with mortgage lenders and the developer to amend the affordable housing elements of the S106 to make the homes accessible and affordable to local people, whilst securing a fallback option that would still generate a commuted sum to use for future affordable housing provision in South West Wiltshire.

76. **Planning Appeals**

The committee received details of the following appeal decisions:

S/2010/1229 - Windwhistle, Lopcombe Corner – delegated – dismissed

S/2010/1002 and S/2010/1686 - 93 Castle Road, Salisbury - delegated – dismissed

And forthcoming appeals as follows:

S/2011/0340 - Adjacent Pippins, Lights Lane, Alderbury

S/2010/1903 - 8 The Poplars, Barford St Martin

77. Planning Applications

77a **S/2010/1879 - Land at the front of Fitz Farmhouse, Teffont Magna**

Public Participation

Mr Peter Urquhart spoke in objection to the application

Mrs Mary Corrie spoke in support of the application

Mr Richard Longfox, on behalf of Teffont Parish Council, spoke in support of the application.

The Planning Officer introduced the report and drew attention to the late correspondence, a debate ensued during which issues such as retention of the Ash tree, overdevelopment, housing restraint area and impact on adjoining properties.

Resolved:

That subject to the applicant entering into a section 106 legal agreement to secure the appropriate financial contribution towards off-site recreational open space

Planning Permission be GRANTED for the following reason:

The proposed dwelling would be of an appropriate scale and design to the locality, preserving the character of the Conservation Area and Housing Restraint Area. There would be no significant adverse impacts upon the amenities of neighbours and appropriate access, parking and turning facilities would be provided so that the development would be acceptable in highway terms. Subject to conditions the development would be safe from flooding and would not harm archaeological or ecological interests. The development would therefore accord with the aims and objectives of the development plan and other Government guidance, having particular regard to saved Local Plan policies G1, G2, G5, H19, D2, C4, C5, C12, C13, C17, C18, CN8, CN10, CN11, CN21, CN22, TR11, TR14, R2 and PPS3, PPS5, PPS9, PPS25.

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) The development shall only be undertaken in accordance with the following approved plans:

Plan Ref....C/719/3...	Date Received....15.12.10....
Plan Ref....C/719/4...	Date Received....15.12.10....
Plan Ref....C/719/6...	Date Received....09.02.11....
Plan Ref....C/719/7...	Date Received....09.02.11....

Reason: For the avoidance of doubt.

- 3) Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

Policy: D2, H19, CN8, C5

- 4) Before development is commenced, details of all new windows and external doors shall be submitted to and approved in writing by the Local Planning Authority. Detailed sections and elevations of all new windows shall be submitted to at least 1:5 scale, and detailed sections and elevations of all new doors shall be submitted to at least 1:10 scale. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the development.

Policy: CN8

- 5) Before development is commenced, details of all new rainwater goods shall 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 the visual amenity of the development.

Policy: CN8

- 6) Before development is commenced, details of the eaves of the dwelling shall be submitted to and approved in writing by the Local Planning Authority. Detailed sections of the eaves shall be submitted to at least 1:2 scale. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the visual amenity of the development.

Policy: CN8

- 7) 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) indications of all existing trees and hedgerows on the land;
 - (b) details of any to be retained, together with measures for their protection in the course of development;
 - (c) all proposed species, planting sizes and planting densities;
 - (d) finished levels and contours;
 - (e) means of enclosure;
 - (f) car park layouts;
 - (g) other vehicle and pedestrian access and circulation areas;
 - (h) hard surfacing materials;
 - (i) minor artefacts and structures (e.g. refuse and other storage units, lighting etc);

Reason: In the interests of the visual amenity of the development, and to ensure the adequate retention of privacy to neighbouring dwellings.

Policy: G2, H19, CN8, C5

- 8) 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. 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: In the interests of the visual amenity of the development, and to ensure the adequate retention of privacy to neighbouring dwellings.

Policy: G2, H19, CN8, C5

- 9) No development shall commence until:
- a) 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

- b) The approved programme of archaeological work has been carried out in accordance with the approved details.

Reason: In the interests of recording archaeological artefacts that may be present within the site.

Policy: CN22

10) The development hereby permitted shall only be carried out in accordance with the approved Flood Risk Assessment (dated January 2011) and the following mitigation measures detailed within including:

- Finished floor levels are to be set no lower than 91.7m above Ordnance Datum (AOD).
- Flood-proofing measures related to a sealed damp proof membrane and the elevation of electrics within the proposed dwelling.

Reason: To reduce the impact of flooding on the proposed development and future occupants.

Policy: PPS25

11) No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

Policy: G5, PPS25

12) Before development is commenced a construction method statement, detailing measures to minimise the risks of pollution to the adjacent watercourse during the construction process, shall be submitted to and agreed in writing by the Local Planning Authority. The statement shall include details to show that the stream will be protected by Heras fencing for the entire duration of the construction works. The construction works shall be undertaken in accordance with the approved method statement unless otherwise agreed in writing by the local planning authority

Reason: To avoid pollution of the river system.

Policy: C18, PPS9

- 13) Before development is commenced an ecological mitigation and enhancement plan, showing the location of ecological enhancements and including the species of trees to be planted and the profile of the new pond, shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed details before the first occupation of the dwelling.

Reason: In the interests of ecology and biodiversity.

Policy: C13, PPS9

- 14) Trees and shrubs shall only be felled or cleared outside the bird breeding season 1st March to 31st August.

Reason: In the interests of nesting birds.

Policy: C12

- 15) Notwithstanding the provisions of Classes A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: In the interests of visual and neighbouring amenity.

Policy: G2, H19, CN8

- 16) Before the development hereby permitted is first occupied the en-suite window in the south-east elevation shall be glazed with obscure glass only and the window shall be permanently maintained with obscure glazing at all times thereafter.

Reason: To ensure the adequate retention of privacy to the neighbouring dwelling.

Policy: G2

- 17) No construction or demolition work shall take place on Sundays or public holidays or outside the hours of 0800 to 1800 weekdays and 0800 to

1300 on Saturdays. This condition shall not apply to the internal fitting out of the building.

Reason: In the interests neighbouring amenity.

Policy: G2

INFORMATIVE:

There is a risk that bats may roost in trees due to be felled at the development site. Under the Conservation of Habitats and Species Regulations 2010, it is an offence to harm or disturb any species of bat. Planning permission does not provide a defence against prosecution under these pieces of legislation. If a bat is found during the works, the applicant is advised to stop work and follow advice from their own Ecologist or to contact an Ecologist at Wiltshire Council (01225 718478) before proceeding further.

INFORMATIVE:

Landscaping condition

It will be expected that all trees within the development site will be shown as being retained within the proposed scheme of soft landscaping, unless otherwise adequately justified for removal by an appropriately qualified arboriculturist.

77b **S/2011/0628 - Jesolo, Wylve Road, Hanging Langford, SP3 4NN**

Public Participation

Dr Kenneth Kinnear spoke in objection to the application

Ms Alison Wood-Mallock spoke in objection to the application

Mr Phil Miles spoke in objection to the application

Mr Rob Rowe spoke in support of the application

Ms Georgina Hellyer, on behalf of Steeple Langford Parish Council, spoke in objection to the application

The Planning Officer presented the report and drew attention to the late correspondence. Members expressed concern regarding the scale of the development and its relationship to the surrounding properties.

Resolved

That the application be REFUSED for the following reason:

The proposed development, by reason of its scale (and, in particular, its height and massing) and its appearance, would have a harmful impact on the character and appearance of the surrounding established residential area. Furthermore, the proposed development, by reason of its size, massing and cramped layout and its close relationship with neighbouring properties, would have an adverse impact on the privacy of occupiers of these neighbouring properties. This is contrary to Policies G2, D2 and H16 of the Salisbury District Local Plan 2003.

77c **S/2011/0432 - Land adjacent to Rose Cottage, Castle Lane, Whaddon, SP5 3EQ**

Public Participation

Mr Nick Hart spoke in objection to the application

Mr Richard Keach spoke in objection to the application

Mr Steve Kirby spoke in support of the application

Mr Andy Poole spoke in support of the application

Mr Martin Thomas spoke in support of the application

Ms Linda Whetton, representing Alderbury Parish Council, spoke in support of the application

The Planning Officer introduced the report which was recommended for refusal and drew attention to the late correspondence. He also explained the history of the site. Issues including car parking, employment potential and impact on neighbouring properties were raised.

Resolved

To approve the application. To delegate to officers to draft the conditions, and, when they are ready, to bring them back to the committee for agreement.

Councillor Richard Britton asked that his dissention be recorded.

77d **S/2011/0277 - 11 York Road, Salisbury, SP2 7AP**

Public Participation

Mr Graham Lees spoke in support of the application.

The Planning Officer presented the report which was recommended for approval and drew attention to the late correspondence.

Resolved:

Approved subject to S106 agreement regarding contribution towards open space provision.

Reason for approval:

It is considered that the proposal is acceptable in principle and is visually appropriate in terms of the surrounding area while not prejudicing the Groundwater Source Protection Area, highway safety, residential amenity, archaeology or protected species. As such it is judged to conform with saved policies G1, G2, G8, D2, H8, H16, E16, R2 of the Adopted Salisbury District Local Plan, the Adopted Supplementary Planning Guidance "Creating Places" and Planning Policy Statement 5 (Planning for the Historic Environment), 9 (Biodiversity and Geological Conservation) and Planning Policy Statement 23 (Planning and Pollution Control).

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 the relevant traffic regulation orders (including a loading bay and double yellow lines) have been revoked and the relevant orders implemented and completed, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to remove/ amend unnecessary restrictions in the vicinity of the site

POLICY: G2 (General Development Guidance)

(3) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs of the buildings 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.

POLICY: D2 (Infill Development)

(4) Further to the submission of the preliminary risk assessment, no development shall commence until the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to, and approved in writing by, the Local Planning Authority:

1. A site investigation scheme based on the preliminary risk assessment to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

2. The results of the site investigation and detailed risk assessment referred to in (1) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken.

3. A verification plan providing details of the date that will be collected in order to demonstrate that the works set out in the remediation strategy (2) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action.

Any changes to these components require the express consent of the local planning authority.

The scheme shall be implemented as approved.

REASON: To ensure the protection of controlled waters

POLICY: PPS23 (Planning and Pollution Control)

(5) Development shall be carried out in accordance with the Waste Audit Statement submitted on 24/02/11.

REASON: To minimise the impact on the Groundwater Source Protection Area

POLICY: G8 (Development affecting a Groundwater Source Protection Area)

(6) No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls and other means of enclosure 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 occupied.

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

POLICY: D2 (Infill Development)

(7) No development shall commence on site until a scheme of works for

noise mitigation has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed prior to the premises are first occupied and shall be maintained in accordance with the approved details at all times thereafter.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY- G2 (General Development Guidance)

(8) The development, including site clearance, must not commence until a statement of all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement must include any necessary fencing, in accordance with the relevant British Standard (Guide for Trees in Relation to Construction, BS.5837: 2005). It must also include any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including damage to their root system.

The trees must be protected in accordance with the agreed statement throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

POLICY : G2 (General Development Guidance)

(9) Development shall be carried out in accordance with the following plans:

111 A Submitted on 09/03/11
112 A Submitted on 09/03/11
113 B Submitted on 04/05/11
114 B Submitted on 09/03/11
115 B Submitted on 04/05/11
116 Submitted on 24/02/11

No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application.

REASON: For the avoidance of doubt

(10) No construction work shall take place on Sundays or Public Holidays or outside the hours of 07:30 and 18:00 on Monday to Friday and 08:00 and 13:00 on Saturdays.

REASON: In the interests of residential amenity

POLICY: G2 (General Development Guidance)

INFORMATIVE – HIGHWAYS: With regard to condition two above the applicant should contact the Salisbury Transportation Team on 01722 434671, who will design and co-ordinate the traffic regulation order work, the cost of which will be borne by the applicant, which will be at least £5000. The cost includes advertising the order changes, staff time, signs and road markings.

INFORMATIVE – ENVIRONMENT AGENCY: The development should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a minimum). Greywater recycling and rainwater harvesting should be considered. The applicant is advised to refer to the following for further guidance: <http://www.environment-agency.gov.uk/homeandleisure/drought/31755.aspx> and <http://www.savewatersavemoney.co.uk>

INFORMATIVE - ENVIRONMENT AGENCY: Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. The applicant is recommended to refer to the Environment Agency Pollution Prevention Guidelines, which can be viewed at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

INFORMATIVE – WESSEX WATER: Although not shown on the public sewer record drawing, it is understood that there could be a sewer crossing the site which by virtue of its age could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3 metres of this apparatus. The granting of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.

77e **S/2011/0476 - Wylve Maintenance Depot, Dyer Lane A303/A36 Junction, Wylve, BA12 0RY**

Public Participation

Mr Mark Shuldham, representing Wylve Parish Council, spoke in objection to the application.

The Planning Officer presented the report which recommended approval. A debate ensued regarding the light pollution issues and it was requested that this needed to be conditioned. It was requested that Officers bring a report for information to the committee on the lighting scheme agreed and this to be copied to the Parish Council.

Resolved:

Planning Permission be GRANTED for the following reason:

The proposed development relates to the provision of essential trunk road infrastructure at an established maintenance depot, and it is not considered that the proposed salt storage buildings, by virtue of their appropriate siting and design, would result in significant harm to the surrounding environment and landscape. The proposal would therefore accord with the aims and objectives of the development plan and other Government guidance, having particular regard to Local Plan policies G1, G2, C2, C3, C4, C5, C17, C18 and PPS7.

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) The development shall only be undertaken in accordance with the following approved plans:

Plan Ref....MMD-259113-D-DR-WYL-XX-0002 Rev. P1...	Date
Received....31.03.11....	
Plan Ref....MMD-259113-Z-DR-WYL-XX-0014 Rev. P1...	Date
Received....31.03.11....	
Plan Ref....MMD-259113-Z-DR-WYL-XX-0016 Rev. P1...	Date
Received....31.03.11....	
Plan Ref....MMD-259113-Z-DR-WYL-XX-0017 Rev. P1...	Date
Received....31.03.11....	

Reason: For the avoidance of doubt.

- 3) No development shall commence on site until a scheme of external lighting for the whole site has been submitted to and agreed in writing by the local planning authority. The scheme shall provide a net reduction in light spillage from the site in relation to existing lighting. Details shall include plans showing the type of light appliance, the height and position of fitting, illumination levels, light spillage, and hours of operation. The lighting approved shall be installed and shall be maintained in accordance with the approved details, and no additional external lighting shall then be installed at the site.

Reason: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

Policy: G2(iv), C3, C5

INFORMATIVES:-

Cess pit

The cess pit should be regularly inspected to prevent risk of overflowing. It should be fully water tight to prevent losses to groundwater. Transfer notes should be kept for any cess pit waste collections. The cess pit waste collections can only be made by a licensed waste carrier and can only be taken to a suitably licensed site.

Oil and Chemical Storage

Oil or chemical storage facilities should be sited in bunded areas. The capacity of the bund should be at least 10% greater than the capacity of the storage tank or, if more than one tank is involved, the capacity of the largest tank within the bunded area. Hydraulically inter-linked tanks should be regarded as a single tank. There should be no working connections outside the bunded area.

77f **S/2011/0502 - Site next to Rose & Crown, High Street, Bulford, SP4 9DS**

Public Participation

Mr Patrick Oetiker spoke in support of the application

The Planning Officer presented the report which was recommended for approval. A debate ensued during which issues of privacy of the Church area and effect of noise on the residents of the property were raised,

Resolved:

To REFUSE planning permission for the following reasons:

The development seeks the insertion of windows within the originally blank side elevation of a proposed new dwelling. The windows would face onto an adjacent Chapel Hall which is regularly used for youth and other community activities which can generate high levels of noise. It is considered that the new windows would make the proposal dwelling susceptible to disturbance, to the detriment of the amenity of its future occupiers as well as the on-going use of the Chapel Hall for youth and other community activities. The development would therefore be contrary to the aims and objectives of the development plan having particular regard to saved Local Plan policies G2(vi) and R5.

78. Urgent Items

There were no urgent items

(Duration of meeting: 6.00 - 9.45 pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line (01225) 718371, e-mail pam.denton@wiltshire.gov.uk

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