

SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 10 APRIL 2014 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Brian Dalton, Cllr Tony Deane (Substitute), Cllr Christopher Devine (Vice-Chair), Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr John Smale (Substitute), Cllr Ian Tomes, Cllr Fred Westmoreland (Chairman) and Cllr Ian West

Also Present

Cllr Bill Moss.

36 Apologies for Absence

Apologies were received from Cllr Richard Britton and Cllr Richard Clewer.

37 Minutes

The minutes of the meeting held on 20 March 2014 were presented.

Resolved:

To approve as a correct record and sign the minutes.

38 Declarations of Interest

There were no declarations of interest.

39 Chairman's Announcements

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

40 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

41 **Planning Appeals**

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

42 **Planning Applications**

43 **14/01088/FUL - Hersanmine, Scotts Hill, Donhead St Andrew, Shaftesbury, SP7 9EP**

Public Participation

Mr Barry Sullivan spoke in objection to the application.

Lisa Jackson, Mr Richard Lee and Mr Peter Lucas (applicant) spoke in support of the application.

Patricia Maxwell-Arnot spoke in objection to the application on behalf of Donhead St. Andrew Parish Council.

The planning officer presented his report to the Committee which recommended that planning permission be approved subject to conditions.

An additional correspondence was circulated at the meeting.

Members then had the opportunity to ask technical questions of the officer.

These included questions on the current and proposed location of the access, the existing and proposed locations of windows and the location of neighbouring properties.

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

The Local Member, Cllr Tony Deane, spoke against the application on grounds including the scale of the development, its visual impact and its design.

A debate followed that discussed the location of the surrounding properties, the design of the proposed development and the proposed materials. Concern was raised at the potential for flooding in the area.

Debate continued to discuss potential privacy issues and the potential of conditions that could be enforced to prevent this. Members continued by discussing the future development of Wiltshire villages and if this design was suitable.

Resolved:

That Planning Permission be Granted 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 hereby permitted shall be carried out in accordance with the following approved plans:**

**Drawing number 10 dated 11.03.14, as deposited with the local planning authority on 13.03.14, and
Drawing number 11 dated 11.03.14, as deposited with the local planning authority on 13.03.14, and
Drawing number 12 dated 11.03.14, as deposited with the local planning authority on 13.03.14.**

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

- 3. No construction or demolition 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. No burning of waste shall take place on the site during the construction phase of the development.**

REASON: In the interests of neighbouring amenities

- 4. The development hereby approved shall be carried out in strict accordance with the bat mitigation measures detailed within the submitted bat survey (Chalkhill environmental consultants, Sept 2012) and the submitted new bat roost provision details (Chalkhill environmental consultants, January 2014).**

Reason: To ensure that appropriate mitigation is provided in respect of potential impacts on protected species

- 5. The gradient of the access way shall not at any point be steeper than 1 in 15 for a distance of 5 metres from its junction with the public highway.**

REASON: In the interests of highway safety.

- 6. The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of 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.

7. The access shall remain ungated.

Reason: in the interests of highway safety.

8. 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, 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.

9. No development shall commence on site until a visibility splay has been provided at the vehicular access to the site between the edge of carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to a point on the edge of the carriageway 15 metres to the east, with nothing over 1.0 metre in height above the adjoining carriageway level being planted, erected or maintained in front (highway side) of the splay line. Nothing over 1 metre in height above the adjoining carriageway level shall be planted, erected or maintained within the area between the edge of the carriageway and the northern side of the new garage.

Reason: In the interests of highway safety.

44 14/01417/FUL - Shrewton Steam Laundries Ltd, High Street, Shrewton, Salisbury, SP3 4BZ

Public Participation

Mr Jackson spoke in objection to the application.

Mr Stephen Young (agent) spoke in support of the application.

Cllr Carol Slater spoke on behalf of Shrewton Parish Council in support of the application.

The planning officer presented his report to the Committee which recommended that planning permission be refused.

Members then had the opportunity to ask technical questions of the officer. Members asked about bin storage locations at the site, the number of car parking spaces available and the proposed surface material and also the proximity of surrounding properties.

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

An item of late correspondence was circulated at the meeting.

A debate followed that discussed the potential for flooding in the area in light of recent severe flooding in the county. Clarification was sought from the planning officer over the parking surface and the pathway. It was stated that a 'non-migratory surface' would be used to prevent excess gravel moving onto the highway.

Concern was raised over the number of properties within the development. Members discussed the size and shape of the roof on the proposed development and if it would be suitable in the area.

Discussion continued to potential financial contributions towards recreational space and affordable housing funds. Clarification was provided by the planning officer that this would not be required.

The Chairman stated that the long frontage was not ideal but would be suitable.

The Local Member, Cllr Ian West, raised concern over the size of the development but agreed with the Chairman that a development like this was required in the area.

Resolved:

That Planning Permission be GRANTED 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 on site until details and samples of the materials 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.

3 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: To ensure that land contamination can be dealt with adequately.

4 No development shall commence (including demolition of existing buildings) within the 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.

5 No development shall commence (including demolition of existing buildings) until a detailed construction method statement has been submitted to and approved in writing by the local planning authority to demonstrate that the river will be protected from access, litter and liquid sources of pollution during the entire demolition and construction period. The development will be completed in accordance with the agreed construction method statement.

Reason: To ensure that the nature conservation interests of the River Avon System Site of Special Scientific Interest/Special Area of Conservation are safeguarded.

6 No development shall commence until details of the number, design and locations of features which will be incorporated into the development to provide nesting opportunities for birds and roosting opportunities for bats have been submitted to and approved in writing by the local planning authority. Details will also be provided showing the extent of land that will be

sown with a wildflower seed mix. The development will be completed in accordance with the approved measures.

Reason: To safeguard protected species and mitigate against the loss of existing biodiversity and nature habitats.

7 No development shall commence on site until a scheme for the provision of a paved footway along the site frontage as generally indicated on submitted Drawing 1063/P303 Rev C, including all associated highway works, has been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until the paved footway has been constructed in accordance with the approved scheme.

Reason: To ensure that the development is served by an adequate means of access.

8 No development shall commence on site until details of the design, external appearance and decorative finish of the 1.8m high railings to parking spaces 2.1 and 1.1 on the Proposed Site Layout 1063/P303 Rev C, 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.

9 No development shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development and prudent use of natural resources.

10 No development shall commence until a surface water drainage scheme for the site (including surface water from the site accesses/driveways), based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The submitted details shall clarify the intended future ownership and maintenance provision for all drainage works serving the site. The scheme shall subsequently be implemented in accordance with the approved details before the development is first occupied.

Reason: To ensure that the development can be adequately drained to prevent the increased risk of flooding and ensure future maintenance of the surface water drainage system.

11 No part of the development hereby permitted shall be first occupied until each vehicular access to the site, turning areas and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall remain for those purposes only at all times thereafter.

Reason: In the interests of highway safety.

12 No development hereby permitted shall be first occupied until the first five metres of each vehicular access to the site has been consolidated and

surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

Reason: In the interests of highway safety.

13 No construction or demolition work shall take place on Sundays or Bank Holidays or outside the hours of 07:30 to 18:00 weekdays and 08:00 to 13:00 on Saturdays.

Reason: In the interests of amenity.

14 Finished Floor Levels shall be set no lower than 80.90mAOD.

Reason: To reduce flood risk to the proposed dwellings.

15 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 buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

Reason: To safeguard the character and appearance of the area and in the interests of flood prevention.

16 Notwithstanding the provisions of 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 raising of ground levels within the flood flow route provided across the site (shown to include parts of plots 5,6,7,8 &9 and the 'SUDS driveway' area and edged on the Proposed Site Layout Plan (1063/P302 Rev D) by the Flood Zone Contour above the design ground level of 80.30mAOD.

Reason: To ensure the long term maintenance of the scheme in the interests of flood prevention.

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), 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 and in the interests of flood prevention.

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), 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 and in the interests of flood prevention.

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

Plan reference: 1063/P300 Rev A Site Location Plan, dated Nov 2013, received by this office 04/02/2014

Plan reference: 1063/P311 Proposed Site Sections/Street Scene Elevations, dated Nov 2013, received by this office 04/02/2014

Plan reference: 1063/P309 West Block Plots 5-9 North & South Elevations, dated Nov 2013, received by this office 04/02/2014

Plan reference: 1063/P308 West Block Plots 5-9 Roof Plan/East and West Elevations, dated Nov 2013, received by this office 04/02/2014

Plan reference: 1063/P307 West Block Plots 5-9 Ground & First floor Plans, dated Nov 2013, received by this office 04/02/2014

Plan reference: 1063/P306 East Block Plots 1-4 East & West Elevations, dated Nov 2013, received by this office 04/02/2014

Plan reference: 1063/P305 East Block Plots 1-4 Roof Plan/North & South Elevations, dated Nov 2013, received by this office 04/02/2014

Plan reference: 1063/P304 East Block Plots 1-4 Ground & First Floor Plans, dated Nov 2013, received by this office 04/02/2014

Plan reference: 1063/P303 Rev C Proposed Site Layout (Roof), dated Nov 2013, received by this office 04/02/2014

Plan reference: 1063/P302 Rev D Proposed Site Layout (Buildings), dated Nov 2013, received by this office 04/02/2014

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

INFORMATIVE: Environment Agency

Flood Risk - Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent of the Environment Agency is required for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the Main River Till. The need for Flood Defence Consent is over and above the need for planning permission. To discuss the scope of our controls and to obtain an application form please contact Daniel Griffin on 01258 483 421.

Water Efficiency - 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. An appropriate submitted scheme to discharge the water efficiency condition will include a water usage calculator showing how the development will not exceed a usage level of 105 litres per person per day.

Pollution Prevention During Construction - Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover the use of plant and machinery; oils/chemicals and materials; the use and routing of heavy plant and vehicles;

the location and form of work and storage areas and compounds; the control and removal of spoil and wastes. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at:

www.environment-agency.gov.uk/business/topics/pollution/39083.aspx

INFORMATIVE Public protection

No burning of waste should take place on the site during the demolition or construction phase of the development.

INFORMATIVE: Archaeology

The archaeological work would include building recording prior to demolition, as well as a watching brief during the groundworks and should be conducted by a professionally recognised archaeological contractor in accordance with a brief issued by the Council's archaeology department and there will be a financial implication for the applicant.

INFORMATIVE: Wessex Water

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/developerservices

New regulations will require all sewer connections serving more than a single dwelling to be subject to a signed adoption agreement with Wessex Water before the connection can be made. These new regulations will be confirmed by DEFRA later this year.

Further information can be obtained from our New Connections Team by telephoning 01225 526 222 for Water Supply and 01225 526 333 for Waste Water.

Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer system.

On 1st October 2011, in accordance with the Water Industry (Schemes for Adoption of Private Sewers) Regulations 2011, Wessex Water became responsible for the ownership and maintenance of thousands of kilometres of formerly private sewers and lateral drains (section 105a sewers).

At the date of transfer many of these sewers are unrecorded on public sewer maps. These sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and we normally advise applicants to survey and plot these sewers on plans submitted for Planning or Building Regulations purposes.

More information relating to this transfer can be found on our website. It is important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact our sewer protection team on 01225 526 333 at an early stage if you suspect that a section 105a sewer may be affected.

INFORMATIVE: Wiltshire Fire & Rescue

The applicant should be made aware of the letter received from Wiltshire Fire & Rescue Service regarding advice on fire safety measures. This letter can be

found on the application file which can be viewed on the council's website against the relevant application record.

INFORMATIVE: Highways

It is anticipated that the proposed footway will be adopted by the council under a legal agreement.

INFORMATIVE: Permission not authorising work on land outside the applicant's control & Party Wall Act

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

INFORMATIVE: Protected species

The adults, young, eggs and nests of all species of birds are protected by the Wildlife and Countryside Act 1981 (as amended) while they are breeding. The applicant is advised to check any structure or vegetation capable of supporting breeding birds and delay removing or altering such features until after young birds have fledged. There is a low risk that bats may be roosting in buildings at the application site. Bats and their roosts are protected at all times by the Conservation of Habitats and Species Regulations 2010. Planning permission for development does not provide a defence against prosecution under these pieces of legislation. If bats or nesting birds are 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 71875) before proceeding further.

INFORMATIVE: Materials

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.

Cllr Hewitt requested his vote against the motion of approve permission be recorded on the grounds of potential flooding.

45 Urgent Items

Members requested two site visits for future applications:

- Chalk House, Winterslow Road, Porton
- Old Blandford Road, Harnham, Salisbury.

(Duration of meeting: 6.00 - 7.45 pm)

The Officer who has produced these minutes is David Parkes, of Democratic Services, direct line (01225) 718220, e-mail david.parkes@wiltshire.gov.uk

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