

SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 3 JULY 2014 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Clewer, Cllr Brian Dalton, Cllr Christopher Devine (Vice-Chair), Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian Tomes, Cllr Fred Westmoreland (Chairman) and Cllr Ian West

75 Apologies for Absence

Apologies for absence were received from Cllr Richard Britton.

76 Minutes

The minutes of the meeting held on 12 June 2014 were presented.

Resolved:

To approve as a correct record and sign the minutes.

77 Declarations of Interest

Cllr George Jeans declared a non-pecuniary interest and took no part in item 7c - 14/02315/FUL - Newlands, Boar Street, Mere, Warminster, BA12 6DD because the applicant was a relative. Cllr Jeans sat with the members of the public and did not speak or vote on the item.

78 Chairman's Announcements

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

79 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

80 Planning Appeals

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

81 Planning Applications

81a 13/00636/FUL - Brook Cottages, Gasper, Stourton, Warminster, BA12 6PY

Public Participation

Mr Nick Hall spoke in support of the application.

Mrs Sarah Hall (applicant) spoke in support of the application.

Mr Carpendale (agent) spoke in support of the application.

Parish Councillor Cristina Fearon (Gasper Parish Council) spoke in objection to the application.

Parish Councillor Harry Parker (Stourton Parish Council) spoke in support of the application.

The Planning Officer presented his report to the Committee which recommended that permission be **refused**.

Members of the Committee then had the opportunity to ask technical questions of the officer. The locations of bus stops in relation to the proposed site were requested.

An item of late correspondence was circulated at the meeting.

The Local Member, Cllr George Jeans, spoke in support of the application. Cllr Jeans first became aware of the project in 2010 but came to the meeting with an open mind and made his decision after considering the input of the Committee. Cllr Jeans stated that he supported the application subject to a section 106 agreement with a series of terms. These terms included rent being set at 80% of an open market tenancy rental, the tenanted housing remaining for perpetuity and the tenants being local or needing to work locally. Cllr Jeans continued by stating that the Local Member should have been consulted and kept informed. Cllr Jeans concluded by stating that the application may have failed to comply with some relevant policy; it nonetheless provides much needed discounted rented accommodation in this busy and affluent area.

Members debated the sustainability and unique nature of the application. It was stated that this development was well shielded and that the reduction in rent was an important factor. The need to provide affordable housing in Wiltshire was discussed and concern was raised to whether it was possible

to specify the allocation of the housing through the parish council. Legal advice was sought from the officers who were present and it was confirmed that it would be possible to stipulate in the s106 agreement that the parish council would be consulted regarding the allocation of the housing, although without a parish plan in place they would not be able to have the final decision . It was stated that this application was contrary to policy and that the s106 agreement was a matter of trust.

The potential future use of this development was debated. The availability of work at National Trust properties was also discussed. The possible alternative use of the land was also raised and the need for an 'accountable letting criteria' was raised. The need to use complementary materials was also discussed. Members continued by discussing the importance of the rural economy. The geographic isolation of surrounding villages was raised and also the necessity of a car when living in the area.

Sustainability was discussed and the need for a small amount of growth required in rural communities was raised. The need to encourage those who provided affordable housing was also discussed.

The need for a similar model that could be used elsewhere was raised.

Resolved:

To delegate to the Area Development Manager to approve planning permission subject to the signing of a legal agreement and appropriate conditions; such an agreement is to return to a future Committee for approval.

81b 13/06901/FUL - Hunts Cottage, Hindon Road, Dinton, SP3 5EQ

Public Participation

Mr Robin Buchanan (agent) spoke in support to the application. Parish Councillor Charles Smith (Dinton Parish Council) spoke in objection to the application.

The Planning Officer presented his report to the Committee which recommended delegation to the Area Development Manager to Approve subject to the signing of a section 106 agreement for off-site adult recreation in accordance with saved policy R2.

Members of the Committee then had the opportunity to ask technical questions of the officer. The ancillary use of the site within the planning history was raised.

An item of late correspondence was circulated at the meeting.

The need for a septic tank was raised and Members discussed the need to meet the shortage of housing in the area. The requirement for an informative in relation to the type of septic tank to be used was also discussed. Finally, the concerns of Wessex Water were considered by the Committee.

Resolved:

To approve planning permission subject to the following conditions and a section 106 agreement for off-site adult recreation in accordance with saved policy R2.

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 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.

4. The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

5. The development hereby permitted shall not be first brought into use until splays have been provided on both its sides of the access in accordance with details that shall have been agreed in writing by the LPA.

REASON: In the interests of highway safety.

6. Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

7. Demolition of the stables will be undertaken outside of the period 1st April to 30th September unless they have been checked by an ecologist within 48 hours of demolition and been found not to support nesting birds. Three artificial swallows nests will be erected in the barn in accordance with the details provided in Appendix D of the Phase 1 Bat Report and Ecological Assessment (PV Ecology, October 2013).

REASON: In the interest of ecology

8. The development hereby approved shall be carried out in complete accordance with the following list of documents and plans:

Phase 1 Bat Report and Ecological Assessment, dated October 2013, received 16/12/13

Planning Statement, dated December 2013, received 16/12/13

Drawing Ref no: 0787/05 Rev F Proposed site Plan, dated Nov 2013, received 10/01/14

Drawing Ref no: 0787/03 Rev C Proposed Elevations, dated Nov 2013, received 16/12/13

Drawing Ref no: 0787/02 Rev C Proposed Plans (Floor and Roof) dated Nov 2013, received 16/12/13

Drawing Ref no: 0787/04 Rev A Location Plan, dated Nov 2013, received 10/01/14

Reason: In the interest of clarity

Public Participation

Mr Eric Mitchell spoke in support of the application.

Mr Michael Jeans (applicant) spoke in support of the application.

Parish Councillor Clive Hazzard (Mere) spoke in support of the application.

The Planning Officer presented his report to the Committee which recommended that the application be delegated to the Area Development Manager for **approval**.

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

Member discussed the location of the property.

An item of late correspondence was circulated at the meeting.

Resolved:

To delegate to the Area Development Manager to approve planning permission for approval subject to the signing of a unilateral undertaking, and with the conditions set out below:

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 a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

4. No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards 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.

5. No part of the development hereby permitted shall be first brought into use until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

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 area shall be maintained as such thereafter.

Reason: In the interests of highway safety.

7. The vehicular access area shall remain un gated.

Reason : in the interests of highway safety.

8. The development hereby permitted shall not be occupied until the area between the nearside carriageway edge and a line drawn 1.0 metre parallel thereto over the whole site frontage has been cleared of any obstruction to visibility at and above a height of 1.0 metre above the nearside carriageway level. That area shall remain free of obstruction at all times thereafter.

Reason: In the interests of highway safety.

9. The development hereby approved shall not be first used until a detailed scheme of works to improve the vehicular access arrangements to the front of the property known as "Newlands", has been agreed in writing by the LPA and has been implemented in full.

Reason: In the interest of overall highway safety

10. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access area), 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.

11. No works shall commence on site until details of all new external window and door joinery have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

Reason: In the interests of preserving the character and appearance of the conservation area and the setting of adjacent listed buildings.

12. The rooflights hereby approved shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.

Reason: In the interests of preserving the character and appearance of the conservation area and the setting of adjacent listed buildings.

13. The development hereby approved shall be carried out in complete accordance with the following list of documents plans and specifications:

Design & Access Statement, received 06/03/14

Location Plan, received 28/02/14

Plan ref No: MJ/2 Elevations, dated Feb 2014, received 28/02/14

Elevation plan for Car Port and Garage as proposed,

82 Urgent Items

There were no urgent items

(Duration of meeting: 6.00 - 7.40 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

<p style="text-align: center;">SOUTHERN AREA PLANNING COMMITTEE 03th JULY 2014 SCHEDULE OF ADDITIONAL CORRESPONDENCE</p>

Agenda Item 7a

**Plan List Item 1 13/00636/FUL – Erection of 3 x 2 bed dwellings and 1 x 3 bed dwelling
At Brook Cottage, Gasper Street, Gasper, Stourton, Warminster.
BA12 6PY**

Policy update with regards to 13/00636/FUL: The construction of three two bedroom affordable houses; one three bedroom affordable house and a structure which would provide garaging for eight vehicles and bike and bin storage at Brook Cottages Gasper Stourton Warminster Wiltshire BA12 6PY

-Section 106 agreements should be necessary, directly related to the development and fairly related in scale and kind to the development.

- The proposed development is contrary to policy, in that it does not fulfil the criteria for an exception site because of its remote location, and also that the type of housing proposed as 'affordable' would not function as affordable housing as defined in Wiltshire because it would not comply with the Council's allocations policy.
- A section 106 agreement relating to the provision of affordable housing on the proposal site would not meet the requirements of a Section 106 agreement
- If the tests are not met the Committee's decision could be challenged as unlawful by way of an application to the high court for judicial review.
- If any challenge was successful the applicant could provide open market housing in the countryside.
- Any approval by Committee would effectively approve open market houses in the countryside.
- If the application is approved it would have to be advertised as a departure from the development plan, meaning that a decision could not be issued for a period of 21 days following the date of the advert.

Third party representations – See Appendix 1

Appendix 1

John & Jane Parfitt
Top Lane Farm House Top Lane Stourton Wiltshire BA12 6QA

Wiltshire Council
Development South
Borne Hill
Salisbury
SP1 3UZ

1st July 2014

Application No. 13/00636/FUL

Dear Sirs

I understand one issue with the above application was the applicants desire to administer the lettings of the dwellings themselves.

My wife and I have been tenants of the applicants for nearly 9 years and our experience has been that they are exemplary landlords. Extremely fair and reasonable in every regard. We could wish for no better.

For the benefit of any doubt, I have not been asked to write this, nor are the applicants aware that I have done so. I merely wish to convey our experience of them as landlords.

Yours faithfully

John Parfitt

Planning Application 13/00636/FUL Gasper

Previously we have indicated our support for this venture but would like to make two further points.

- o we feel that four houses at one time might be over-ambitious in light of the stringent tenancy criteria.
- o there has been some reasonable local concern about the potential dangers of the difficult exit from the site onto Gasper Street.

If building two houses show these concerns to be unjustified then the construction of two further houses would be reasonable.

Yours faithfully,

Michael & Hilary Younger

Shephards,
Gasper,
BA12 6PY

Application no. 13/00636/FUL

Dear Mr. Guest,

We are unable to attend the meeting on 3rd July to consider the above planning application but would like to register our support and approval for this worthy proposal.

We live about 200 yds away.

Please let us know if we need to write a letter or if this email will suffice.

Many thanks,

Neil and Jane Joyce

Old School Cottage
Gasper
Stourton
Wiltshire
BA12 6PY

Agenda Item 7b

Plan List Item 2 14/02315/FUL – Demolish part of existing store and extend remaining to create garage/car port and erect single storey 2 bed dwelling At Newlands, Boar Street, Mere, Warminster. BA12 6DD

The following correspondence has been received since the writing of the Committee Report:

Third party representations: - See Appendix 2

Appendix 2

The Old Bakery
The Square
Mere
Wilts
BA12 6DJ
1st of July 2014

Application:14/02315/FUL

As I am unable to attend the councils committee meeting this Thursday to express my views on the above planning application in person:

I note the above application has been recommended for approval and has still not addressed my and other neighbours concerns regarding the proposed new build. It must be noted that the development proposed will have an impact on highway safety that has not been addressed. Barns place is an extremely narrow cul de sac and currently provides access to 13 properties. These properties have some parking provision but the road is not adequate to absorb the additional traffic and parking generated by family and friends visiting these properties currently. An additional house would exasperate this situation , is this not a highway safety issue? Having witnessed the parking problem for the last forty years accessing my own property in Barns Place I feel as qualified as anyone to speak on this matter of congestion and safety.

Any proposed alterations to the current garage to 'improve visibility' could have easily been carried out by the current owner at any time without the need to build a house there.

I note that in answer to the previous refused building applications on this site that it was a 'significantly larger two story full height dwelling' yes it was higher, however the ground area of the refused build and the new application are very similar. Despite reading the report to the area planning committee I still cannot see how it is possible for the conservation officer and traffic highways to have a completely different view to the original ones who recommended refusal. How can you condone the building of a house in the gardens of a 17th century terraced house that will be totally out of character in a conservation area and destroy the symmetry of the two buildings and also cause additional traffic problems to an already overused narrow road?

Yours sincerely



