

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 26 NOVEMBER 2015 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Britton, Cllr Richard Clewer, Cllr Jose Green, Cllr Mike Hewitt, Cllr Ian McLennan, Cllr Ian West, Cllr Trevor Carbin (Substitute), Cllr John Walsh (Substitute) and Cllr Graham Wright (Substitute)

Also Present:

Cllr Peter Edge

116 **Apologies for Absence**

Apologies were received from Councillors Brian Dalton, George Jeans and Ian Tomes.

Councillor Dalton was substituted by Councillor Trevor Carbin.

Councillor Jeans was substituted by Councillor Graham Wright.

Councillor Tomes was substituted by Councillor John Walsh.

117 **Minutes**

The minutes of the meeting held on 15 October 2015 were presented.

Resolved:

To approve as a correct record and sign the minutes.

118 **Declarations of Interest**

Councillor Ian West declared a non-pecuniary interest in item 15/08539/FUL by virtue of having been a neighbour of the applicant for many years in the past. In the interests of openness and transparency he therefore declared he would not debate or vote on the item.

Councillors Fred Westmoreland, Mike Hewitt, Jose Green, Ian West and Ian McLennan declared a non-pecuniary interest in item 15/09243/FUL by virtue of having been members of Salisbury District Council at the same time as the applicant. They declared they would consider the matter with an open mind and debate and vote on the item.

119 Chairman's Announcements

There were no announcements.

120 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

121 Planning Appeals

The committee received details of the appeal decisions as detailed in the agenda, in particular the unsuccessful appeal of its decision in relation to 14/11591/FUL.

122 Planning Applications

Planning applications were considered as follows:

123 15/05844/OUT: Land East of Pennard, Lower Road, Quidhampton

Public Participation

Mr Chris Miell, agent, spoke in support of the application.

Cllr Caroline Hampson, Quidhampton Parish Council, spoke in objection to the application.

The Senior Planning Officer introduced the application for a new two bed detached dwelling that was recommended for approval. It was noted that the application was outline only, so details on materials and design would follow in a later application if the outline was approved. Key issues were stated to include the principle of the dwelling in the location, scale of the dwelling and access and highways issues. Late correspondence from the Highways officer was discussed and it was confirmed that a condition had been added to the recommendation, as requested by Highways officers, with regard to parking.

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

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

The Unitary Division Member, Councillor Peter Edge, then spoke in objection to the application, stating it to be an overdevelopment of the area with parking concerns.

The Committee discussed the application, noting the character of development in the area which included similar dwellings in similar locations, the conditions which Highways officers felt mitigated any safety or parking concerns, as well as the need for more small housing.

Resolved:

To hereby grant PLANNING PERMISSION for the above development to be carried out in accordance with the application and plans submitted (listed below), subject to compliance with the condition(s) specified hereunder:-

And subject to the following conditions:

- 1. No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:**
 - The external appearance of the development;
 - The landscaping of the site;

The development shall be carried out in accordance with the approved details.

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

- 2. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.**

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

- 3. No development hereby approved shall commence until a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external walls and roofs of the proposed development shall be submitted to 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

4. No development shall commence until further details of a consolidated and surfaced vehicle turning space (for a vehicle exiting space no.2) has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be occupied until that turning space has been completed in accordance with the approved details. Such turning space shall thereafter be retained and kept clear of obstruction at all times.

REASON: To enable vehicles to enter and leave the site in forward gear in the interests of highway safety.

5. The development hereby permitted shall not be occupied or first brought into use until the entire site frontage has been cleared of any obstruction to visibility at and above a height of 900mm above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

6. This development shall be in accordance with the submitted drawings - Block Plan 8539/200 rev A, dated June 2015 and received to this office on 12/06/15

REASON: For the avoidance of doubt.

Informative:

Without prejudice to the Council's future consideration of the design, the applicant is recommended to avoid main windows facing the side of the plot, to avoid potentially harmful overlooking. For clarification, this application confirms the scale of the development to be a single storey bungalow.

Informative:

Many wildlife species are legally protected. The applicant should be aware that if it becomes apparent that the site is being used or has previously been used by protected species (such as slowworms, badgers, barn owls or bats), work should STOP immediately and Natural England should be contacted at their Devizes office 01380 725344 for advice on how to proceed.

124 **15/08539/FUL: 19 & 20 Woodstock Road, Salisbury, Wiltshire, SP1 3TJ**

Public Participation

Lynne Robertson, Donald Royle, Phil Clements spoke in objection to the application.

Laura Dennet and Vicky Walker spoke in support of the application.

The Area Team Leader presented the application for change of use for two adjoining properties from residential (C3) to residential care home (C2) for adults of working age with mental health conditions, which was recommended for approval. Key issues were stated to include the principle of the change of use, effect on the character of the area and residential amenity.

Members of the Committee then had the opportunity to ask technical questions of officers. Details were sought on conditions on soundproofing at the properties, level of staff cover proposed for care home residents, and confirmation that the application was partly retrospective and was already in use as a care home facility and was seeking expansion.

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

A discussion then arose, where the number of proposed residents within the two properties to be joined was raised and whether it was a suitable number for the scale, and it was confirmed by the Area Team Leader that recent changes to the rules on permitted development meant that each property could be individually converted to a house in multiple occupation for up to six persons without the need for planning permission. There was also discussion on the level of parking provision and the presence of the smoking shelter that was proposed, as well as the concerns of local residents and the need for suitable facilities to provide care to those with mental health issues.

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:
Plan Ref: WR/001, Received: 25.08.2015. Existing Floor Plans & Location Plan
Plan Ref: WR/002 A, Received: 05.11.2015. Proposed Floor Plans**

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

- 3) **The change of use hereby approved shall not be first implemented until a scheme outlining the proposed noise insulation and attenuation measures along the party wall of 19 and 18 Woodstock Road has been submitted to and approved in writing by the Local Planning Authority. The agreed noise attenuation measures shall be implemented in accordance with the approved details and specification prior to 19 Woodstock Road being first brought into use for C2 purposes and maintained/retained as such in perpetuity.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and is considered to be necessary in the interests of the residential amenities of the area.

Informative:

- 1) **The application involves the existing two dropped kerbs being joined and therefore the footway between the two current dropped kerbs would also require lowering. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352**
- 2) **The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice may be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy**
- 3) **The applicant's attention is drawn to the letter dated 15.09.2015 from Wiltshire Fire & Rescue Service which sets out recommendations for ensuring that the proposals are safe and are able to meet building regulations.**

125 **15/09243/FULL: Heale Farm, Middle Woodford, Salisbury, SP4 6NU**

Public Participation

Allison Whalley, agent, spoke in support of the application.

The Area Team Leader presented the application for the erection of four dwellings which was recommended for refusal. Attention was drawn to the late observations which stated that since the completion of the report the applicant had resolved issues in relation to drainage and ecology, and therefore refusal reasons three and four were withdrawn from the recommendation. Key issues were stated to include the principle of the development and impact on the character of the area, heritage of the buildings on the site and flooding.

Members of the Committee then had the opportunity to ask technical questions of officers. In response to queries it was stated the second reason for refusal in respect of section 106 legal agreement contributions for a footpath was included in the event of an appeal against the principal refusal reason so that an inspector would be able to consider the factor. It was also confirmed that although there were exceptions to permit development in sites otherwise not in accordance with policy to fund the restoration of Grade 1 Listed properties, no such property existed on the site.

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

The Unitary Division Member Councillor Mike Hewitt then spoke in support of the application, stating the current site was unsuitable for modern farming needs and had fallen into an unsightly state, and noted that the parish council were in support and that no objections had been received from the public.

A debate followed, where the character of the area and extent of development to the north and south of the site was raised, as well as the scale of the proposed dwellings and whether the local support for the proposal and cleaning up of the site justified an exception from policy.

At the conclusion of debate, it was,

Resolved:

To delegate to the Area Development Manager to approve planning permission subject to a section 106 legal agreement to secure a contribution for the provision of a public footpath, and subject to the following conditions:

- 1) **WA1 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) **WM13 The development hereby permitted shall be carried out in accordance with the following approved plans:**

- Heritage Statement (December 2015)
- Extended Phase 1 Habitat & Bat Survey (September 2014)
- Updated Bat Mitigation Plan. Received – 16/11/2015
- Flood Risk Assessment (September 2015)
- Plan Ref: 432/P.06 E, Site Location Plan. Received – 14/09/2015
- Plan Ref: 432/P.03 D, Proposed Site Plan. Received – 14/09/2015
- Plan Ref: 432/P.56, Proposed Development – Plot 1. Received – 14/09/2015
- Plan Ref: 432/SK, Proposed Development – Plot 2. Received – 14/09/2015
- Plan Ref: 432/P.18 A, Proposed Granary Building – Plot 2. Received – 14/09/2015
- Plan Ref: 432/SK.32 A, Granary Building – Bat Mitigation. Received – 16/11/2015
- Plan Ref: 432/PL.58, Proposed Development – Plots 3&4. Received – 14/09/2015
- Plan Ref: 432/SK.18 B, Site Access Plan. Received – 14/09/2015
- Plan Ref: 432/P.60, Proposed Garage – Plot 1. Received – 14.09.2015
- Plan Ref: 432/P.61, Proposed Garage – Plot 2. Received – 14/09/2015
- Plan Ref: 432/P.62, Proposed Garage – Plot 3. Received – 14/09/2015
- Plan Ref: 432/P.63, Proposed Garage – Plot 4. Received – 14/09/2015
- Plan ref: 432/SK.24 D, Proposed Footpath. Received – 14/09/2015

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

- 3) **WB1** No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs of all buildings, including render colour and timber stain, 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 4) **WB13 No flint block will be used in the construction of the buildings hereby approved. No flint work shall be constructed to any buildings or walls on site until a sample panel of the brick/flint work, not less than 1 metre square, constructed using flints hand laid in a random pattern (with no preformed panels to be used), has been erected 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 panel, using flints hand laid in a random pattern with no preformed panels.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 5) **WB9 No external stonework shall be constructed on site, until details and samples of the external stonework, including type, dressing, coursing and bedding of the natural stone, type of pointing and mortar mix, have been submitted to and approved in writing by the Local Planning Authority. The external stonework shall constructed in accordance with the approved details.**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 6) **WB14 No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 7) **NTS** No development shall commence on site until a method statement, demonstrating how the existing Cobb Wall along the western edge of the site is to be retained, maintained, incorporated into the development and protected during the construction process, has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed details and the wall maintained as such in perpetuity.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

- 8) **WC1** 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:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 9) **WC2** 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; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 10) **WE1** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-G shall take place on the dwelling houses hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area; to reduce the potential impact of flooding; and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 11) **WJ3A** The Former Granary Building hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, on Plot 2 and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

- 12) **WE15** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), the garages/stores hereby permitted shall not be converted into habitable accommodation.

REASON: to reduce the potential impact of flooding and to secure the retention of adequate parking provision, in the interests of highway safety, in the interests of highway safety.

- 13) **NTS** The works hereby approved to the Former Granary Building will be undertaken in accordance with the Updated Bat Mitigation Plan for Heale Farm, Middle Woodford, and Bat Mitigation drawing No 432/SK.32 Rev A, prepared by Michael Lyons Architecture and emailed to the Council on 16 November 2015. The roost thus created will be retained for the lifetime of the development.

REASON: to ensure ongoing provision is made for bats roosting in the Granary

- 14) **WG2** 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained.

- 15) **WG3** No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

- 16) **NTS** The development hereby permitted shall not be first occupied until the first five metres of the site 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.

- 17) **NTS** No part of the development shall be first occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 1.0m above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

- 18) **NTS** No development shall commence on site until details of the new footways have been submitted to and approved in writing by the local planning authority. The development shall not be first occupied until the new footways have been constructed in accordance with the approved details.

REASON: To ensure that the new footways are laid out and constructed in a satisfactory manner

- 19) **WA12** No dwelling hereby approved shall be occupied until all the existing buildings on site shown to be removed on the approved plans have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area

- 20) **NTS** The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.

REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.

Informatives:

- 1) The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. A separate Community Infrastructure Levy Liability Notice may be issued by the Local Planning Authority. Should you require further information with regards to CIL please refer to the Council's Website www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy
- 2) The applicant's attention is drawn to the letter dated 01.10.2015 from Wiltshire Fire & Rescue Service which sets out recommendations for ensuring that the proposals are safe and are able to meet building regulations.
- 3) The consent hereby permitted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from the local highway authority before any

works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

- 4) The applicant should note that under the terms of the Wildlife and Countryside Act 1981 (as amended) and the Conservation of Habitats and Species Regulations 2010 (as amended) it is an offence to disturb or harm bats or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to bats or the need to obtain a licence from Natural England before works commence where a breach of the Regulations may occur. Please visit the following websites for more information:
- <http://www.wiltshire.gov.uk/planninganddevelopment/biodiversityanddevelopment.htm>
 - <https://www.gov.uk/protected-species-and-sites-how-to-review-planning-proposals>
- 5) This permission shall be read in conjunction with an Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated the [INSERT]
- 6) Please note that land drainage consent will be required for the garage location with revised clearance and no loss in flood area; the removal of existing outfall; the new outfall; and any other work on, over near to the ordinary watercourse.

Councillor Christopher Devine requested his vote in objection to granting permission be recorded.

126 Urgent Items

Site visits were requested for applications at The Old Manor Hospital, Rose Farm, Hurdcott Lane and 3 Candown Road.

(Duration of meeting: 6.00 - 8.00 pm)

The Officer who has produced these minutes is Lisa Moore, of Democratic Services, direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

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