

## SOUTHERN AREA PLANNING COMMITTEE

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**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 14 JANUARY 2016 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 George Jeans, Cllr Ian McLennan, Cllr Ian Tomes, Cllr Ian West and Cllr Peter Edge (Substitute)

**Also Present:**

Cllr Bill Moss & Cllr Atiqul Hoque

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**1 Apologies for Absence**

The following apologies were received:

- Cllr Brian Dalton – who was substituted by Cllr Peter Edge.

**2 Minutes**

The minutes of the meeting held on Thursday 17 December 2015 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the 17 December 2015.**

**3 Declarations of Interest**

The following declarations of interest were received:

- Application 15/10290/FUL – Communication Bunker  
Cllr Clewer and Cllr Tomes both declared a non-pecuniary interest, as members of the Salisbury Area Board which had previously considered the Community Asset Transfer of the Bunker in Harnham, on 16 July 2015. They would look at this application with an open mind.

- Application 15/1114/FUL – Land at Rear of Bedwin Street & Belle Vue Road

Cllr Peter Edge declared a non-pecuniary interest, as had previously been an acquaintance of the applicant. He agreed to look at this application with an open mind.

#### 4 **Chairman's Announcements**

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

#### 5 **Public Participation and Councillors' Questions**

The committee noted the rules on public participation.

#### 6 **Planning Appeals**

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

The Chairman also updated regarding the application to register land as a town or village green in Winterslow, which had been discussed under Urgent Business at the previous meeting.

Proceedings had been filed on 23 December and issued by the Court (Royal Courts of Justice, London) on 30 December 2015. The Council filed the judicial review acknowledgement of service confirming the Council would not be contesting the claim on 13 January 2016. An order from the court quashing the decision made 24 September 2015 was expecting to be received in 3 – 4 weeks.

#### 7 **Planning Applications**

##### 7a **15/10290/FUL - Communications Bunker, Old Blandford Road, Salisbury, SP2 8DG**

###### Public Participation

Paul Lord spoke in objection to the application.

Geoff Kennedy spoke in objection to the application.

Cllr John Collier spoke (as a member of the public) in objection to the application.

James Jordan spoke in support of the application.

Ross Sanderson (Applicant) spoke in support of the application.

Katie Jeffcoate spoke in support of the application.

Cllr Tom Corbin spoke on behalf of Salisbury City Council (SCC) in support of the application.

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting and introduced the application for a proposed change of use from communications bunker into a youth music and education facility. The application was recommended for approval with conditions. It was noted that the application would provide a youth facility within the city of Salisbury and Officers considered that the impact to the amenity of neighbouring dwellings or any other site constraint would not be unduly harmful.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that there was an existing phone mast at the site, however this was not connected to application.

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

The Unitary Division Member, Councillor Dalton then spoke on the application, adding that he could see two sides to the application. He noted that some information which had been circulated by members of the public had contained incorrect information, misinforming the public. He asked that if the application was supported then the concerns of the residents in Grasmere Close around noise, parking and lighting, could be addressed.

The Committee discussed the application, noting that the site was an ideal location for young people to play music, due to the depth and thickness of the walls, it was felt that there would be little noise impact on the surrounding amenities.

### **Resolved**

**The application be APPROVED subject to 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 works shall commence on site until an appropriate programme of building recording has been carried out in respect of the structure concerned. This record shall be carried out by an archaeologist/building recorder or an organisation with acknowledged experience in the recording of standing buildings which is acceptable to the Local Planning Authority. The recording shall be carried out in accordance with a written specification, and presented in a form and to a timetable, which has first been agreed in writing with the Local Planning Authority.**

**REASON:** To secure the proper recording of the building.

**3.** No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish 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 brought into use.

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

**4.** The footpath hereby approved shall be constructed prior to the development being brought into use and shall be maintained in perpetuity.

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

**5.** No part of the development shall be brought into use until details of secure covered cycle parking and has been submitted to and approved in writing by the Local Planning Authority, and; such facilities have been provided in accordance with the approved details. Such facilities shall be maintained thereafter.

**REASON:** In pursuit of sustainable transport objectives.

**6.** No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site.

**REASON:** In the interests of the appearance of the site and the amenities of the area.

**7.** The use hereby permitted shall only take place between the hours of 08.30 in the morning and 21.30 in the evening from Mondays to Fridays and between 09:30 in the morning and 21.30 in the evening on Saturdays. The use shall not take place at any time on Sundays and Bank or Public Holidays.

**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.

**8.** No part of the development shall be brought into use until a

scheme for external lighting of the path and external areas has been submitted. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

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

9. The external lighting hereby approved as part of condition 8, shall not be illuminated outside the hours of 08.30 and 21.30 from Mondays to Fridays and between 09.30 and 21.30 on Saturdays at no time on Sundays and Bank or Public Holidays.

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

10. No sound-amplifying equipment, loudspeaker, or public address system shall be installed / operated or music played within the external curtilage of the development hereby approved.

**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.

11. The development hereby permitted shall not be brought into use until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority, and; the approved refuse storage has been completed and made available for use in accordance with the approved details. The approved refuse storage shall thereafter be maintained in accordance with the approved details.

**REASON:** In the interests of public health and safety.

12. Before development commences, details of the proposed two sets of sound proof doors in the passage way together with details of the proposed sound traps and reflection filters within the ventilation systems shall be submitted to and approved in writing by the Local Planning Authority. The approved noise attenuation scheme (including, but not limited to, the agreed details for the additional passage doors

and ventilation sound traps) as detailed in the submitted addendum document to the Noise Management Plan (08/12/2015) shall be fully implemented before the development hereby permitted is first brought into use. The measures approved and implemented as part of the approved scheme shall be maintained in perpetuity.

**REASON:** In the interest of neighbouring amenity.

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

DRG No. AD(0)001 - Proposed location plan	22/10/2015
DRG No. AD(0)100 - Proposed site plan	22/10/2015
DRG No. AD(0)060 - Proposed floor layout	18/11/2015
DRG No. AD(0)150 - Proposed path & retained barrier	18/11/2015

Addendum to the Noise Management Plan	08/12/2015
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**REASON:** For the avoidance of doubt and in the interests of proper planning

#### **INFORMATIVES**

1. **Further Recommendations:** The work should be conducted by a professional recognised contractor in accordance with the written scheme of investigation agreed by this office and there will be a financial implication for the applicant.

2. The applicant should note that the works hereby approved involve the removal and disposal of asbestos cement roofing. Should only be removed by a licenced contractor Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.

**7b 15/1114/FUL - Land to the rear of 33 Bedwin St & Belle Vue Road, Salisbury, SP1 3YF**

#### **Public Participation**

Ken Edwards spoke in objection to the application.

Peter Harwood spoke in objection to the application.

Tony Allen (Agent) spoke in support of the application.

Martin Quigley spoke in support of the application.

Cllr Tom Corbin spoke on behalf of Salisbury City Council, in support of the application.

The Senior Planning Officer drew attention to the late correspondence and introduced the application for the proposed erection of three dwellings, with associated car parking and landscaping. The application was recommended for approval with conditions. It was noted that a five dwelling scheme had previously been to committee and was refused, with one of the reasons being that the site was in a medieval chequer. Natural England had since confirmed that the site was not in one of the chequers, however it was in a conservation area.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that revised plans submitted by the applicant had met the concerns of the Conservation Officer. There were no trees on the site worthy of a preservation order.

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

The Committee discussed the application, noting that the application had addressed the problems associated with the previous application. Despite the size of the site it was felt that it was almost invisible, due to the existing surrounding buildings.

**Resolved:**

**That the application be APPROVED subject to 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.**

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

**Drawing number 0157/PL/01 Rev.A dated 06.11.15, as deposited with the local planning authority on 06.11.15, and Drawing number 0157/PL/02 Rev.A dated 06.11.15, as deposited with the local planning authority on 06.11.15, and Drawing number 0157/PL/03 Rev.A dated 06.11.15, as deposited with the local planning authority on 06.11.15, and Drawing number 0157/PL/04 Rev.C dated 11.12.15, as deposited with the local planning authority on 14.12.15, and Drawing number 0157/PL/05 Rev.A dated 06.11.15, as deposited with the local planning authority on 06.11.15, and**

**Drawing number 0157/PL/06 Rev.A dated 11.12.15, as deposited with the local planning authority on 14.12.15.**

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

**2. 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 :-**

- \* full details of trees to be retained, together with measures for their protection in the course of development;**
- \* means of enclosure;**
- \* all hard and soft surfacing materials;**
- \* retained historic landscape features and proposed restoration, where relevant.**
- \* details of proposed trees of a size and species and in a location to be agreed in writing with the Local Planning Authority, which shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428**

**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.**

**3. 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.

**4.** No part of the development hereby approved shall be first occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

**REASON:** To ensure that adequate provision is made for parking within the site in the interests of highway safety.

**5.** No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

**REASON:** To ensure that the development can be adequately drained

**6.** 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 and any diversion of the existing storm sewer (if necessary) which currently crosses the site, 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

**7.** 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 undertaken and until:

a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.

b) If, during development, any evidence of historic contamination or likely contamination is found, the developer

shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.

In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

**Reason:** In the interests of public health and safety

**8. No construction or demolition shall take place on Sundays or Public Holidays or outside the hours of 07.30 to 18.00 Monday to Friday and 08.00 to 13.00 on Saturdays.**

**Reason:** In the interests of amenity

**9. No burning of waste shall take place on the site during the demolition and construction phase of the development**

**Reason:** In the interests of amenity

**10. No development shall commence within the area indicated (proposed development site) until:**

- i. 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**
- ii. 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.

**Further Recommendations:** The work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office and there will be a financial implication for the applicant.

## **INFORMATIVES:**

**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. Damage to extensive areas that could contain nests/breeding birds should be undertaken outside the breeding season. This season is usually taken to be the period between 1st March and 31st August but some species are known to breed outside these limits.**

**The applicant's/landowners' attention is directed to the advice contained in the letter provided by Wessex Water dated 4th November 2014.**

### **7c 15/09583/VAR - Clover Farm, Brickworth Road, Whiteparish, SP5 2QG**

#### Public Participation

Richard Bagnall (Agent) spoke in support of the application.

Cllr John Herrett, spoke on behalf of Whiteparish Parish Council in objection to the application.

The Senior Planning Officer drew attention to the late correspondence and introduced the application to vary conditions 4 and 7 of S/2007/0596 to allow B8 use and external storage up to 2m high, no storage container to exceed 2.4m in height and no stacking of containers. The application was recommended for approval subject to conditions.

Members of the Committee then had the opportunity to ask technical questions of the Officers. It was noted that the site was in a Special Landscape Area (SLA).

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

The Unitary Division Member, Cllr Britton then spoke in objection to the application, stating that although he had no objection to seeing a wider range of goods being stored at the site, the request to permit storage containers on the site was a significant change and had all the makings of a distribution centre, which was not suitable in open countryside.

The Committee discussed the application, noting that the storage of 2.4m high containers on a SLA site would not be suitable.

**Resolved:**

**The application be REFUSED for the following reasons:**

**The Council fully supports the enhancement of rural employment opportunities, and has made every effort to seek a compromise regards adjusting the conditions. However, the proposed variation of Conditions requested by the applicant would result in an uncontrolled/open B8 storage and distribution use in the open countryside that would be detrimental in terms of visual amenity and would have an adverse impact on the character of the surrounding designated Special Landscape Area. In these respects the proposal is considered discordant with Core Policies CP34, CP35, CP48 & CP51 of the adopted Wiltshire Core Strategy, and contrary to saved local plan policies C6 & E19 and the guidance contained within the NPPF in general and in particular the guidance set out at paragraph 28.**

**7d 15/09395/FUL - The Pheasantry, London Road, Winterslow, Wiltshire, SP5 1BN**

Public Participation

No speakers registered.

It was noted that the application had been called in by Cllr Moss, who was not the Ward Member for the area. Following discussion the Committee decided to consider the application, as members of the public were in attendance for the decision.

The Legal Officer agreed to produce and circulate a briefing paper to clarify the procedure for calling in applications.

The Senior Planning Officer introduced the application for the conversion of an existing barn to a 2 bed dwelling. The application was recommended for approval.

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

There were no public speakers.

The Unitary Division Member Cllr Devine spoke in support of the application.

The Committee discussed the application.

**Resolved:**

The application be **APPROVED** subject to 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 1190.P7.A3 dated Sept 15, as deposited with the local planning authority on 21.09.15, and  
Drawing number 1190.P4.A3 dated Sept 15, as deposited with the local planning authority on 21.09.15, and  
Drawing number 1190.P6.A3 dated Sept 15, as deposited with the local planning authority on 21.09.15, and  
Drawing number 1190.P3.A3 dated Sept 15, as deposited with the local planning authority on 21.09.15.**

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

- 3 No development shall commence on site until details of the roof tiles to be used on the development, together with details of the proposed bricks (including details of bond), any replacement timber cladding, and capping for the replacement wall 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 Before works commence a report shall be submitted for Planning Authority approval containing details and results of all necessary surveys to confirm the presence, and as appropriate, the status of bats in the barn. The report will contain details of all necessary measures that**

will be carried out to ensure compliance with the Habitats Regulations 2010 (as amended). The works will be undertaken in accordance with the measures contained in the approved report.

Reason: To ensure adequate mitigation is made for protected species.

- 5 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

6. Before the dwelling hereby approved is first occupied, full details of the intended boundary between the approved dwelling and the adjacent existing dwelling (No.1 The Pheasantry) as shown on the submitted plan reference 1190.P7.A3, shall have been submitted to and approved in writing by the Local Planning Authority. The approved boundary treatment shall be erected before the dwelling hereby approved is first occupied.

REASON: In order to limit the impact of the works on adjacent amenity

Informatives:

**Protected species**

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. In the event that your proposals could potentially affect bats you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. 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>

**Rights of way**

**There is a byway open to all traffic (WSLO6) running adjacent to the site on the route shown in brown below. This section of the byway has a width of 12 feet and extends to the boundary of the site shown in red adjacent to number 3. Access to the full width of the byway should be available at all times.**

**8 Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 8.28 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](mailto:lisa.moore@wiltshire.gov.uk)

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