

## SOUTHERN AREA PLANNING COMMITTEE

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**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 18 NOVEMBER 2010 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.**

**Present:**

Cllr Richard Britton, Cllr Brian Dalton, Cllr Christopher Devine, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan and Cllr Fred Westmoreland (Chairman)

**Also Present:**

Cllr Tony Deane, Cllr Ricky Rogers and Cllr Bridget Wayman

114. **Apologies for Absence**

Apologies for absence were received from Councillor Wright and Councillor Douglas

115. **Minutes**

Minutes of the meeting held on 28 October were presented.

**Resolved:**

**To approve as a correct record and sign the minutes of the Southern Area Planning meeting held on 28 October 2010.**

116. **Declarations of Interest**

**S/2010/1194** - Councillor Jeans explained that he had visited the site of the application twice, but that he did not have a close association with the applicant and therefore felt that there was no personal or prejudicial interest.

117. **Chairman's Announcements**

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

118. **Public Participation**

The committee noted the rules on public participation.

119. **Planning Appeals**

The committee received details of the following appeal decisions:

**S/2010/0112 - Adj Ebbleway, Bishopstone – Delegated - Dismissed**

**S/2009/0732 - 44 York Road – Delegated - Dismissed**

And forthcoming appeals as follows:

**S/2010/0884 - Land at Bishops Drive, East Harnham, Salisbury**

**S/2010/0784 - Land at Long Cross, Zeals**

**S/2010/1587 - Old Chalk Pit, Petersfinger**

120. **Planning Applications**

120a **S/2010/0173 - Former Pembroke Park School, Penruddock  
Close, Salisbury**

Public Participation:

Mr Christian Tinkler spoke in objection to the application  
Mr David Ezard spoke in objection to the application

Councillor Joe Rooney, on behalf of Salisbury City Council, spoke in objection to the application

Councillor Ricky Rogers, the local member spoke in objection to the application

The Planning Officer introduced the report which recommended approval. He also drew members' attention to the late list containing details of 3 additional letters from third party objectors, plus an additional late item changing and adding to the recommended conditions.

A debate ensued around the design of the housing, the concentration of the social housing component and the use of open land were all discussed. Additional conditions were suggested to take account of some local homeowner concerns about light pollution and damage to utilities during construction. The possibility of access to the woodland that forms part of the site was also debated.

**Resolved:**

**That the application be approved as per officer recommendation, with changes to the requirement under point (ii) a scheme for the opening**

***of the wooded area on a trial basis and point (vi) contribution towards the off-site traffic calming measures along Pembroke Road. An additional condition, no. 20 was added in respect of the fence surrounding the former caretaker's bungalow (Pembroke Park Bungalow) and the fence and works surrounding no. 54 Pembroke Road.***

**Therefore the decision of the planning committee is that the planning permission be granted subject to a legal agreement/legally binding obligation in respect of:**

- (i) The provision of 40 per cent affordable housing
- (ii) A minimum provision on site of 0.18 hectares of formal open space (excluding the wooded area on the Eastern boundary) and the provision of a commuted sum for the continued maintenance and upkeep of the open space and the wooded area. In addition a scheme for the opening of the wooded area to the public on a trial basis.
- (iii) A contribution towards off site open space (R2)
- (iv) Waste and recycling scheme provision
- (v) The achievement of an environmentally- friendly sustainable scheme, including at least a code three code for sustainable homes rating.
- (vi) A financial contribution towards the provision of off-site traffic calming measures and/or other sustainable highway measures along Pembroke Road.

**and that planning permission is granted for the following reasons:**

It is considered that this application makes maximum use of the available land, providing a substantive proportion of affordable housing on an otherwise vacant site. The proposal therefore complies with policy H1 of the Salisbury District local plan. The area of open space in the centre of the proposed development it is considered adequately compensates for the loss of the previous school playing fields.

The design and layout of the proposal is satisfactory and it is considered complies with policies G1 and G2 of the adopted local plan as well as design policies D1 and D7 as it makes maximum use of the site whilst considering the significant constraints imposed by levels and heights.

It is considered that residential amenity would not be significantly harmed by the proposal as houses facing Jubilee close are at a lower level and set back 20 M and behind existing trees and shrubs as such it is considered that residential amenity to Jubilee Close will be preserved in line with policy G1 and G2 of the adopted local plan.

The proposal is considered to improve highway safety standards in the

vicinity of the proposal by providing funding for off site highway improvements along Pembroke road and closing vehicular access to Penruddock Close as such the proposal complies with policy TR1 of the saved policies of the adopted local plan.

The site will make provision for 40% affordable housing on site of which a substantial proportion is proposed as council built housing. This will help meet the need for affordable housing within the Southern part of Wiltshire and as such complies with policy H25 of the adopted local plan.

In addition it makes provision for the retention and future management of the woodland area to the east of the site.

It is considered that the proposal accords with policies G1, G2, H1, H22 and H25 of the saved policies of the adopted local plan.

**and subject to the following conditions:**

1. The development hereby approved 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 Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the dwellings and where so required by the Local Planning Authority sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

REASON: To secure a harmonious form of development.

**POLICY G2**

3. Prior to first occupation of the development details/a plan indicating the positions, design, height, materials and type of boundary treatments to be erected shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall be carried out in accordance with the approved details and the boundary treatments shall be erected prior to the first occupation of the dwellings hereby approved and shall thereafter be maintained for a period of five years and thereafter retained.

REASON: In the interests of neighbouring residential amenity and the environment of the development.

**POLICY G2**

4. Prior to the commencement of development an ecological management plan shall be submitted to and approved in writing by the local planning authority such a plan shall include an evaluation of ecological site features; a summary of ecological objectives proposals to protect ecological features, management and maintenance prescriptions, implementation and funding and a 5 year schedule of works including the monitoring and review of the plan. The approved details of the plan shall be implemented in accordance with the timescale set out in the approved plan.

REASON : In the interests of protecting wildlife on the site

POLICY G2

5. Prior to commencement of development a badger protection method statement shall be submitted to and approved in writing by the local planning authority. Such a protection method statement shall demonstrate the measures that will be taken to ensure badgers are not affected by the construction works. The development shall be carried out in accordance with the details approved.

REASON: In the interests of protecting wildlife on the site.

POLICY G2

6. Prior to the commencement of development a reptile protection method statement shall be submitted to and approved in writing by the local planning authority. Such a protection method statement shall demonstrate the measures that will be taken to ensure reptiles are not affected by the construction works. The development shall be carried out in accordance with the details approved.

REASON: In the interests of protecting wildlife on the site.

POLICY G2

7. Prior to the first felling of any trees on site a report shall be submitted identifying those trees that are to be felled and any mitigation measures that are required to protect bats within those trees. Such a report shall be submitted and approved in writing prior to commencement of development any development shall then be carried out in accordance with the details in the report.

REASON: In the interests of protecting wildlife on the site.

POLICY G2

8. The proposals for the landscaping of the site, as shown on the approved plans (including provision for landscape planting, the

retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels) shall be carried out as follows:

- a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;
- b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;
- c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and
- d) the whole scheme shall be subsequently retained.

REASON: In the interests of visual amenity and the environment of the development and to ensure that the approved landscaping scheme is carried out at the proper times.

#### POLICY G2

9. Prior to commencement details for the hard landscaping of the site, including full details of the surfacing materials and colours of all hard surfaces and kerbing, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

REASON: In the interests of the amenities of the site and to secure a well planned development.

#### POLICY G2

10. Prior to the commencement of development, full details of the road layout and construction shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include longitudinal sections, typical cross sections including surface materials, street lighting and road drainage. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until that part of the access road which serves it has been constructed up to and including bindercourse (basecourse) surfacing in accordance with the approved details.

REASON: In the interests of highway safety and to ensure that an adequate means of access is available when the dwellings are occupied.

## POLICY G2

11. Prior to the first occupation of any of the dwellings, hereby approved, the garaging/parking, cycle parking and turning space indicated on the approved plan shall be constructed, laid out and made available for use and shall thereafter be retained and kept available for those purposes at all times.

REASON: In the interests of highway safety and to ensure an adequate level of parking provision to serve the development.

## POLICY G2

12. No development shall commence until a scheme of water efficiency measures to reduce the water consumption of the dwellings, hereby approved, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

REASON: In the interests of the conservation of water resources and to protect the Hampshire Avon River and its habitats.

## POLICY G3

13. Development shall not begin until a surface water drainage scheme for the site, 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 scheme shall subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall also include details of how the scheme is to be maintained and managed after completion.

REASON: To prevent the increased risk of flooding to improve and protect water quality and to ensure the future maintenance of the surface water drainage system.

## POLICY G5

14. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, no further development permitted by Classes A, B, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

REASON: To enable the Local Planning Authority to retain control over the development in the interests of the visual amenity.

#### POLICY G1

15. The development hereby approved shall be undertaken in full accordance with the following approved plans:

Planning Layout dwg no 0064-2-201\_Rev D  
Location Plan dwg no 0064 -0\_101  
Topographical survey plan 011-D1 –A  
Topographical survey plan 011-D2 – A  
Topographical survey plan 011-D3 – A  
Affordable housing plan 0064 -2-203  
Slab levels and drainage plan 0064-2-206  
Street lighting plan 0064 – 5-531  
Site sections 0064-2-208-A  
Materials Plan 0064-2-300  
Street scene elevations 0064-2-301-B  
House type A – rev A  
House Type B – rev A  
House Type C – rev A  
House Type D – rev A  
House Type E – rev B  
House Type F – rev B  
House Type F1 – rev A  
House Type G  
House Type H –rev A  
House Type H1 – rev A  
House Type H2  
House Type J – rev B  
House Type J1  
House Type K – rev A  
Landscape Proposals dwg no 0064-3001 –rev A

REASON: For the avoidance of doubt

16. Construction works shall not take place except between the hours of 07.30hrs to 1800hrs on Mondays to Friday and 08:00 to 13:00hrs on Saturday  
No work on Sundays and Public Holidays.  
This condition does not apply to the internal fitting out of the buildings

REASON: In order to limit the noise and disruption to adjacent neighbours during antisocial hours

17. Before development commences, further details of the emergency link to Penruddock Close shall be submitted and approved in writing by the Local Planning Authority. Such details shall show a 3m



width of maintainable public highway for use for pedestrians and cyclists, with suitable measures to prevent access by vehicular traffic other than emergency vehicles: and the emergency link shall be provided before the 50th occupation of the dwellings the subject of this permission.

REASON: In order to limit the use of the northern access by non emergency vehicles in order to reduce the level of traffic using the access to an acceptable level in the interests of amenity.

#### POLICY G2

18. Prior to the commencement of development, full engineering details of the road layout and construction including longitudinal sections, typical cross sections, road drainage and street lighting shall be submitted for the written approval of the Local Planning Authority; and the road constructed in accordance with these details between each dwelling and the main access junction with Pembroke Road prior to occupation of each dwelling.

REASON: In the interests of highway safety

#### POLICY G2

19 No part of the development other than the council affordable housing shall be commenced until the local planning authority has approved in writing a scheme to secure the provision of affordable housing, the provision and management of open space, the woodland on the Eastern boundary of the site, waste and recycling provision, sustainability measures and highway improvements.

REASON: In the interests of securing affordable housing

20 Details and a scheme for the implementation, in respect of the fence surrounding the former caretaker's bungalow (Pembroke Park Bungalow) and the fence and works surrounding no. 54 Pembroke Road shall be agreed in writing with the local planning authority prior to the commencement of development. The fencing and works shall then be implemented in accordance with the details and the submitted scheme and the fencing retained in perpetuity.

REASON: In order to protect the amenities of the occupiers of Pembroke Park Bungalow, and no. 54 Pembroke Road.

**Informative:**

The details of the planning benefits referred to in condition 19 will be approved by the local planning authority. A scheme to secure the provision of these approved benefits needs to be submitted and approved by the local planning authority

**Informative Notes:**

1. The applicant's attention is drawn to the comments of Wessex Water, a copy of which is attached to this decision notice. In this respect, Wessex Water has advised that there is a public foul sewer crossing the site. Wessex Water normally requires a minimum 3.0 metre easement width on either side of its apparatus for the purposes of maintenance and repair and therefore diversion or protection works may need to be agreed.

2. In conjunction with Condition No's 13 and 14 above, the applicant's attention is drawn to the comments of the Environment Agency, a copy of which is attached to this decision notice. For any further advice regarding any of the issues covered by these conditions the applicant is advised to contact the Environment Agency, Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, Dorset, DT11 8ST. Tel: 01258 483390 / Fax: 01258 455998.

**120b S/2010/1194 - Old Post Office, Semley, Shaftesbury**

Public Participation:

Mr Colin Stallwood spoke in objection to the application

Ms Clare Rooney, Architectural Liaison Officer for Wiltshire Police, spoke in objection to the application

Mr Joseph Duffy, the applicant, spoke in support of the application

Councillor A R Drake, representing Sedgewick and Semley Parish Council, spoke in objection to the application.

Councillor Bridget Wayman, the local member, spoke in objection to the application

The Planning Officer introduced the report which recommended refusal.

A discussion ensued where the implications of antisocial hours of operation, noise and highways problems were discussed.

**Resolved:**

**That the application be refused for the following reasons:**

The property is located in a quiet and secluded settlement within the open countryside, and is located within close proximity to a number of residential properties, the local school, and church. The proposal is considered to introduce intrusive noise and general disturbance into this part of the settlement, to the detriment of existing amenities. Similarly, due to inadequate parking facilities and restricted visibility from the existing access arrangements, the proposal is considered to be detrimental to highway safety. The proposal is therefore contrary to the aims and objectives of saved policy G2 of the adopted Salisbury District Local Plan.

**120c**     **S/2010/1388 - The Barkers, Barkers Hill, Semley, Shaftesbury**

Public Participation:

Mr John Dixon spoke in objection to the application

Councillor A R Drake representing Sedgemoor & Semley Parish Council spoke in objection to the application

Councillor Bridget Wayman spoke as the local member in objection to the application

The Planning Officer introduced the report which recommended approval.

Following a debate it was:

**Resolved:**

**To defer consideration of the application to the next meeting, in order for a site visit to take place to ascertain the impact on the neighbouring property .**

**120d**     **S/2010/1252 - 106 Malthouse Cottage, Tisbury**

Public Participation:

Councillor George Flower, West Tisbury Parish Council, spoke in objection to the application

Councillor Tony Deane, the local member, spoke in objection to the application

The Planning Officer introduced the report which recommended approval.

A debate ensued, focused on issues of overdevelopment of the site and the quality of the vehicular access to/from the proposed building and it was

**Resolved:**

**That the application be refused for the following reason:**

**The proposed dwelling, due to a combination of its overall design & scale, the restricted nature of the site, and the restricted nature of its parking/turning area would be out of keeping with the more spacious character of the surrounding rural area, and would result in a cramped development with limited level of amenity space to the occupiers.**

**The proposal would therefore be contrary to the aims and objectives of saved polices G2, D2 of the adopted Salisbury District Local Plan.**

120e **S/2010/0451 - Plot Opposite 7 School Hill, School Hill/Folly Lane, Alderbury**

Mr Henry Wilkinson spoke in objection to the application

Mr Martin Smith, the agent spoke in support of the application

Mr Paul Barnfield, representing Alderbury Parish Council spoke in objection to the application

With the Chairman's agreement, this application was considered together with the associated application for demolition of an existing nursery building on the site referred to at minute number 104f below.

The Planning Officer introduced the report which recommended approval

Following a debate about the design, scale and mass of the proposed building, its relationship with the surrounding listed buildings, and the nature of the access to the site, it was:

**Resolved:**

**To refuse the application for the following reasons:**

1. The site is located in open countryside within a Special Landscape Area and outside of the Housing Policy Boundary of Alderbury, as defined in the adopted Salisbury District Local Plan. It is also in a sensitive location by virtue of being located in the Alderbury Conservation Area close to and within the setting of a number of residential Grade II Listed Buildings. The single-storey building on the site was formerly occupied by the Alderbury Nursery School which has now transferred to a site adjacent to Alderbury Primary School

The site may be considered to be previously developed land as defined by PPS3 and consideration had been given to any benefit from the removal of the current use and buildings on the site. Notwithstanding, this is outweighed by the harm caused by a combination of the size,

bulk and design of the proposed new development, which would have a detrimental impact on the setting of the surrounding listed buildings, would fail to preserve or enhance the character of the Alderbury Conservation Area and would have an adverse effect on the quality of local landscape. As such the proposal is considered to be contrary to policies C6, D2, CN5 and CN8 of the Salisbury District Local Plan and national guidance as expressed in PPS1, PPS3 and PPS5.

2. The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the Adopted Replacement Salisbury District Local Plan as appropriate provision towards public recreational open space has not been made.

### **Informative**

It should be noted that the reason given above relating to Policy R2 of the Adopted Replacement Salisbury District Local Plan could be overcome if all the relevant parties agree to enter into a Section 106 legal agreement or if appropriate by condition, in accordance with the standard requirement for recreational public open space.

120f **S/2010/0452 - Plot Opposite 7 School Hill, School Hill/Folly Lane, Alderbury**

The Committee discussed the current status of the land, and upon being put to the vote it was:

### **Resolved:**

**That Conservation Area Consent be granted for the following reason:**

The proposal will allow the enhancement of the Conservation Area in accordance with policy CN9

**And subject to the following conditions:**

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. This decision relates to documents/plans listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application.

1090-LOC-02 received on 18 March 2010  
L.0118-28-1 received on 26 March 2010  
Elevations received on 18 March 2010  
Protected Species Assessment prepared by Chalkhill environmental consultants received on 18 March 2010

REASON For the avoidance of doubt

3 Prior to the commencement of development (which includes the demolition of the existing building) hereby approved, the recommendations in part 6 of the Protected Species Assessment prepared by Chalkhill environmental consultants received on 18 March 2010 shall be implemented.

REASON In the interests of protected species

Policy: CN12 (Protected species) and the Wildlife and Countryside Act 1981 (as amended)

4 Within three months of the demolition of the existing buildings on the site, all debris, (including the foundation slabs) and materials arising from the demolition shall be permanently removed from the site, unless otherwise agreed in writing by the Local Planning Authority.

REASON In the interests of the amenity of the Conservation Area

Policy: G2 General criteria and CN8 Conservation Area

121. **Urgent Items**

None.

(Duration of meeting: 6.00 - 9.20 pm)

The Officer who has produced these minutes is Liam Paul, Democratic Services Officer, of Democratic Services, direct line 01225 718376, e-mail [liam.paul@wiltshire.gov.uk](mailto:liam.paul@wiltshire.gov.uk)

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