

SOUTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 10 MAY 2012 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE,
SALISBURY, SP2 7TU.**

Present:

Cllr Richard Britton, Cllr Christopher Devine, Cllr Jose Green (Vice Chairman),
Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr John Smale,
Cllr Ian West and Cllr Fred Westmoreland (Chairman)

28 Apologies for Absence

Apologies were received from Cllr Brian Dalton

29 Minutes

The minutes of the meeting held on 29 March 2012 were presented.

Resolved:

To approve as a correct record and sign the minutes.

30 Declarations of Interest

Cllr Richard Britton declared a personal interest in S/2012/0312/OUT Out of The Way, Southampton Road, Alderbury, as the applicant was a friend of a close family member and he had met him on several occasions.

31 Chairman's Announcements

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

32 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

33 **Planning Appeals**

The committee received details of the following appeal decisions:

- S/2011/1411 - The Stables, Hindon Road, Dinton – delegated - dismissed
- S/2011/1649 - Catering Van, Scotland Lodge, Winterbourne Stoke – delegated-allowed
- S/2011/0181 - Ferndale, Ware Farm, Farley – committee - allowed
- S/2011/1570 - Shergolds, Swallowcliffe – delegated- allowed
- S/2011/1280 - Court Hay, Lower Road, Charlton-All-Saints – committee - allowed
- S/2011/1471 - Co-Op, Salisbury Street, Amesbury – delegated- dismissed

And forthcoming appeals as follows:

- S/2011/1429 – Dorothy May, Larkhill Road, Durrington
- S/2011/1011 - 1 Field Building, Cottages, Manor Farm, Teffont
- S/2011/1746 - The Heather, Southampton Road, Alderbury
- S/2011/1354 - Unit 3, Landford Manor
- S/2011/0524 - Sheepwash, MeadEnd, Bowerchalke

34 **Planning Applications**

34a **S/2012/0028/Full - 45 Ladysmith Gomeldon Salisbury**

Public participation:

- Mr Andy Kettley spoke in objection to the application
- Mr James Bravery spoke in support of the application
- Mr Peter Bravery spoke in support of the application
- Mrs Emma Bravery spoke in support of the application

The planning officer introduced the report and drew attention to the late correspondence. He explained that there were two parts to the application, the first to demolish part of the existing house and the second for the erection of a semi-detached dwelling. During the debate issues regarding the design of the proposed dwelling and its proximity to neighbouring dwellings were discussed in detail.

Resolved:

Planning Permission be REFUSED for the following reasons:

1. The proposed house, by reason of its uncharacteristically narrow plot and resulting cramped appearance, and by reason of its size, design and massing, would detract from the appearance of the street. This is contrary to Policies H16 and D2 of the Salisbury District Local Plan (which are 'saved' policies of the adopted South Wiltshire Core Strategy).
2. **The proposed house, by reason of its proximity to the side boundary of the site with no. 47a Ladysmith, its size and its design (incorporating a first floor window in the side elevation), would both have an overbearing impact on and overlook no. 47a Ladysmith to the detriment of the occupiers' amenities and privacy. This is contrary to Policy G2 of the Salisbury District Local Plan (which is a 'saved' policy of the adopted South Wiltshire Core Strategy).**
3. The application does not make provision for the increase in pressure on recreational open space facilities and affordable housing stemming from the additional house. This is contrary to Policy R2 of the Salisbury District Local Plan (which is a 'saved' policy of the South Wiltshire Core Strategy) and Core Policy 3 of the South Wiltshire Core Strategy.

INFORMATIVE:

It should be noted that the reason for refusal 3 given above relating to Policy R2 and Core Policy 3 of the South Wiltshire Core Strategy could be overcome if all the relevant parties agree to enter into a Section 106 legal agreement, in accordance with the standard requirement for recreational public open space and affordable housing provision.

34b **S/2012/0312/OUT - Out of The Way Southampton Road Alderbury**

Public participation:

Mr Ivor Cottrell spoke in support of the application
Mr Colin Trickett spoke in support of the application

The planning officer introduced the report which was for outline consent to demolish Out of the Way and erect three dwellings. During the debate members discussed the fact that many of the issues related to previous application appeared to have been overcome.

Resolved:

Planning Permission be GRANTED for the following reasons:

The proposed outline development of three dwellings (and demolition of Out of the Way) would be in accordance with the saved policies G2, D2, H16, C6, C8, C12 and R2 of the Salisbury District Local Plan and policy CP3 of the South Wiltshire Core Strategy, including the saved policies in Appendix C.

The erection of three dwellings within spacious plots would not harm the existing character of the area, which lies within the Housing Policy Boundary for Alderbury (Policy H16 and D2).

Provided the dwellings are single storey, with no windows above eaves level, neighbouring amenities would not be unduly disturbed in terms of overlooking, loss of privacy, or dominance. Provided existing boundary trees and fences are retained, there would be no undue disturbance to neighbouring occupiers resulting from the use of the access for three dwellings or use of the gardens by the occupiers (Policy G2 and D2)

Subject to conditions relating to access and visibility, the development would not be detrimental to existing highway safety arrangements for Southampton Road, or the access itself (Policy G2).

Existing and protected trees and nature conservation interests such as bats and their roosts would not be adversely affected by the development, subject to conditions (Policy C8, C6 and C12).

Affordable housing and public open space provision could also be made in accordance with Policy CP3 and R2, subject to a condition requiring the applicant to enter into a legal agreement at the full planning or reserved matters stage.

And subject to the following conditions:

1. 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, whichever is the later.

REASON: To comply with the provisions of Section 92 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 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:

- (a)The scale of the development;
- (b)The layout of the development;
- (c)The external appearance of the development;
- (d)The landscaping of the site;
- (e)The means of access to 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.

3. An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

4. The buildings hereby permitted shall be of single storey construction only (with no windows, rooflights or dormer windows above eaves level).

REASON: In the interests of amenity having regard to the characteristics of the site and surrounding development.

POLICY- G2 General Principles for Development and D2 design

5. No development shall take place until details of provision for offsite affordable housing and recreational open space in accordance with Core Policy 3 of the South Wiltshire Core Strategy and saved policy R2 of the Salisbury District Local Plan have been submitted to and agreed in writing by the Local Planning Authority.

REASON: To ensure that the development makes appropriate off site provision for public open space and affordable housing.

POLICY Local Plan policy R2 and Core Policy 3.

6. The development hereby permitted shall not be first occupied 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.

POLICY- G2 General Principles for Development

7. No development shall commence until details of vehicle parking and turning, for each dwelling, has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be first occupied until the said parking and turning spaces have been completed in accordance with the approved details. Such parking and turning space shall thereafter be retained for these purposes in perpetuity.

REASON: To ensure sufficient parking provision is accommodated on site and to enable all vehicles to enter and leave the site in forward gear in the interests of highway safety.

POLICY- G2 General Principles for Development

8. No development hereby approved, including site clearance, shall commence until the visibility splays shown on the approved plan (08/470/B/02 dated Dec 11 and received 21/2/12) have been provided with no obstruction to visibility at or above a height of 600mm 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

POLICY- G2 General Principles for Development

9. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

POLICY- G2 General Principles for Development

10. The mitigation measures in Section 3.0 of the approved Ecological Assessment (The Whitelands Project, Visual & Evidence Based Bat Survey for Probuild Ltd, Feb 2012) shall be carried out in full in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

POLICY: Planning Policy Statement 9: Biodiversity and Geological Conservation and Policy C12.

11. Notwithstanding the provisions of Classes A, B, C and E of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no enlargement, additions or extensions to any building forming part of the development hereby permitted. No garages, sheds, greenhouses or other ancillary domestic outbuildings shall be erected other than those expressly approved on the plans.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

POLICY- G2 General Principles for Development and D2 Design

12. 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:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure, including an acoustic fence for the boundary with Forest View;
- (f) other vehicle and pedestrian access and circulation areas;
- (g) hard surfacing materials;
- (h) proposals for new and replacement tree planting

The development shall be implemented in accordance with the approved scheme, before there is any occupation of the dwellings.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY- C6 and C8 Trees and Landscape

13. 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.

POLICY- C6 and C8 Trees and Landscape

14. The development, including site clearance, shall not commence until a full tree survey has been undertaken and all trees that have a Root Protection Area (calculated in accordance with BS5837:2005) encroaching into the site, have been identified. This includes the proposed visibility splay. This information shall be used to provide a Tree Protection Plan which shall be submitted to the Local Planning Authority and approved in writing, before development commences. The Tree Protection Plan shall emphasise in particular the importance of the trees and tree belts on and immediately adjacent to the boundaries of the site.

The Tree Protection Plan must include any necessary fencing, in accordance with the relevant British Standard (Guide for Trees in Relation to Construction, BS.5837: 2005). It must also include any other means needed to ensure that all of the trees to be retained will not be harmed during the development, including damage to their root system. These 'other means' shall include a method statement setting out how above ground surfacing techniques will be used to construct parking areas and driveways within root protection areas.

The trees must be protected in accordance with the agreed Tree Protection Plan throughout the period of development, unless the Local Planning Authority has given its prior written consent to any variation.

REASON: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

15. 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.

POLICY- D2 Design

16. 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.

Reason: In the interests of neighbouring amenities

POLICY- G2 General Principles for Development and D2 Design

17. The development shall be implemented in accordance with the following plans and documents hereby approved:

Design & Access Statement, received 21/2/12

The Whitelands Project, Visual & Evidence Based Bat Survey for Probuild Ltd, Feb 2012, received 21/2/12

Access and visibility splay shown on 08/470/B/02 dated Dec 2011, received 21/2/12

Red and Blue line Location Plan, 08/470/B/01 dated Dec 11, received 21/2/12

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

Informatives:

1. The applicant's attention is drawn to the letter from Wessex Water dated 5th March 2012, regarding easements, water supply and sewer connections.
2. This decision is taking in accordance with Policy G2, D2, H16, C6, C8, C12 and R2 of the Salisbury District Local Plan which are saved by Appendix C of the South Wiltshire Core Strategy, Policy CP3 of the SWCS and the guidance in the National Planning Policy Framework.
3. Prior to the demolition of the existing house, 'Out of the Way', the applicant is advised to consult the Council's Environmental Health Team for advice in view of the statements made about the potential health hazards associated with this work.

35 Urgent Items

There were no urgent items

(Duration of meeting: 18.00 – 19.25)

The Officer who has produced these minutes is Pam Denton, of Democratic Services,
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