

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 3 JUNE 2010 AT ALAMEIN SUITE, CITY HALL, SALISBURY.

Present:

Cllr Richard Britton, Cllr Christopher Devine, Cllr Jose Green (Vice Chairman), Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Paul Sample (Reserve), Cllr Ian West, Cllr Fred Westmoreland (Chairman) and Cllr Graham Wright

Also Present:

Cllr John Brady, Cllr Tony Deane and Cllr Bill Moss

40. **Apologies for Absence and Membership of the Committee**

Apologies were received from Councillors Mary Douglas and Brian Dalton. Councillor Paul Sample substituted for Councillor Dalton.

41. **Minutes**

The minutes of the last meeting were approved as a correct record and signed by the Chairman.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 13 May 2010.

42. **Declarations of Interest**

There were no declarations of interest

43. **Chairman's Announcements**

There were no announcements

44. **Public Participation**

Mrs Penny Deaker spoke in support of agenda item 8e – S2010/0615 – Burton Farmhouse, Burton, Mere.

45. **Appeal Performance April 1st 2009 - 31st March 2010**

The Area Development Manager presented the report which detailed the performance of the south hub of Wiltshire Council at appeal in the year 2009/2010.

Resolved:

That the report be noted.

46. **Planning Appeals**

The committee received details of the following appeals:

Decisions

S/2009/1052 - Pine Lodge Cottages, Mesh Pond, Downton – allowed – delegated.

S/2009/0269 - The Garage Site, Albany Terrace, Wilton – dismissed – delegated.

S/2009/0913 - The White House, Sansomes Farm, Hop Gardens, Whiteparish - dismissed – delegated.

S/2009/1314 - Layby A338, West Gomeldon - dismissed – delegated.

New appeals

S/2009/1333 - Land adjacent Flamstone Street, Bishopstone

S/2009/1291 - 29 Middleton Road, Salisbury

S/2009/1885 - 19 Southbourne Way, Porton

S/2009/1477 - Land between Pearl Cottage & The Bungalow, Cholderton

47. **Planning Applications**

47a **S/2010/0259 - 9-11 St. Nicholas Road, Salisbury**

Public participation:

Mr Tony Allen spoke in support of the application.

At its meeting on 22 April 2010 the committee resolved to approve the application subject to consultation with the Flood Group and provided that the Environment Agency withdrew its objection and indicated that it did not intend to refer the matter to the Secretary of State

The committee considered the report which sought to update members on the response from the Flood Group and the Environment Agency. There had not been a response from the Flood Group however the Environment Agency had maintained its objection to the development.

Having considered the application in detail it was

Resolved:

That Option A be accepted with the proposed amendment to Condition 2 and that the application be APPROVED for the following reasons:

Reasons for Approval:

The property was originally two dwellings and has historically been occupied as two units on the ground and lower ground floors. The existing five bedroom maisonette is likely to be difficult to sell or let without parking and presently has no flood resistance measures in place. The site is in a sustainable location, close to the city centre, and the ongoing occupation of the flats would benefit the listed building. The property is likely to be more attractive to occupiers if the five bed unit is subdivided as two flats, and the subdivision would reinstate the historic layout of the building. Flood resistance measures and a flood management scheme have been proposed to protect future occupiers from flooding. The proposals would therefore adapt a heritage asset and improve its resilience to climate change under PPS5. The development would reduce the overall number of habitable rooms from five bedrooms to four, and a means of escape is available to the proposed flats on the ground floor at road level. The development would not detrimentally affect neighbouring amenities or existing highway safety conditions. The proposal would therefore be in accordance with adopted policies G2, H8, CN3, CN5, CN8, CN11, C12, C18 and R2 of the Salisbury District Local Plan and the guidance on heritage assets and climate change in PPS5.

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. The development shall be implemented in strict accordance with

i) the Flood Risk Assessment and Management Strategy (Feb 2010) including the flood mitigation measures outlined within Sections 4 and 5 of the document, and

ii) the Construction Method Statement and Schedule of Works (Feb 2010)

before the flats on the ground and lower ground floor are occupied.

Reason: To protect future occupiers against the risk of flooding and to ensure that protected species and the water quality of the River Avon are not harmed during construction.

3. No development shall commence until details of a Flood Management Scheme have been submitted to and approved in writing by the Local Planning Authority. The scheme shall include proposals to ensure that all future occupiers of the flats hereby approved are made aware of the scheme before their occupation commences. The development shall be implemented and occupied in accordance with the agreed scheme at all times thereafter.

Reason: To protect future occupiers against the risk from flooding.

4. The development hereby approved shall be in accordance with the following documents/plans submitted with the application listed below. No variation from the approved documents should be made without the prior approval of this Council.

NJH 0018 Sept 09

Proposed Plans dated April 2010

Door elevations, received 23/2/10

Planning, Design, Heritage and Access Statement, WGDP Feb 2010

Flood Risk Assessment and Management Strategy (Feb 2010)

Construction Method Statement and Schedule of Works, Feb 2010

Independent Wall Lining Solutions, by Karma Acoustics

Reason: For the avoidance of doubt.

47b **S/2010/0395 - Land Located Between Casterbridge and The Paddock
Shripple Lane Winterslow**

Public participation:

Mr Lionel Gent spoke in objection to the application

There had been a site visit to the application site with the following members attending:

Cllr Josie Green
Cllr Mike Hewitt
Cllr George Jeans
Cllr Ian West
Cllr Fred Westmorland
Cllr Richard Britton

The planning officer introduced the report, which officers recommended for refusal, and drew members' attention to the late list in which it was stated that an amended plan had been received showing surface/storm drainage of the site, condition 2 on the report would therefore be removed.

Members debated the application and concerns were raised regarding highways issues, boundary treatment and surface water drainage.

Resolved:

That subject to the completion, within three months of a unilateral agreement in relation to policy R2, the application be APPROVED:

For the following reasons for approval

The site is within the Housing Policy Boundary (Policy H16) and Members agreed with the conclusions of the officer report that the proposed dwelling was of an appropriate scale and design for the site (Policy D2). Members considered that due to the number of dwellings that currently use the access road, that whilst they noted its condition, in this context, the addition of one additional dwelling was not significant

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.

BEL09-034-01 received on 4 March 2010

BEL09-034-02 received on 4 March 2010

804.01C received on 25 May 2010

REASON For the avoidance of doubt

3 The development shall be in accordance with the details of the Arboricultural Method Statement Ref. DJP/316/09 received on 4 March 2010.

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

POLICY G2 General criteria for development

4 No development shall commence on site until details of the treatment of the boundaries of the site to include any screen walls and/or fences have been submitted to and approved in writing by the Local Planning Authority. The screening hedges, walls and/or fences shall be planted/erected in accordance with the approved details prior to the occupation of the dwelling hereby permitted and shall be retained and maintained as such at all times thereafter.

REASON: To prevent overlooking & loss of privacy to neighbouring property.

POLICYG2 General criteria for development

5 The construction of the dwelling hereby permitted shall not begin until a surface water drainage scheme has been provided on site to serve the development hereby permitted. The scheme shall ensure that all the surface water is disposed of within the site and that there is no discharge of surface water from the building, the land, the access driveway or the parking/turning areas on to Shripple Lane.

REASON To ensure the development is provided with a satisfactory means of drainage in the interests of the amenity of the locality.

POLICY G2 General criteria for development

6 No development shall commence until details of the permeable/porous surfacing of the access driveway and the parking/turning areas has been submitted to and approved in writing by the Local Planning Authority. The surfacing of the access driveway and the parking/turning area shall be constructed in accordance with these approved details and the permeable/porous surfacing shall be retained and maintained at all times thereafter.

REASON To ensure the development is provided with a satisfactory means of drainage in the interests of the amenity of the locality.

POLICY G2 General criteria for development

7 No development shall commence until full details of a construction method plan, including details of the days and hours of work, size and frequency of vehicles, dust suppression, repair of any damage to the Shrippe Lane by construction vehicles has been submitted and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the agreed details,

REASON To avoid the risk of disturbance to neighbouring dwellings/the amenities of the locality during unsocial hours.

POLICY G2 General criteria for development

8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows/rooflights [other than those expressly authorised by this permission] shall be constructed.

REASON To ensure adequate standards of privacy for the neighbouring dwelling(s) through the avoidance of overlooking from windows or rooflights.

POLICY G2 General criteria for development

INFORMATIVE 1

For your information, in relation to condition 7, the standard hours of work are considered to be 0800 to 1800 on Mondays to Fridays, 0900 to 1300 on Saturdays with no work on Sundays, Bank and Public Holidays. Additionally Members considered that no vehicle serving the construction works on the site should exceed 7.5t

47c **S/2010/0471 - The Old Cottage Lower Street Salisbury**

With the Chairman's agreement, this application was considered together with the associated application for listed building consent referred to at minute number 47d below.

Public participation:

Mrs Charon Wolfindale spoke in support of the application
Mrs Jane Wolfindale spoke in support of the application.

The application had been recommended for refusal; however members considered that the proposal would keep the building in use and enhance its character in accordance with the aims of PPS5. It was not considered that the proposal was detrimental to the character of the area nor the amenities of neighbours.

Resolved:

That the application be APPROVED 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) 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- G2 (General Development Guidance), D3 (General Design Guidance), CN8 (Development within a Conservation Area), PPS5 (Planning for Historic Environment)

(3) Development shall be carried out in accordance with the flood risk assessment submitted on 28th May 2010.

REASON: To mitigate the impacts of flooding

POLICY: PPS25 (Development and Flood Risk)

(4) Development shall be carried out in accordance with the following

plans:

702/3	Submitted on 05/03/10
702/4	Submitted on 28/05/10
Proposed North Elevation	Submitted on 05/03/10
Proposed East Elevation	Submitted on 05/03/10
Proposed West Elevation	Submitted on 05/03/10
Window & Door Details	Submitted on 05/03/10

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.

REASON: For the avoidance of doubt

47d S/2010/0472 - The Old Cottage Lower Street Salisbury

Resolved:

That the application be **APPROVED** subject to the following conditions:

(1) The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

(2) No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

POLICY- CN3 (Development affecting a Listed Building) CN8 (Development within a Conservation Area), PPS5 (Planning for Historic Environment)

(3) Development shall be carried out in accordance with the following plans:

702/3	Submitted on 05/03/10
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702/4 Submitted on 28/05/10
Proposed North Elevation Submitted on 05/03/10
Proposed East Elevation Submitted on 05/03/10
Proposed West Elevation Submitted on 05/03/10
Window & Door Details Submitted on 05/03/10

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.

REASON: For the avoidance of doubt

47e **S/2010/0615 - Burton Farmhouse Burton Mere Warminster**

Members considered the retrospective application, which was recommended for approval, for change of use of the outbuildings to allow use as a residential annexe ancillary to Burton Farmhouse.

It was requested that the variation to the S106 to allow sleeping be worded so as to ensure that it was only for the time that the named occupants remain in residence.

Resolved:

That the application be APPROVED subject to the following conditions:

(i) The applicants entering into a deed of variation to the existing Section 106 legal agreement to permit overnight sleeping in the annexe so long as one or other (or both) of the named residents are also in residence. The named residents of the annexe are Mr John Harold Deeker and Mrs Pamela Iris Deeker. The other restrictions and provisos of the existing legal agreement shall remain unaltered.

It is resolved that planning permission should be granted subject to the following conditions:

1. The residential occupation of the ancillary outbuilding/annexe hereby permitted shall only be by the following person(s): Mr John Harold Deeker & Mrs Pamela Iris Deeker

REASON: Permission would not normally be granted for this development, but regard has been paid to the personal circumstances of the applicant which are considered, exceptionally in this case, to be sufficient to outweigh the normal planning policy considerations which would normally lead to a refusal of planning permission.

POLICY – H33 (Accommodation for Dependent Persons)

2. When the ancillary outbuilding/annexe ceases to be residentially occupied by those named in condition 1 above, the use hereby permitted shall revert to ancillary private and domestic purposes incidental to the enjoyment of the associated dwelling (known as Burton Farm House), and shall not be used for any trade, business or industrial purposes whatsoever.

REASON: Permission would not normally be granted for this development, but regard has been paid to the personal circumstances of the applicant which are considered, exceptionally in this case, to be sufficient to outweigh the normal planning policy considerations which would normally lead to a refusal of planning permission.

POLICY – G2 (General Criteria for Development) & C2 (Development in the Countryside)

48. **Land off Hindon Lane, Tisbury.- Outline Application S/2008/0779 for Mixed Use Development of Land to Comprise Around 90 Dwellings and 3800 Square Metres of B1 Business Floorspace (Including Associated Highway Infrastructure) and Landscaping.**

Members considered a report which advised of a proposed change to the S106 agreement in relation to affordable housing provision.

Concerns were expressed regarding the issue of 100% staircasing.

Members requested a report to the committee in 6 weeks time regarding the wider issues of affordable housing provision and viability in the current market.

Resolved:

1. To note the report
2. To request that a further report on issues of affordable housing and viability in the current market be brought to the committee in 6 weeks time.

49. **Land at the former Wisma Poultry Farm/Stonehenge Campsite, Berwick Road, Berwick St. James**

Public participation

Lt. Col. Stephen Bush spoke in favour of enforcement action.

Mr Martin Gairdner spoke in favour of enforcement action.

Mr Tony Allen spoke in support of recommendation A in the Officers' report.

Mr William Grant spoke in support of recommendation A in the Officers' report.

Mr J Carr, on behalf of Winterbourne Stoke Parish Council, spoke in favour of enforcement action.

Mr Richard Brasher, on behalf of Berwick St James Parish Council, spoke in favour of enforcement action.

The Lead Principal Planning Enforcement Officer introduced the report which had been requested by the committee at its meeting on 22 April 2010. The report advised the committee of various breaches of planning control at the site and set out options for appropriate action.

The committee considered the implications of options A and B and after a lengthy debate it was

Resolved:

- 1. That option A, as detailed in the report, be approved with the proviso that a progress report comes back to next meeting and relevant enforcement notices are drafted in readiness should alternative action through submission of unilateral undertakings not be progressing as envisaged.**
- 2. That all future applications in respect of this site are dealt with by the committee and not under delegated powers.**

50. **Urgent Items**

There were no urgent items

51. **Exclusion of the Press and Public**

Resolved:

That in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute number below it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

52. **The Old Coach House, East Grimstead.**

The Lead Principal Planning Enforcement Officer presented the confidential report in respect of enforcement at the above site.

Resolved:

That the recommendation, as detailed in the report, be approved.

(Duration of meeting: 6.00pm – 9.25pm)

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