

SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 2 JULY 2015 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman),
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)

75 Apologies for Absence

Apologies were received from Councillors Richard Britton and Brian Dalton.

Councillor Dalton was substituted by Councillor Peter Edge.

76 Minutes

The minutes of the meeting held on 11 June 2015 were presented. The Chairman announced he had received representations that some reasons for refusal had been omitted from one of the applications, and sought the Committee's permission to investigate further and amend the minutes should this be the case.

Resolved:

To delegate authority to the Chairman to amend the reasons for refusal as appropriate, subject to approval at the next meeting of the Committee.

77 Declarations of Interest

There were no declarations.

78 Chairman's Announcements

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

79 Public Participation and Councillors' Questions

The committee noted the rules on public participation.

80 Enforcement: Land between nos. 62 and 64 Thistlebarrow Road, Salisbury

The enforcement officer provided an update on council efforts to clear an untidy site in Thistlebarrow Road, Salisbury, following attempts at negotiation with and legal notices served to the owner of the site. The site had now been cleared by the council, and a charge placed on the site to recover the expenditure incurred in the eventuality the site changes ownership in the future.

The Committee welcomed the news that work had been undertaken to clear an untidy site, and appreciated the timescales involved, as well as hoping for further such measures be taken against other such sites.

Resolved

To note the report.

81 Planning Appeals

No appeals update was provided.

82 Planning Applications

83 14/11810/FUL: Swallowcliffe Manor, Swallowcliffe, SP3 5PB

Public Participation

Mr Bruce Tozer spoke in objection to the application,

Mr Barry Fitzpatrick spoke in objection to the application.

Mr Peter Smales spoke in objection to the application.

Cllr Stephen Banas, Swallowcliffe Parish Council, spoke in objection to the application.

The Area Team Leader presented a report which recommended that approval be granted for installation of 42 ground mounted solar panels. Key issues were stated to include the impact upon the character and appearance of the surrounding Area of Outstanding Natural Beauty, and the scale, design and sitting of the proposed panels. Attention was drawn to the presence of nearby footpaths and bridleways, the proposed screening of hedges that formed part of the proposals, and the late submissions received as detailed in the agenda supplement.

Members of the Committee then had the opportunity to ask technical questions of the officer, where details of the scale of the solar panels was sought, as well as the amount of electricity that would be produced.

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

Following the submissions, and with the agreement of the local Unitary Division Member, Councillor Jose Green, Members agreed a site visit was necessary in order to fully appreciate the impact of the proposals on the surrounding area.

Resolved:

To DEFER consideration of the item until the next meeting, to allow a site visit to be arranged, to take place on the day of the meeting.

84 **15/02283/FUL: 36 North Street, Wilton, SP2 0HJ**

Public Participation

Dr David Pearce spoke in objection to the application.

Mr Michael Lyons, agent, spoke in support of the application.

The Area Team Leader presented a report which recommended that planning permission be refused for demolition of existing outbuildings, alterations to the main building fronting North Street, Wilton, and provision of 5 new flats and 2 retail units on the site. Key issues included flooding and highways considerations. Attention was drawn to the late submissions as detailed in the agenda supplement.

Members of the Committee then had the opportunity to ask technical questions of the officers. In response to queries it was stated ownership of a strip of land abutting the site with private access rights was unclear, and that no amenity space was provided as part of the proposal.

Details were sought on the tests that permitted building in flood zones 2 and 3 as were found on the application site, and it was stated that if the local authority did not have a 5 year land supply for housing for the area, in this case South Wiltshire, then they would have to see if other sites in the area within the lesser risk flood zone 1 were suitable to meet the necessary supply, and if not then exception sites elsewhere could be considered. As Wiltshire Council did have a current 5 year land supply for South Wiltshire, it was stated this sequential test and subsequent exception test did not apply.

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

The local Unitary Division Member, Councillor Peter Edge, then spoke in support of the application, noting previous fully residential applications approved historically on the site, improvements to flood defences, and the benefit of the renovation of the site to include commercial properties outweighing parking concerns.

A debate followed, where the level of parking provision for the site was considered, and it was noted the report stated the proposal provided 11 fewer spaces than policy recommended, and that the surrounding area had significant highways concerns. The flooding objections were discussed, with some members noting that with buildings already present and able to operate on the site, the risk was already present. The lack of amenity space for the residential properties was also debated.

It was,

Resolved:

To REFUSE the application for the following reasons:

(1) The precautionary approach adopted by The National Planning Policy Framework is that the overall aim of decision-makers should be to steer new development to Flood Zone 1 and a 'Sequential Test' must be undertaken to see whether there are alternative lower risk sites that could accommodate the development. The proposal is for a 'more vulnerable' form of development proposed within Flood Zones 2 and 3. The NPPF makes clear that such development should be located in Flood Zone 1 unless it can be demonstrated that no such sites are available.

The council can demonstrate that there is a readily available and deliverable 5-year supply of housing land in Flood Zone 1, the zone of least risk, within the Local Planning Authority area to meet the housing development needs of the area. South Wiltshire has 5.59 years of deliverable housing land supply and therefore there is no urgent or immediate need for further housing to be permitted on this site to meet strategic requirements.

The applicant has not demonstrated that the site should be brought forward for housing development ahead of other sites in Flood Zone 1. The proposal would therefore represent an unacceptable form of development with particular regard to its flood zone location, the flood vulnerability of the residential development and the sequential test of the NPPF, NPPG and contrary to Core Policy 67 of the Wiltshire Core Strategy.

(2) The proposal does not include adequate provision on the site for the parking of vehicles in a satisfactory manner and does not accord with the current parking strategy (Wiltshire Local Transport Plan 2011-2026). The proposal would be likely to encourage the parking of vehicles on the public highway which would interrupt the free flow of traffic and prejudice the safety of road users at this point, contrary to Core Policy 64 of the Wiltshire Core Strategy, and policies PS4 and PS6 of the Local Transport Plan 3 Car Parking Strategy and guidance within the NPPF.

(3) Core Policy 57 requires that development should ensure appropriate levels of amenity for future occupants and the NPPF's Core Planning Principles (paragraph 17) includes that planning should 'always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings'. The proposed residential flats have no private outdoor amenity spaces associated with them and also include two bedroom flats, which have the potential of being occupied as family accommodation with a greater need for private outdoor amenity space. The lack of outdoor amenity space would result in poor living conditions and be detrimental to the residential amenity of future occupiers, contrary to Core Policy 57 of the Wiltshire Core Strategy and guidance within the NPPF.

85 Urgent Items

The Committee requested the Chairman consulted with the Associate Director for Economy and Planning regarding the number of major applications in the area that were decided or to be decided by the Strategic Planning Committee.

(Duration of meeting: 6.00 - 7.45 pm)

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