

# Minutes

**Meeting of** : City Area Planning Committee  
**Meeting held in** : Alamein Suite, City Hall, Salisbury  
**Date** : 10 January 2006  
**Commencing at** : 6.00pm

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**Present:**

**District Councillors:**

Councillor J R L Nettle (*Vice-Chair - in the Chair*)

Councillors Mrs P J Brown, K A Cardy, Mrs E A Chettleburgh, P M Clegg, D A Culver, B E Dalton, Mrs I Evans, S R Fear, S J Howarth, M J Osment, Miss M A Tomlinson, J M Walsh and Mrs S A Warrander.

**County Councillor:** J English

Apologies: Councillors Ms S C Mallory (*Chair*), J M Collier, P V H Paisey and P W L Sample

331. **Public Questions/Statement Time:**

There were none.

332. **Councillor Questions/Statement Time:**

There were none.

333. **Chairman's Announcements:**

There were none.

334. **Minutes:**

**Agreed:** that the minutes of the last meeting held on 24 November 2005 (previously circulated) be approved as a correct record and signed by the Chairman.

335. **Declarations of Interest:**

Councillors S R Fear declared a Personal and Prejudicial Interest in planning applications S/2005/1864, 1845, 1842 and 1839 and left the meeting during consideration thereof.

Tim Pizzezy declared a personal interest in the matter set out under minute 336 below and did not participate in the meeting during consideration of that item.



Awarded in:  
Housing Services  
Waste and Recycling Services



336. **Operational Development comprising the raising of land levels and construction of a retaining wall at 18 Harnwood Road, Salisbury:**

The Committee considered the report of the Enforcement Officer (previously circulated) together with a schedule of late correspondence circulated at the meeting.

**Agreed:** that no further action be taken in the light of the owner entering into a Unilateral Undertaking to install planting that safeguards the privacy of neighbours and the carrying out of such planting together with satisfactory safeguards in relation to its long term retention and maintenance, it is no longer expedient to take enforcement action in this case.

337. **S/2005/2310: Conversion of Garage to separate dwelling at Bourne Avenue, Salisbury SP1 1LS for E Fry:**

Further to a site visit held earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated).

**Agreed:** that the above application be refused for the following reasons:

- (1) The proposed development, by virtue of its diminutive scale, size and the relationship of the proposed dwelling to the overall plot size, would result in an unsatisfactory form of development that would be discordant with the existing character of the surrounding residential area, would fail to provide a satisfactory standard of housing for occupants of the building, and would create an undesirable precedent for the conversion to separate dwellings of garages and other small ancillary buildings, contrary to Policies G1, G2, D2 & H8 of the adopted Salisbury District Local Plan.
- (2) The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the adopted Salisbury District Council Local Plan because appropriate provision towards public recreational space has not been made.

338. **S/2005/2459: New DDA Legislation access ramp to property at St Thomas's House, St Thomas's Square, Salisbury SP1 1BA for Michael Drury**

Mr Winterman of St Thomas's Parochial Church Council spoke in support of the proposal. Following receipt of this statement, and with reference to a schedule of late correspondence circulated at the meeting, the Committee considered the report of the Head of Development Services (previously circulated).

**Agreed:** that the above application be refused for the following reason:

The proposed installation of the ramp access (with replacement yew planting against a new wire mesh fence) would affect an existing yew hedge, which forms an enclosure on the west side of St Thomas's Square within the Salisbury Conservation Area. The combination of the removal of a significant portion of the hedge and the erection of a visually prominent access ramp and associated brick and railing enclosure as proposed, is considered to be visually detrimental to the existing character of the Conservation Area, and would neither preserve nor enhance this character, contrary to Policy CN8 and CN11 of the adopted Salisbury District Local Plan.

339. **S/2005/2255: Mixed use development comprising the erection of a two storey office building (Class B1 Part two / part three storey office building (Class B1) and a three storey 86 bedroom residential care home, associated landscaping works, car and cycle parking, mechanical plant room and new pedestrian access at Land at London Road (A30) Salisbury SP1 3YU for Mr Aidan Thatcher**

Matthew Walton, on behalf of the applicant's agent, spoke in support of the proposal. Following this statement and with reference to late correspondence circulated at the meeting the Committee considered the amended report of the Head of Development Services (previously circulated). The Committee noted that the Highway Authority had withdrawn its previous objections following receipt of amended plans and proposals as detailed in the amended report.

**Agreed:** that the above application be refused for the following reasons:

The proposed residential care home by reason of its positioning between the A30 and the main railway line is considered to be an inappropriate type of development for this location because of the likely noise nuisance that will occur from both road and rail traffic. As such it is considered that residents will suffer significant disturbance contrary to policy G2 (vii) of the adopted local plan and Planning Policy Guidance Note 24.

Note: this decision has been taken in accordance with the following policy/policies:  
G1, G3, E2, E3B, TR23, TR24 of the adopted Salisbury District Local Plan.

G1-2, G4, G5, D1, D2, D7-15, E2, E16, R15, TR1, TR2, TR56, TR8, TR14, TR15 Replacement SDLP  
DP1, DP3, DP4 Deposit Wiltshire Structure Plan.

Planning Policy Guidance Notes PPG1, PPG4, PPG13

(Cllr Howarth was not present during part of the debate and did not vote)

340. **S/2005/1864: Partial taking down and rebuilding of (curtilage) listed boundary wall at Western end along Wilton Road with regard to Salisbury Law Courts planning application at The Paragon, Wilton Road, Salisbury SP2 7EH for Feilden and Mawson LLP**

Mr Fry, agent, spoke in support of the above application. Following receipt of this statement and further to a site visit held earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated) together with a schedule of late correspondence circulated at the meeting.

**Agreed:** that the above application be refused for the following reason:

The proposal would involve the rebuilding of a listed section of walling. Whilst this section is relatively short, it is prominent in the street scene, and structurally, no evidence has been supplied to suggest the walling may be otherwise structurally deficient and in need of rebuilding. The wall forms part of the character of the listed building, and overall, the setting of the building would be affected by the rebuilding of this section of walling. The proposal would therefore be contrary to policies CN3, and CN5 of the Salisbury District Local Plan.

341. **S/2005/1845: Demolition of garages and single storey storage building and demolition / reduction of walling at former Old Manor Hospital car park and the Paragon on the Northern side of Wilton Road, Salisbury SP2 7EH for Feilden and Mawson LLP**

Mr Fry, agent, spoke in support of the above application. Following receipt of this statement and further to a site visit held earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated) together with a schedule of late correspondence circulated at the meeting.

**Agreed:** that the above application be delegated to the officers for approval subject to amended details and subject to appropriate conditions.

342. **S/2005/1842: Demolition of existing structures including tree removal and erection of 3 storey combined courts centre and creation of new vehicular access car parking and associated works at former Old Manor Hospital car park on the Northern side of Wilton Road, Salisbury SP2 7EH for Feilden and Mawson LLP**

Mr Fry, agent, spoke in support of the above application. Following receipt of this statement and further to a site visit held earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated) together with a schedule of late correspondence circulated at the meeting.

**Agreed:** that the above application be delegated to the Head of Development Services for approval subject to:

- Referral to GOSW (under Playing Fields Directive);
- Additional plans showing the satisfactory implementation of Option 2 for the proposed access alternatives (reduced visibility splay) and any necessary changes to conditions;
- Amended plans or changes to the landscape condition to secure additional tree planting to the Wilton Road frontage
- A request for tree planting on WCC land to the rear of the development to screen the development;

and 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.

(0004)

- (2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

**Reason:** 0014 To secure a harmonious form of development.

- (3) Unless otherwise agreed in writing with the Local Planning Authority, the development shall not be occupied until the traffic controlled vehicular junction and access and other highway improvements, internal roadways, car parking and bicycle parking areas have been provided on site, and the existing vehicular access serving the adjacent site to the east has been permanently altered to allow pedestrian only traffic, in accordance with a scheme to be agreed in writing with the Local Planning Authority.

**Reason:** In order to limit the impact on the wider highway system

- (4) Before any development is commenced on the site, including site works of any description, all the existing trees to be retained on or adjacent to the site shall be protected by means of a scheme of protection to be agreed in writing with the Local Planning Authority before development commences. Such a scheme as agreed shall be retained throughout the construction phase of the development.

**Reason:** In the interest of visual amenity

- (5) Prior to any development commencing, details of the replacement tree and other associated planting (including protection scheme and maintenance schedule) shall be submitted to and agreed in writing with the Local Planning Authority. The planting scheme shall be carried out as agreed, and at the agreed times.

**Reason:** In the interest of visual amenity

- (6) Before development commences, details of the hardsurfaces around the building, and details of ancillary street furniture, shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out as agreed.

**Reason:** In the interest of visual amenity

- (7) Before development commences, details of the obscurity measures to be used for windows on the west elevation of the building so as to limit the possibility of overlooking of adjacent properties from the building shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be implemented as agreed.

**Reason:** 0018 To ensure adequate privacy for the occupants of neighbouring premises.

- (8) Before development commences, a scheme for water efficiency measures to be incorporated into the building; and a scheme to minimise the effect on water interests of the site and the risks of pollution during construction shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed schemes.

**Reason:** In order to reduce the impact on the wider water environment

- (9) No development approved by this permission shall be commenced until the developer has taken prudent steps to assess the risks associated with potential contaminants at this site. Such a strategy should take the form of and include the following stages:
- A desk study, which should include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information.

If the potential for significant ground contamination is confirmed, this information should be used to produce:

- A diagrammatical representation (conceptual model) for the site of all potential contaminated sources, pathways and receptors.

- A site investigation, designed for the site, using this information and any diagrammatical representations (Conceptual model) undertaken. The investigation must be comprehensive enough to enable:
  - A suitable risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected, and
  - Refinement of the Conceptual Model, and
  - Development of a Method Statement detailing the remediation requirements.

The results from each stage should be submitted to and approved in writing by the Local Planning Authority before construction begins.

This practice is considered important in order that the site operator / owner, the regulatory authorities and other parties can have confidence in the outcome, and any subsequent decisions made about the need for action to deal with any contamination at the site.

Reference should be made to the Model Procedures for the Management of Land Contamination CLR11 Report which can be found on the Agency's website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk).

**Reason:** To ensure the development will not cause pollution of Controlled Waters through the mobilisation of the land contaminants.

- (10) This development shall be in accordance with the submitted drawing[s] deposited with the Local Planning Authority on 15<sup>th</sup> September, as amended by the applicant's letter and plans received on 6<sup>th</sup> December 2005 (relating to the revised schedule of brick, render and glazing materials – excluding previous cladding system), unless otherwise agreed in writing by the Local Planning Authority. (B02A)

**Reason:** 0007 For the avoidance of doubt.

- (11) Before development commences a travel plan shall be submitted to and agreed in writing by the Local Planning Authority.

**Reason:** In order to reduce the impact on the wider highway environment

- (12) Before development commences, a scheme for the discharge of surface water from the building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. Such a scheme shall prevent discharge onto the highway.

**Reason:**0064 To ensure that the development is provided with a satisfactory means of surface water disposal.

**343. S/2005/1839 [Circular 18/84 Application]: Demolition of existing structures including tree removal and erection of 3 storey combined courts centre and creation of new vehicular access car parking and associated works at former Old Manor Hospital car park on the Northern side of Wilton Road, Salisbury SP2 7EH for Feilden and Mawson LLP**

Mr Fry, agent, spoke in support of the above application. Following receipt of this statement and further to a site visit held earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated) together with a schedule of late correspondence circulated at the meeting.

**Agreed:** that the Council raises no objection subject to subject to:

- Referral to GOSW (under Playing Fields Directive);
- Additional plans showing the satisfactory implementation of Option 2 for the proposed access alternatives (reduced visibility splay) and any necessary changes to conditions;
- Amended plans or changes to the landscape condition to secure additional tree planting to the Wilton Road frontage
- A request for tree planting on WCC land to the rear of the development to screen the development;

and to the 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. (0004)

- (2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details. (D04A)

**Reason:** 0014 To secure a harmonious form of development.

- (3) Unless otherwise agreed in writing with the Local Planning Authority, the development shall not be occupied until the traffic controlled vehicular junction and access and other highway improvements, internal roadways, car parking and bicycle parking areas have been provided on site, and the existing vehicular access serving the adjacent site to the east has been permanently altered to allow pedestrian only traffic, in accordance with a scheme to be agreed in writing with the Local Planning Authority.

**Reason:** In order to limit the impact on the wider highway system

- (4) Before any development is commenced on the site, including site works of any description, all the existing trees to be retained on or adjacent to the site shall be protected by means of a scheme of protection to be agreed in writing with the Local Planning Authority before development commences. Such a scheme as agreed shall be retained throughout the construction phase of the development.

**Reason:** In the interest of visual amenity

- (5) Prior to any development commencing, details of the replacement tree and other associated planting (including protection scheme and maintenance schedule) shall be submitted to and agreed in writing with the Local Planning Authority. The planting scheme shall be carried out as agreed, and at the agreed times.

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- (6) Before development commences, details of the hardsurfaces around the building, and details of ancillary street furniture, shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be carried out as agreed.

**Reason:** In the interest of visual amenity

- (7) Before development commences, details of the obscurity measures to be used for windows on the west elevation of the building so as to limit the possibility of overlooking of adjacent properties from the building shall be submitted to and agreed in writing with the Local Planning Authority. The scheme shall be implemented as agreed.

**Reason:** 0018 To ensure adequate privacy for the occupants of neighbouring premises.

- (8) Before development commences, a scheme for water efficiency measures to be incorporated into the building; and a scheme to minimise the effect on water interests of the site and the risks of pollution during construction shall be submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the agreed schemes.

**Reason:** In order to reduce the impact on the wider water environment

- (9) No development approved by this permission shall be commenced until the developer has taken prudent steps to assess the risks associated with potential contaminants at this site. Such a strategy should take the form of and include the following stages:
  - A desk study, which should include the identification of previous site uses, potential contaminants that might reasonably be expected given those uses and other relevant information.

If the potential for significant ground contamination is confirmed, this information should be used to produce:

- A diagrammatical representation (conceptual model) for the site of all potential contaminated sources, pathways and receptors.
- A site investigation, designed for the site, using this information and any diagrammatical representations (Conceptual model) undertaken. The investigation must be comprehensive enough to enable:
  - A suitable risk assessment to be undertaken relating to groundwater and surface waters associated on and off the site that may be affected, and
  - Refinement of the Conceptual Model, and
  - Development of a Method Statement detailing the remediation requirements.

The results from each stage should be submitted to and approved in writing by the Local Planning Authority before construction begins.

This practice is considered important in order that the site operator / owner, the regulatory authorities and other parties can have confidence in the outcome, and any subsequent decisions made about the need for action to deal with any contamination at the site.

Reference should be made to the Model Procedures for the Management of Land Contamination CLR11 Report which can be found on the Agency's website [www.environment-agency.gov.uk](http://www.environment-agency.gov.uk).

**Reason:** To ensure the development will not cause pollution of Controlled Waters through the mobilisation of the land contaminants.

- (10) This development shall be in accordance with the submitted drawing[s] deposited with the Local Planning Authority on 15<sup>th</sup> September, as amended by the applicant's letter and plans received on 6<sup>th</sup> December 2005 (relating to the revised schedule of brick, render and glazing materials – excluding previous cladding system), unless otherwise agreed in writing by the Local Planning Authority. (B02A)

**Reason:** 0007 For the avoidance of doubt.

- (11) Before development commences a travel plan shall be submitted to and agreed in writing by the Local Planning Authority.

**Reason:** In order to reduce the impact on the wider highway environment

- (12) Before development commences, a scheme for the discharge of surface water from the building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. Such a scheme shall prevent discharge onto the highway.

**Reason:** 0064 To ensure that the development is provided with a satisfactory means of surface water disposal.

344. **S/2005/0806: Use of land as a scaffold / storage yard and associated portacabin office building at 73 Hulse Road, Salisbury SP1 3NA for NLC Contractor Ltd**

The Committee considered the report of the Head of Development Services (previously circulated).

**Agreed:** that the above application be approved subject to compliance with conditions, it is considered that the scaffolding use would not have a harmful impact on the character and appearance of the area, on the living conditions of neighbouring properties, on highway safety or on any other material planning consideration, in accordance with policies G1, G2 and CN8 of the Replacement Salisbury District local Plan and in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

G1	General Development Criteria
G2	General Development Criteria
CN8	Development in Conservation Areas

- (1) Within one month of the date of this permission, a detailed scheme to limit the impact of the scaffolding business use on the character and appearance of the area shall be submitted, in writing, to the Local Planning Authority.

This scheme shall include:

- (a) A reduction in the height of scaffolding stacked /stored on the site and the portacabins stationed on the site, all to be no higher than 2.5metres above ground level;
- (b) Details of the provision of boundary treatments to the site, consisting of fencing with a height no greater than 2.5metres above ground level;
  - 1. In the interests of the character and appearance of the area
  - 2. Within 3 months of the date of this permission, the scheme approved pursuant to condition 1 above shall be carried out in full by:
    - (a) The repositioning/removal of the stacked/stored scaffolding and portacabin to not exceed a height of 2.5 metres above ground level, and;
    - (b) The erection of the fencing in accordance with the approved details.

**Reason:** In the interests of the character and appearance of the area.

- (2) Following the implementation of the scheme approved pursuant to condition 1 above, no scaffolding or scaffolding components, timber planks, portacabins or other materials associated with the permitted use shall be stored, stacked or stationed at the site where their height exceeds 2.5 metres above ground level.

**Reason:** In the interests of the character and appearance of the area.

- (3) There shall be no loading or unloading of vehicles, or work undertaken at the application premises, outside of the following hours:

8.00am to 7.00pm on Mondays to Fridays  
8.00am to 1.00pm on Saturdays

**Reason:** in the interests of the living conditions of nearby properties.

- (4) Within one month of the date of this permission, details of any facilities for the storage of oils, fuels or chemicals, showing their siting on impervious bases and surrounded by impervious bund walls, shall be submitted to the Local Planning Authority for approval. Development shall not be carried out other than in accordance with the details approved under this condition. The volume of the banded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume that could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground, where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

If the capacity of any storage container is greater than 3500 litres the developer should refer to Guidance for the Control of Pollution (Oil Storage) (England) Regulations 2001 published by the Department for Environment, Food and Rural Affairs.

**Reason:** To prevent pollution of the water environment.

### **Informative**

The applicant is warned that breach of the conditions attached to this permission will risk enforcement action by the Local Planning Authority to ensure compliance.

*The meeting closed at 10.10 pm  
Members of the public: 16*