

# Minutes

**Meeting of** : City Area Planning Committee  
**Meeting held in** : Alamein Suite, City Hall, Salisbury  
**Date** : 2 February 2006  
**Commencing at** : 6.00pm

---

**Present:**

**District Councillors:**

Councillor Ms S C Mallory (*Chair*)  
Councillor J R L Nettle (*Vice-Chair*)  
Councillors Mrs P J Brown, K A Cardy, Mrs E A Chettleburgh, J M Collier, D A Culver, B E Dalton, Mrs I Evans, S R Fear, S J Howarth, P V H Paisey, P W L Sample, I R Tomes, Miss M A Tomlinson and J M Walsh.

County Councillor Mrs M Douglas

Apologies: Councillor Mrs S A Warrander

345. **Public Questions/Statement Time:**  
There were none.

346. **Councillor Questions/Statement Time:**  
There were none.

347. **Chairman's Announcements:**  
There were none.

348. **Minutes:**

**Agreed:** that, subject to the inclusion of Councillor Tomes' name in the list of those present, the minutes of the last meeting held on 10 January 2006 (previously circulated) be approved as a correct record and signed by the Chairman.

349. **Declarations of Interest:**

Councillors Mrs Brown, Sample and Walsh declared *personal and prejudicial* interests in the matter set out under agenda item 7 (Avon Lodge Veterinary Practice) and left the meeting during consideration thereof.



Awarded in:  
Housing Services  
Waste and Recycling Services



Councillor Mrs I Evans and County Councillor Mrs Douglas declared *personal* interests in the matter set out under agenda item 7 (Avon Lodge Veterinary Practice) and remained in the meeting but did not speak on this item.

Councillor Collier declared a *personal and prejudicial* interest in the matter set out under agenda item 10 (SWAG Applications-Harnham Scouts Group) and left the meeting during consideration thereof.

Councillor Fear declared a *personal and prejudicial* interest in planning application S/2005/2571 and left the meeting during consideration thereof.

Councillor Howarth declared a *personal and prejudicial* interest in planning application S/2005/2344 and left the meeting during consideration thereof.

Councillor Sample and Mr Tim Pizzey declared *personal and prejudicial* interests in planning application S/2005/2603 and left the meeting during consideration thereof.

County Councillor Mrs Douglas declared a *personal* interest in planning application S/2005/2297 and remained in the meeting but did not speak on this application.

**350. Avon Lodge Veterinary Surgery 21 Stratford Road Salisbury SP1 3JN:**

Mr Kevin Watts, partner of the veterinary surgery, spoke in objection to enforcement.

Further to a site visit earlier that afternoon the Committee considered the report of the Enforcement Officer (previously circulated), together with a schedule of late correspondence circulated at the meeting.

**Agreed:** that whilst recognising that UPVC windows would not normally be acceptable in a listed building, exceptionally in this case, the committee considered that due to the following reasons:

- The length of time that the windows had been in situ and the lack of previous representations;
- The fact that the windows were not installed by the current owners of the premises;
- The limited effect that the windows have on the character of this particular listed building;
- The windows are not conspicuous from the public highway;
- The fact that there is some dispute concerning the originality of the listed building, which it is claimed has been moved from its original site;
- The potential adverse effects on the future operation of the business arising from enforcement action, and,
- Having regard to the particular requirement of the business operating from the premises, which requires secure, double glazed windows to allow the business to operate efficiently and keep the listed building in a beneficial use;

On balance it would not be expedient to take enforcement action in this particular case.

**351. 28 & 30 Wyndham Road Salisbury; 76 London Road, Salisbury:**

At the request of Councillor Mrs Chettleburgh the report from the Enforcement Officer was considered by the Committee (previously circulated). The Committee was concerned that the report did not provide any opportunity for the Committee to express its reservations about the use of these properties and the associated disorder problems. The Committee was also concerned that such uses had become established without formal planning approval.

**352. S/2005/2345: Demolition of Existing Building and Erection of 1 House and Garage at 51 Hulse Road Salisbury SP1 3LU For Morgan Carey Architects:**

Paul Martin, the applicant, spoke in support of the proposal. Following receipt of this statement, and with reference to late correspondence circulated at the meeting, the Committee considered the report of the Head of Development Services (previously circulated).

**Agreed:** that provided all persons concerned enter into an Agreement under Section 106 of the Town and Country Planning Act in relation to Policy R2 of the Salisbury District Local Plan - to secure the provision of public recreation open space, then the above application be approved for the following reason:

*The scale and design of the development is considered appropriate to the location without undue harm to neighbouring amenities.*

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. (A07B)

**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) *Retention of Existing Trees And Shrubs.*

No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (BS.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its 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 safeguard the amenity of the existing trees to ensure a satisfactory appearance to the development

- (3) *Tree Protection Measures*

The development, including site clearance, must not commence until a statement of all the relevant details of tree protection has been submitted to the Local Planning Authority and approved in writing.

The statement 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 by damage to their root system.

The trees must be protected in accordance with the agreed statement 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 safeguard the visual amenity to be provided by the new landscaping and to ensure satisfactory appearance to the development.

- (4) 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:** To secure a harmonious form of development.

- (5) This development shall be completed in accordance with the method statement for the protection from pollutants of the river system adjacent to the development during demolition and construction operations deposited with the Local Planning Authority on the 17th November 2005.

**Reason:** To prevent damage to the river ecosystem through habitat loss and pollution during construction.

- (6) If any sign of protected species are found during the building/demolition works hereby permitted, work should stop immediately and English Nature be contacted immediately for further advice.

**Reason:** To safeguard protected species.

- (7) Notwithstanding the provisions of Class[es] A-E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

**Reason:** In order to control the expansion of the building in the interests of amenities

**INFORMATIVES: POLICY**

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan: G1 (Sustainable Development), G2 (General), D2 (infill development), H8 (Housing Policy Boundary), C10 (Development affecting Site of Special Scientific Interest/Special Area of Conservation), C12 (Protected Species), G4 (Flooding), CN17 (Development affecting trees covered by a Tree Preservation Order)

**INFORMATIVE: PARTY WALL ACT**

It is noted that the development hereby approved involves construction on or near a boundary with an adjoining property. The applicant is advised that this planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

**INFORMATIVE: WESSEX WATER**

The development is located within a sewered area, with foul and surface water sewers available. The developer has proposed to dispose of surface water to soakaway. It will be necessary if required for the developer to agree points of connection onto our system for the satisfactory disposal of foul flows and surface water flows generated by the proposal. Although not shown on the public sewer record drawing we understand there may be a sewer crossing the site that by virtue of its age, could be deemed a public sewer under the former Section 24 provision of the Public Health Act 1936. Wessex is currently reviewing available data on these sewers in order to update and revise its sewer records thus indicating these as public in appropriate cases. Public sewerage apparatus is covered by statutory easement and no new building or similar works will normally be allowed within a minimum of 3.0m of this apparatus. With respect to water supply, according to our records, there is a public water main crossing the site. WW normally require a minimum 3m easement width on either side of its apparatus for the purpose of maintenance and repair. Diversion or protection works may need to be agreed. It is recommended that the developer should agree with WW prior to the commencement of any works on site, a point of connection onto Wessex systems and any arrangements for the protection of infrastructure crossing the site.

**INFORMATIVE: ENVIRONMENT AGENCY**

*Land Drainage Consent:* Any works within 8m or to the riverbank of the Avon, a statutory main river at this location, will require prior Land Drainage Consent from the EA under Wessex Water Bylaws 1981. Further details and an application form for Land Drainage Consent may be obtained from Mike Holm (Development Control Officer) on 01258 483 437

*Sustainable Construction:* The Agency would encourage the design and construction of the development to include sustainable construction measures, such as those given in the BRE EcoHomes standards or similar. This allows the maximum preservation of natural resources during construction and improves energy efficiency during subsequent use.

*Water Efficiency:* Water efficiency measures should be incorporated into this scheme. These could include water butts, rainwater recycling and the use of water efficient internal appliances and systems. It would assist in conserving natural water resources and offer some contingency during times of water shortage. A copy of the Agency publication 'Conserving Water in Buildings' is available upon request.

**INFORMATIVE: PROTECTED SPECIES**

Certain species are protected under Part 1 of the Wildlife and Countryside Act 1981 and others are protected under the Habitats Regulations. Some are protected under their own legislation. The protected species legislation applied independently of planning permission, and the developer has legal obligations towards any protected species that may be present. Development in a non-dwelling house which affects European Protected Species will require a licence from the DEFRA.

**INFORMATIVE:- S106 AGREEMENT**

This permission shall be read in conjunction with the Section 106 Agreement, which is applicable to this application, in terms of its restrictions, regulations or provisions

353. **S/2005/2591: Internal amendments to form one dwelling from two flats (amendments to planning permission S/2004/2064) at 20 North Street, Salisbury SP2 7SG for Bayview Developments Ltd:** Mr Hobkirk a resident of Water Lane, spoke in opposition to the proposal. Mr Douglas Smith of John Jeffrey, spoke in support of the proposal. Following this statement and with reference to late correspondence circulated at the meeting the Committee considered the report of the Head of Development Services (previously circulated).

**Agreed:** that the application be deferred in order that further information may be obtained about the siting and layout of the development.

354. **S/2005/2603: Erection of 15M Telecommunications Mast with Associated Equipment Cabinet at Salisbury Rugby Club, Castle Road Salisbury SP1 3SA for David Heelas:** The Committee considered the report of the Head of Development Services previously circulated, together with a schedule of late correspondence circulated at the meeting, including advice that the application was for prior approval only by the Local Planning Authority (therefore conditions cannot be applied).

**Agreed:** that subject to no substantive new issues being raised by representations before the expiry of the publicity period, that no objection to the siting and design of the above application be raised for the following reason:

*the pole would be of a similar height to the existing lighting columns around the practice sports field and it is considered that on balance the visual impact of the installation would be acceptable in accordance with local plan policies.*

And subject to the commencement of the development within 5 years of the date of the decision.

#### INFORMATIVE

1. In view of the prominent location of the site adjacent to the rugby pitch, the works should be implemented in a tidy and safe manner, in the interests of visual amenity and public safety. The applicant is requested to ensure that the site is left in a tidy condition upon completion of the works.
2. And in accordance with the following policies of the Adopted Salisbury District Local Plan.

G2	General criteria for development
C7	Landscape setting of Salisbury
PS7	Telecommunications policy

355. **S/2005/2571: Redevelopment of the College Campus including extensive refurbishment of existing buildings, New Build, External Works and including alterations to Vehicular Access Points at Salisbury College, Southampton Road, Salisbury SP1 2LW for Mrs Abi McGillvray:** Mrs Abi McGillvray, 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 subject to:

- the receipt of suitable amending plans regarding the outstanding highway matters
- the submission of further information which confirms that the longevity of the mature trees on site would be suitably protected to the satisfaction of the Local Planning Authority
- further clarification of the location of utilities within the site and the likely impact on proposed planting,

then, the application be delegated to the Head of Development Services for approval, subject to:

- (1) the conditions set out in the report to the Committee, as altered by the conditions and other information provided in the additional correspondence
- (2) any other necessary alterations to conditions needed as a result of further information from the applicant.

- (3) an additional condition requiring the demolition and removal of the Bourne building, and the future maintenance of the site thereafter.

356. **S/2005/2297: Single Storey Linked Music Block with Associated Temporary Works at South Wiltshire Grammar School, Stratford Road, Salisbury SP1 3JJ for PRS Associates Ltd:**

Ms F Stratton, Headteacher, 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 (including summary of amended plans submitted). In the light of the amended plans and observations received from the Highways Authority, the Head of Development Services amended the recommended conditions.

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

*The proposed development seeks to make effective use of urban land and would not adversely affect highway safety, neighbouring amenities or trees on the adjacent property. The proposal would be in accordance with the adopted policy context of the Salisbury District Local Plan.*

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. (A07B)

**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 (0004 AMENDED)

- (2) Before development commences, full details of the acoustic treatment for all windows of the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The new music block hereby approved shall not be used until the development has been implemented in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

**Reason:** To ensure that neighbouring amenities are not unduly disturbed by noise from the development.

- (3) There shall be no use of the music block extension hereby approved until fixed (non openable) windows on the north elevation have been installed with acoustic louvres and obscured double glazing, in accordance with details and sections to be submitted to and approved in writing by the Local Planning Authority before development commences. The windows shall be maintained in his condition thereafter.

**Reason:** To ensure adequate privacy for the occupants of neighbouring premises and to ensure that neighbouring amenities are not unduly disturbed by noise from the development.

- (4) The practice rooms of the music block hereby permitted shall not be used outside the hours of 8.30am to 18.00pm, Monday to Friday and 9.00am – 13.00pm on Saturdays. There shall be no use on Sundays or Bank Holidays.

**Reason:** To ensure that neighbouring amenities are not unduly disturbed by noise from the development.

- (5) The materials to be used in the construction of the external surfaces of the music block hereby permitted shall match those used in the existing school buildings (D01A)

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

- (6) SUBMISSION OF TREE PROTECTION STATEMENT.

No development shall take place on site, including site clearance, tree works, demolition, storage of materials or other preparatory work, until all details relevant to the retention and protection of trees, hereafter called the Arboricultural Method Statement, have been submitted to the Local Planning Authority and approved in writing. Thereafter the development shall be undertaken only in accordance with the approved details, unless the Local Planning Authority has given its prior written consent to any variation.

The Arboricultural Method Statement shall show the areas which are designated for the protection of trees, shrubs and hedges, hereafter referred to as Protection Zones. Unless otherwise agreed, the Protection Zones will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837:2005) and no access will be permitted for any development operation.

The Arboricultural Method Statement shall also include all other relevant details, such as changes of level, methods of demolition and construction, the materials, design and levels of roads, footpaths, parking areas and of foundations, walls and fences placement of service runs i.e. BT, water, gas, sewage, electric etc. . It shall also include the control of potentially harmful operations, such as burning, the storage, handling and mixing of materials, and the movement of people or machinery across the site, where these are within 10m of any designated Protection Zone.

The Arboricultural Method Statement shall also indicate the specification and timetable of any tree works, which shall be in accordance with the British Standard Recommendations for Tree Works (BS.3998: 1989).

The Arboricultural Method Statement shall include the provision for the supervision and inspection of tree protection measures on a regular basis throughout the different phases of construction. Reports produced as a result of these inspections shall be forwarded to the Local Authority Arboricultural Officer. The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works and soft landscaping have been completed and all equipment, machinery and surplus materials removed from site, unless the prior approval of the Local Planning Authority has been given in writing.

**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

#### (7) RETENTION OF EXISTING TREES AND SHRUBS.

No tree, shrub, or hedge which are shown as being retained on the approved plans shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (BS.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 3 years of the completion of the development, another tree, shrub or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its 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 safeguard the amenity of the existing trees to ensure a satisfactory appearance to the development

#### (8) LANDSCAPE SCHEME

The development, including site clearance, must not commence until a scheme of landscaping and a statement of the methods of its implementation have been submitted to the Local Planning Authority and approved in writing.

The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities where appropriate, and include a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand, and in writing.

The statement must include details of all the means by which successful establishment of the scheme will be ensured, including preparation of the planting area, planting methods, watering, weeding, mulching, use of stakes and ties, plant protection and aftercare. It must also include

details of the supervision of the planting and liaison with the Local Planning Authority.

The landscaping must be carried out in accordance with the agreed scheme and statement, 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 safeguard the visual amenity to be provided by the new landscaping and to ensure satisfactory appearance to the development.

#### **INFORMATIVE**

And in accordance with the following policies of the adopted Salisbury District Local Plan:

G1	Sustainable Development
G2	General Principles for Development
PS5	Education
D3	Design

**357. S/2005/2344: Demolition of existing church hall and erection of 10 No.2 bedroom apartments with associated parking at St Martins Church Hall, Eyres Way, Salisbury SP1 2TF for C Crawley:**

Mrs Roach a nearby resident spoke in opposition to the proposal. Mark Wyatt from Parsons and Joyce Contractors Limited, 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 reasons:

- (1) The proposed development would be contrary to Policies D1, D2 (i) and G2 (vi) of the Adopted Salisbury District Local Plan that seek to ensure that development is acceptable in the context of the character and appearance of the area and preserves the amenities of the neighbouring residents. In this instance, the proposed development by virtue of the overall scale and massing of the building, the size of the building footprint and its forward siting within the site would represent an overdevelopment of the site that would constitute an intrusive form of development to the detriment of the street scene and character and appearance of the area and would be harmful to the residential amenities of the occupants of the neighbouring properties.
- (2) The proposed development fails to make provision towards recreational open space contrary to the requirements of Policy R2 of the Adopted Replacement Salisbury District Local Plan (June 2003). As such, it would put an additional demand on existing recreational facilities and would set a precedent that would make it difficult for the Council to implement this policy effectively in the future.

**Informative Note:**

In respect of Reason for Refusal No2, the applicant is advised that if this application had been acceptable in all other respects, a financial contribution towards recreational open space provision would have been required in accordance with Policy R2 of the Replacement Salisbury District Local Plan. This would overcome Reason for Refusal No2.

**358. Recommendations of the SWAG Review Panel – 2005/06 Tranche 3:**

The Committee considered the recommendations of the City Area SWAG Review Panel (previously circulated).

**Agreed:** that SWAG grants be approved as set out below:-



Ref. no.	Application	Amount Requested	Applicant Contribution/ Funding Raised	Officer Priority Rating	Panel Recommendations
CAC/05-06/T3/01	Salisbury Civic Society Printing costs of 'Streetscape – Streets for all'	£400	£0	Medium	That £400 be granted to the Salisbury Civic Society subject to: <ol style="list-style-type: none"> <li>1) Any under spend on the project being returned to the District Council. This is to be demonstrated by the submission of invoices once the project is completed.</li> <li>2) The Civic Society adopting an equal opportunities policy, advice on which can be obtained from the Council.</li> </ol>
CAC/05-06/T3/02	4th Salisbury (Harnham) Scouts Group Replace existing wooden floor which has become unstable	£5,000	£0 See applicant's comments on application.	Medium	That £5000 be granted to the 4th Salisbury (Harnham) Scouts Group subject to: <ol style="list-style-type: none"> <li>1) The receipt of three revised quotations, all of which quote for the same project specification and that the approval of these quotes be delegated to the Contracts Supervisor in Housing Repairs.</li> <li>2) The receipt of information regarding the proposed use of the £2000 which the group would like to allocate to other projects and corresponding invoices demonstrating that the monies have been used for the stated purpose.</li> <li>3) If the above £2000 is not spent on other necessary works then the group use the money as a contribution towards the new floor.</li> <li>4) The group contacting the Community Initiatives Unit with a view to adopting a more robust Child Protection Policy and Equal Opportunities Policy. Advice on this and training on Child Protection is available free of charge from the Council.</li> </ol>
<b>Total</b>		<b>£5,400</b>		<b>Awards</b>	<b>SWAG = £5,400</b>

The meeting closed at 10.20 pm  
Members of the public: 20