

# Minutes

**Meeting of** : City Area Planning Committee  
**Meeting held in** : Alamein Suite, City Hall, Salisbury  
**Date** : Thursday 12 October 2006  
**Commencing at** : 6.00 pm

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**Present:**

**District Councillors:**

Councillor Ms S C Mallory (Chairman) in the Chair

Councillors Mrs P J Brown, K A Cardy, Mrs E A Chettleburgh, D A Culver, S R Fear, J R L Nettle, M J Osment, P V H Paisey, I R Tomes, Miss M A Tomlinson, P W L Sample, J M Walsh, Mrs S A Warrander and C R Vincent.

**Apologies:** Councillors P M Clegg, J M Collier, B E Dalton, Mrs I M Evans and S J Howarth

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

There were none.

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

There were none.

**434. Minutes:**

**Agreed:** that the minutes of the meeting held on 14 September 2006 (previously circulated) be approved as a correct record and signed by the Chairman.

**435. Declarations of Interest:**

Councillors Paisey, Walsh and Warrander and Steve Milton (Clerk) declared personal, non-prejudicial interests in the matter set out under minute 437 below (La Retraite Swan School).

Councillors Chettleburgh and Sample declared personal but non-prejudicial interests in the matter set out under minute 436 below (Old Swimming Pool Site)

Councillors Fear and Sample declared prejudicial interests in planning application S/2006/1647 (Minute 443 - Salisbury Law Courts) and left the meeting during consideration thereof.



Awarded in:  
Housing Services  
Waste and Recycling Services



**436. Draft Development Brief: Land at the Old Swimming Pool Site:**

Mr Duller, a former employee at the Pool, addressed the Committee on the issues set out in the Brief. Following receipt of this statement the Committee considered the report of the Forward Planning Officer, previously circulated.

During the debate, members enquired whether speaking either for or against the planning brief would compromise their ability to comment on a planning application when submitted. The Committee was advised that this would not be the case and that members would be able to consider any planning application afresh.

**Resolved:** that a recorded vote be taken on the following motion:

*"That the City Area Committee considers that only leisure and recreational uses should be considered for the Old Swimming Pool site."*

Following this resolution a recorded vote was taken as follows:

Those for the motion: Councillors Mrs Tomlinson, Mrs Chettleburgh, Sample, Osment, Vincent, Tomes, Fear, Walsh and Mallory (9)

Those against the motion: Councillors Mrs Brown, Mrs Warrander, Culver, Nettle, Cardy and Paisey (6)

The Chairman declared the motion to be carried

**437. Tree Preservation Order 379 La Retraite School Salisbury:**

Mr Anthony Ford a Governor of the School spoke against the proposal to confirm the Tree Preservation Order. Following consideration of this statement the Committee considered the report of the Conservation Officer, previously circulated.

**Resolved:** that with the exception of two trees that have already been felled, Tree Preservation Order 379 be confirmed so that the remaining trees remain protected and the council retains control over any future felling, if deemed necessary.

**438. S/2006/1651: Change of use of Ground Floor to Café Bar / Take Away at 45-47 Fisherton Street Salisbury for Kaivan Phillip Storr:**

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

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

The change of use and associated works is considered unacceptable as:

- (1) The proposed change of use to café/takeaway (use class A3 and A5) is considered unacceptable as it is considered contrary to policy G2 and S2 of the Adopted Salisbury District Local Plan which seeks to safeguard neighbour amenities and avoid undue disturbance, especially in secondary shopping areas where S2 is concerned. This is due to the potential detrimental impact to neighbour amenities from noise emanating from the proposed use of the unit and associated courtyard for café use from 7am, and the disturbance this could cause especially at early times of the morning.
- (2) The change of use is also regarded as unacceptable in terms of policy G2 and S2 as there is insufficient information regarding the flue system and concerns raised over its potential impact to the immediate neighbours. This is because in order to maximise the dispersal of any fumes the flue should be at or near the same level as the adjacent roofs. From the information submitted there is lack of height necessary for the flue pipe to appropriately disperse fumes and odour above the neighbouring residential properties, therefore detrimentally impacting upon neighbour amenities and being contrary to policy G2 and S2 of the Adopted Salisbury District Local Plan.
- (3) The appearance of the proposed flue system is considered unacceptable for the rear elevation of the listed building as it would be very visible and prominent and detrimental to the visual appearance of the rear elevation, contrary to policy CN3 and CN4 of the Adopted Salisbury District Local Plan which seeks to safeguard and enhance the qualities of listed buildings when they are extended or change their use.

**439. S/2006/1652: Various works in association with change of use to Café Bar / Take Away including kitchen extraction and works to kitchen at 45-47 Fisherton Street Salisbury for Kaivan Phillip Storr:**

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

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

The appearance of the flue system is considered unacceptable for the rear elevation of the listed building as it is very visual and prominent and detrimental to the visual appearance of the rear elevation, contrary to policy CN3 and CN4 of the adopted Salisbury District Local Plan which seeks to safeguard and enhance the qualities of listed buildings when they are extended or change their use.

**440. S/2006/1758 and 1759: Ground and first floor extensions to create 12 additional bedrooms (planning portal application) at 206 Castle Street, Salisbury for Favonius & Co Architects:**

The Chairman informed the Committee that these applications had been withdrawn prior to the meeting.

**441. S/2006/1815: Four one Bedroom flats and four car parking spaces at 32 Middleton Road Salisbury for Mr A Stocken:**

Mr Marchant spoke in opposition to the proposed development. Following receipt of this statement and further to a site visit earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated) in conjunction with a schedule of late correspondence circulated at the meeting.

The Planning Officer present pointed out an error in the measurement of the height of the proposed dwelling and explained the complications this caused in view of additional conditions imposed by the Environment Agency.

**Resolved:** That the above application be refused for the following reason:

The scheme as proposed, due to the poor design of the roof element, which includes a large flat roofed extension and a truncated pitch, would be unsympathetic to the character of the area, which is typified by Victorian housing of a modest scale and traditional design, with conventional pitched roofing of a lower height, and would set a dangerous precedent for the future redevelopment of other sites in the area. The proposal is therefore considered to be contrary to policy D2 of the Salisbury District Local Plan.

**442. S/2006/1816: Four one Bedroom flats and four car parking spaces at 32 Middleton Road Salisbury for Mr A Stocken:**

Mrs Marchant spoke in opposition to the proposed development. Following receipt of this statement and further to a site visit earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated) in conjunction with a schedule of late correspondence circulated at the meeting.

The Planning Officer present pointed out an error in the measurement of the height of the proposed dwelling and explained the complications this caused in view of additional conditions imposed by the Environment Agency.

**Resolved:** That the above application be refused for the following reason:

The scheme as proposed, due to the poor design of the roof element, which includes a large flat roofed extension and a pitch roof up to 9.1m high, would be unsympathetic to the character of the area, which is typified by Victorian housing of a modest scale and traditional design, with conventional pitched roofing of a lower height, and would set a dangerous precedent for the future redevelopment of other sites in the area. The proposal is therefore considered to be contrary to policy D2 of the Salisbury District Local Plan.

**443. S/2006/1647: Alteration of Planning Consent to S/2005/1842 to include social club, new access to Montague House and changes to fenestration at Salisbury Law Courts Wilton Road Salisbury for Fielden and Mawson LLP:**

Mr David Richmond-Coggan agent for the applicant, spoke in support. Following receipt of this statement and with reference to a site visit held earlier in the day the Committee considered the report of the Head of Development Services (previously circulated) in conjunction with a schedule of late correspondence circulated at the meeting.

**Resolved:** that subject to the comments of Government Office (South West), the application be approved with 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 section 51 (1) of the Planning and Compulsory Purchase Act 2004 (0004 AMENDED)

- (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:** 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 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:** 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.

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

- (10) 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

- (11) 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:** To ensure that the development is provided with a satisfactory means of surface water disposal.

*Meeting ended at 9 05 pm  
Number of public present 10*