

Minutes

Meeting of : City Area (Planning) Committee
Meeting held in : The Alamein Suite, City Hall, Salisbury
Date : Thursday 2 August 2007
Commencing at : 6.00 pm

Present:

District Councillors:

J M Walsh (Chairman)
K A Cardy (Vice-Chairman)

E A Chettleburgh, I C Curr, B E Dalton, J M English, I M Evans, S R Fear, C R Hill, A C Roberts, A A Thorpe, I R Tomes, and C R Vincent

Apologies: P M Clegg, S J Howarth, H McKeown, M J Osment, P W L Sample and M A Tomlinson

Officers: R Hughes and B Jones (Development Services), J Ferguson (Legal and Property Services), J Chamberlain and P Trenell (Democratic Services)

30. Election of Vice-Chairman

Councillor K A Cardy was elected to serve as Vice-Chairman for the duration of the meeting.

31. Public Questions/Statement Time:

There were none.

32. Councillor Questions/Statement Time:

There were none.

33. Minutes:

Agreed: that the minutes of the meeting held on 5 July 2007 (previously circulated) be approved as a correct record and signed by the Chairman.

34. Declarations of Interest:

Councillor Dalton declared that he had a personal, non-prejudicial interest in the matter set out under agenda item 7 (redevelopment at former Pembroke Park School) due to his role as a County Councillor and his personal connections to the school. He remained in the meeting, spoke and voted thereon.

Councillor Chettleburgh declared that she had a personal, non-prejudicial interest in the matter set out under agenda item 7 (redevelopment at former Pembroke Park School) due to her role as a County Councillor. She remained in the meeting, spoke and voted thereon.

35. Chairman's Announcements:

There were none.

36. S/2007/0715 erection of a part ground and part first storey extension to existing modern hotel annex to create 11 hotel bedroom suites at the rear of hotel at Milford Hall Hotel & Restaurant, 206 Castle Street, Salisbury, SP1 3TE:

Mr C Lack and Mrs E Bentley, local residents, spoke in opposition to the application. Mr R Greenwood spoke in favour of the application on behalf of the agent, WGDP. Following receipt of these statements and further to a site visit earlier that afternoon the committee considered the report of the Planning Officer (previously circulated) in conjunction with a schedule of additional correspondence circulated at the meeting.

Resolved: That the above application be refused.

For the following reasons: The proposed development would be detrimental to neighbouring amenity, due to the combination of the close proximity of the building to adjacent properties, and its overall height and bulk. The proposal would therefore be contrary to Policy G2(vi) of the adopted Salisbury District Local Plan and the guidance for hotel development in town and city centres in PPS6.

37. S/2007/0716 (Listed Building) erection of a part ground and part first storey extension to existing modern hotel annex to create 11 hotel bedroom suites at the rear of hotel at Milford Hall Hotel & Restaurant, 206 Castle Street, Salisbury, SP1 3TE:

Mrs J Tibbs, a local resident, spoke in objection to the application. Mr S O'Mahony, the architect, spoke in favour of the application. Following receipt of these statements further to a site visit earlier that afternoon the committee considered the report of the Planning Officer (previously circulated) in conjunction with a schedule of additional correspondence circulated at the meeting.

Resolved: That Government Office for the South West be informed that the Local Planning Authority wish to approve the scheme.

For the following reasons: The proposed single and two storey extensions to the Grade 2* listed building would be in accordance with the adopted policy provisions of the Salisbury District Local Plan and would not harm the character or setting of the listed building.

And subject to the following conditions:

1. The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004.

2. Before development is commenced, a schedule and sample panel of materials and finishes (to include natural slate and matching bricks), to be used for the external wall[s] and roof[s] of the extensions hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

REASON – To secure a harmonious form development

3. Before development is commenced, large scale details (not less than 1:20 scale) of the: windows and recesses, doors, circular wall detailing and eaves (all to confirm detailing, means and degree of obscure glazing, methods of restricted opening and materials) of the extensions hereby approved, shall be submitted to, and approved in writing by the Local Planning authority, and the development shall thereafter accord with the approved scheme.

REASON – To secure a harmonious form development.

4. The listed building works hereby approved shall not commence until a contract for the carrying out of works for the development of the site has been made, with the relevant particulars notified in writing to the Local Planning Authority, and planning permission has been granted for the development for which the contract provides.

REASON – To accord with the terms of the application and because this Listed Building Consent does not operate as a grant of Planning Permission.

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

Policy	Purpose
CN3, CN5	Listed Buildings

And the guidance in
PPG15 "Planning and the Historic Environment"

38. S/2007/1152, redevelopment for 65 residential units to include a vehicular access at pembroke road & emergency access onto penruddock close and assorted drainage works at former Pembroke Park School, Penruddock Close, Salisbury, SP2 9HH:

Mr C Tinkler and Mr C Taylor, local residents, spoke in opposition to the application. Mr I York spoke in favour of the application on behalf of the agent, Terrence O'Rourke. Following receipt of these statements and further to a site visit earlier that afternoon the committee considered the report of the Planning Officer (previously circulated) in conjunction with a schedule of additional correspondence circulated at the meeting.

During the ensuing discussion members offered the following guidance to officers:

- An instruction that the highway works to Pembroke Road shown on the submitted plans were not acceptable, and that any revised scheme needs to be agreed with local members.
- That a scheme be secured to protect the amenities of the occupiers of the bungalow adjacent to the proposed roadway off Pembroke Road.
- That the highest level of eco friendly sustainable design be secured.
- That the layout of the final scheme accord generally with the option 2 layout submitted, showing a large central open space.
- That affordable housing be distributed properly around the site.
- That a contribution towards community facilities is a priority.
- That the future use and management of the wooded area be carefully considered.

Resolved: That the above application be approved subject to the applicant entering into a suitable section 106 agreement whereby provision is made for the following:

- a) 40 percent affordable housing
- b) Provision/maintenance of open space on site. A Minimum provision on site of at least 0.2 hectare formal open space (excluding woodland area).
- c) Contribution towards off site open space
- d) Waste and recycling scheme provision
- e) Sustainable Urban Drainage system maintenance
- f) The achievement of an environmentally friendly sustainable scheme, including at least a very good BREEAM rating, and where practicable, a percent of power generation being from on site sources.
- g) Maintenance scheme for retained wooded area on eastern boundary
- h) Provision of off site highway improvements along Pembroke Road.
- i) Financial contribution towards sustainable highway measures
- j) Financial contribution to off site community centre.

Reasons for approval:

The school site is now disused and the County clearly no longer need the site to meet its educational needs. However, only some of the site can really be described as previously developed land as defined in PPG3, with the rest forming recreational/playing field type land.

The redevelopment of the site offers the opportunity to create better pedestrian linkages through the site to the surrounding area and would also provide an albeit small area of open space which would be available to the general public, of a minimum of 0.2ha. The redevelopment will result in significantly more traffic generation in and around the surrounding area compared to the existing school, although there is no highway authority objection to the scheme subject to several caveats. In general design and amenity terms, the redevelopment of the site is likely to result in more general impacts than the previous low key single storey school use, although some of these impacts can be mitigated by conditions and careful design at the reserved matters stage.

Therefore, on balance, the loss of the open playing fields and the creation of residential redevelopment on the site is acceptable, subject to a number of contributions and provisions which will mitigate the harm caused by the development of this currently open site.

And subject to the following conditions:

1. Approval of the details of the siting, design and external appearance of the building[s], and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

2. Plans and particulars of the reserved matters referred to in condition above, relating to the siting, design and external appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

REASON: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

5. The development shall be carried out in accordance with the recommendations given in the submitted Method Statement for Protected Species (Bat and Great Crested Newt Survey by Lindsay Carrington Ecological Services Ltd, April 2006), unless otherwise agreed in writing by the Local Planning Authority. As part of any future full or reserved matters application a further ecological report shall be carried out which updates the submitted report. The findings and recommendations of the report shall be agreed with the Local Planning Authority and English Nature, and development shall be carried out in accordance with the agreed details.

REASON: In order to limit the impact of the development on the ecology of the site and protected species which may have developed since the original approval.

6. No development approved by this permission shall be commenced until a Construction Environmental Management Plan detailing methods of working to prevent construction impacts, has been submitted to and approved by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme details. The Plan should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds, the control and removal of spoil and wastes, and a wheel/vehicle wash scheme.

REASON: To limit the impact of the development on surrounding amenities and the water environment.

7. No development shall commence (other than the highway works hereby approved) until a scheme for water efficiency measures be used in the development has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development.

8. Construction works shall not take place except between the hours of:
0800hrs to 1900hrs on Mondays to Saturdays
No work on Sundays and Public Holidays.
This condition does not apply to the internal fitting out of the buildings.

REASON: In order to limit the noise and disruption to adjacent neighbours during antisocial hours.

9. No dwelling shall be occupied until a scheme to prohibit the use of the northern access to the site off Penruddock Close by non-emergency vehicles has been agreed by the Local Planning Authority and implemented satisfactorily. The agreed method of traffic restriction shall be retained in perpetuity, unless otherwise agreed by the Local Planning Authority.

REASON: In order to limit the use of the northern access by non emergency vehicles in order to reduce the level of traffic using the access to an acceptable level in the interests of amenity.

10. Before development commences, (other than the highway works approved) a scheme for the discharge, drainage and limitation of surface water run-off from the building(s) (maximum attenuated discharge rate 55 litres per second) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. Such a scheme shall include detailed calculations based on the final layout design, further information related to ground water levels, and provisions for the future maintenance of any surface water drainage systems and shall include details of pollution prevention.

REASON: To ensure that the development is provided with a satisfactory means of surface water disposal, and to prevent the increased risk of flooding by surface water and pollution prevention of the water environment.

11. As part of any future reserved matters application, an Arboricultural report shall be submitted which indicates how the retained trees on the site are to be protected during the course of development. Development shall be carried out in accordance with the agreed details.

REASON: In order to protect existing retained trees on the site in the interests of amenity.

12. No development shall commence until full large scale details of the highway access works onto Pembroke Road and Penruddock Close, including any engineering and other ancillary structures required have been submitted to and agreed in writing with the Local Planning Authority, and no other development shall commence until such details have been completed and provided to the satisfaction of the Local Planning Authority and WCC Highways. The scheme shall accord with the access details approved as part of this outline permission.

REASON: In the interests of highway and pedestrian safety and the general amenities of occupiers of the site and surrounding area.

13. A total maximum of 65 dwellings shall be erected on site.

REASON: For the avoidance of doubt.

14. The development hereby approved shall as part of the final layout of the scheme provide for a dedicated pedestrian and cycle link through the site from the access with Pembroke Road to the access with Penruddock Close.

REASON: In order to maintain and improve pedestrian linkages throughout the area in order to create a permeable and accessible development in accordance with sustainable travel initiatives.

15. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

REASON: In order to secure a suitable archaeological investigation of the site.

Informatives:

1. The future developer of the site should note the desire of the LPA to achieve a highly sustainable development on this site of high quality. A detailed list and description of sustainable measures to be utilised shall be submitted as part of any future application, including the consideration of the use energy efficient systems such as grass roofs, solar panels/photo voltaic cells, grey water recycling, heat pumps, mini wind turbines etc and an explanation of why such features may have be discounted. Any future detailed scheme for the site shall be discussed with the Local Planning Authority in good time, well before the submission of a planning application.

2. We do not accept any liability for the detailed calculations contained in the FRA. This letter does not constitute approval of those calculations nor does it constitute our consent or approval that may be required under any other statutory provision, byelaw, order or regulation.

Flood risk cannot be eliminated and is expected to increase over time as a result of climate change and this letter does not absolve the developer of their responsibility to ensure a safe development.

3. It is recommended that Sustainable Drainage Systems (SuDS) to manage surface water drainage at the site. SuDS involves using a range of techniques including soakaways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. As well as reducing flood risk by attenuating the rate and quantity of run-off, SuDS can also offer other benefits in terms of promoting groundwater recharge, water quality improvement and amenity enhancements. Approved Document Part H of the Building Regulations 2000 sets out a hierarchy for surface water disposal which encourages a SUDS approach.

Further information on SUDS can be found in PPG25 paragraphs 40-42, PPG25 appendix E, in the CIRIA C522 document Sustainable Urban Drainage Systems -design manual for England and Wales and the Interim Code of Practice for Sustainable Drainage Systems. The Interim Code provides advice on design, adoption and maintenance issues and a full overview of other technical guidance on SUDS. It is available at: www.environment-agency.gov.uk and www.ciria.org.uk

4. The development should include water efficient appliances, fittings and systems in order to contribute to reduced water demand in the area. These should include, as a minimum, low-flush toilets, water butts, spray taps, low flow showers (no power showers) and kitchen appliances (where installed) with the maximum water efficiency rating. Greywater recycling and rainwater harvesting should be considered. The submitted scheme should consist of a detailed list and description (including capacities, water consumption rates etc. where applicable) of water saving measures to be employed within the development.

5. The proposed development is within 250 metres of a known landfill site (Thorney Down, Winterslow, licence holder: Wiltshire County Council). We recommend that all reasonable steps should be taken to investigate the possibility of gas migration affecting the development site.

Where gas migration is confirmed, or there is evidence that migration is likely to occur, remedial measures should be taken to control and manage the gas, to monitor the effectiveness of these measures and, where necessary, to incorporate adequate precautionary measures in the design and construction stages.

The Local Authority Environmental Health team should hold more detailed information on the landfill site mentioned above. They may be able to offer more guidance on the associated risks of this particular landfill site.

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

Policy	Purpose
R5	Retention of recreational open space
D1	Extensive development
G1	Sustainable Development
G2	General principles and impacts
R2	Recreational open space

Members further resolved that the above conditions be altered to reflect the concerns expressed in the schedule of additional correspondence circulated at the meeting relating to the possible presence of protected species on the proposed site and the suggestions of the Environment Agency regarding the Flood Risk Assessment for the proposed site, and an informative be added to cover future layout and design issues.

*Meeting closed at: 8.29 pm
Number of public present: 19*