

Minutes

Meeting of : City Area (Planning) Committee
Meeting held in : The Banqueting Hall, Guildhall, Salisbury
Date : Thursday 24 January 2008
Commencing at : 6.00 pm

Present:

District Councillors:

M A Tomlinson (Chairman), J M Walsh (Vice-Chairman), E A Chettleburgh, I C Curr, B E Dalton, S R Fear, C R Hill, S J Howarth, H McKeown, M J Osment, A C R Roberts, J C Robertson, A A Thorpe, and I R Tomes.

Apologies: Councillors P M Clegg, J M English and P W L Sample.

Officers:

R Hughes (Principal Planning Officer), G Newell (Principal Solicitor), J Chamberlain (Democratic Services Officer), Shane Verrion (Tree Officer), Tom Wippell (Planning Officer)

72. Public Questions/Statement Time:

There were none.

73. Councillor Questions/Statement Time:

There were none.

74. Minutes:

Agreed: that the minutes of the meeting held on 18 December 2007 (previously circulated) be approved as a correct record and signed by the Chairman.

75. Declarations of Interest:

Councillor Fear declared a personal and prejudicial interest in the matter covered under minute 81 below (S/2007/2156) in that he lives in the vicinity of the application site. He spoke on the matter and left the meeting immediately thereafter.

Councillors Thorpe and Walsh declared a personal and non-prejudicial interest in the matter set out under minute 83 below (Old Sarum tree works), in that they both live in close proximity to the area under consideration. They remained in the meeting, spoke and voted thereon.



Awarded in:
Housing Services
Waste and Recycling Services



76. Chairman's Announcements:

The Chairman announced that application S/2007/2075 (change of use from B1 to D2 fitness studio at Unit 2 Volpoint House, Milford Trading Estate, Blakey Road, Salisbury) had been withdrawn and would therefore not require determination by the Committee.

77. S/2007/2356 – demolition of existing garage and erection of new garage at 81 Winchester Street Salisbury:

The committee considered a verbal presentation from the Principal Planning Officer in conjunction with the previously circulated report of the Head of Development Services.

Resolved: That the above application be approved for the following reason:

The proposed development accords with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), D3 (Design), H8 (Housing policy Boundary for Salisbury), CN8 (Conservation Areas), and CN3 (Listed Buildings) of the adopted 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.
2. The materials to be used in the construction of the external surfaces of the garage hereby permitted shall match those used in the existing building.

the reasons for the above conditions are listed below:

1. 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. To ensure that the proposed garage will satisfactorily harmonise with the external appearance of the existing building.

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

G2 - General Criteria for development
D3 - Good design
H8 - Housing policy boundary for Salisbury
CN8 - Conservation Areas
CN3 - Listed Buildings

78. S/2007/2237 - installation of an external disabled user ramp adaptation of an existing opening to main entrance on the eastern end of the unit frontage on Fisherton Street, alteration of the Malthouse Lane entrance to a fire exit only, at Former Chicago Rock Café 30-32 Fisherton Street Salisbury:

The committee considered a verbal presentation from the Principal Planning Officer in conjunction with the previously circulated report of the Head of Development Services and the schedule of additional correspondence. Mrs Maybe and a local resident spoke in objection to the application, and Mr Austin spoke in support.

Resolved: That the application be refused.

Reasons for refusal:

Members considered that the relocation of the main entrance to the club to the front Fisherton Street elevation would be detrimental to the amenities of existing residents of the adjacent Pembroke House, due to the increase in noise and general disturbance, contrary to policy G2.

79. S/2007/2238 - variation of condition 04 of planning permission s19991251 to allow the premises to continue trading until 1am the following morning on fridays and Saturdays at Former Chicago Rock Café 30-32 Fisherton Street Salisbury:

The committee considered a verbal presentation from the Principal Planning Officer in conjunction with the previously circulated report of the Head of Development Services and the schedule of additional correspondence. Mrs Maybe and a local resident spoke in objection to the application, and Mr Austin spoke in support.

Resolved: That the application be refused.

Reasons for refusal:

Members considered that the alteration to the existing hours of operation would be detrimental to the amenities of existing residents of the adjacent Pembroke House, due to the increase in noise and general disturbance, contrary to policy G2

80. S/2007/2361 - chalet bungalow and off street parking at 91 Castle Road, Salisbury:

The committee considered a verbal presentation from the Principal Planning Officer in conjunction with the previously circulated report of the Head of Development Services. Mr Riley of the 91 Castle Road Action Group spoke in objection to the application, and Mr Robbins, the applicant, spoke in support.

Resolved – that the application be approved, subject to the applicants entering into a S106 agreement to pay a commuted sum towards the provision of Public open space

Reason for approval:

This application has been considered against the relevant Salisbury District Local Plan policies, G2, H8 and D2. It is considered that a new dwelling as proposed could be accommodated on this site without having an adverse impact upon the amenities and living environment enjoyed by residents, or detracting from the character of the area.

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.

Reason: To comply with the provisions of Section 91 of the Town and County Planning Act 1990. As amended by section 5(1) of the Planning and Compulsory Purchase Act 2004

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.

Reason: To secure a harmonious form of development.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or the Town and Country Planning Act 1990 (or any Order revoking and re-enacting that Order with or without modification), there shall be no additional windows at first floor on the south sloping roofslope or the gable ends of the dwelling.

Reason: To secure adequate standards of privacy for the occupants of neighbouring premises

4. 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(s) 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: To ensure that the Local Planning Authority retains control over any future extensions in the interests of residential amenity, the conservation area and setting of the adjacent listed building.

5. Before the dwelling hereby approved is first occupied, a properly consolidated and surfaced parking space and vehicular access shall be constructed, details of which shall have been submitted to and approved by the Local Planning Authority prior to development commencing on the site.

Reason: In the interests of highway safety.

6. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority before development commences.

Reason: In the interests of Highways Safety

7. No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

Reason: In the interests of sustainable development. Salisbury District Council's Supplementary Planning Guidance on "Achieving Sustainable Development" promotes the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies.

8. The hedging on the southern boundary shall be protected during the course of the development in accordance with details to be submitted to and agreed by the Local Planning Authority before development commences. If any hedging is removed, uprooted or dies, another hedge shall be planted at the same place and that hedging shall be of such size and species, and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

Reason: To ensure the retention and safeguarding of existing landscaping, in the interests of residential amenity.

9. The finished floor level of the proposed building shall be in accordance with details to be submitted to, and approved in writing by the Local Planning Authority before development is commenced.

Reason: To ensure the exact finished floor level[s] of the buildings.

- (b) If the applicant fails to enter into the required S106 Agreement and/ or fails to provide a commuted sum towards off-site public open space provision, then the application be delegated to the Head of Development Services to refuse the application due to non-compliance with the aims of Policy R2.

INFORMATIVES:-

Wessex Water Authority

The development is located within a sewered area, with foul and surface water sewers.

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 as 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.

It should be noted that a number of non-return valves have been fitted in the vicinity of the site, suggesting previous operational problems with Wessex Water assets.

The developer has proposed to dispose of surface water to soakaways. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

With respect to water supply, there are water mains within the vicinity of the proposal. It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site a connection onto Wessex Water infrastructure.

INFORMATIVES: WATER EFFICIENCY

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, and kitchen appliances with the maximum water efficiency rating.

81. S/2007/2156 - removal of existing club building and creation of 178 space car park for railway station users including access improvements and new pedestrian crossing at land at Fisherton St/St Pauls Road Fisherton Street, Salisbury:

The committee considered a verbal presentation from the Principal Planning Officer in conjunction with the previously circulated report of the Head of Development Services and the schedule of additional correspondence. Messrs Bryder, Greenwood, Cottrell and Boxall spoke in objection to the application, and Mr Atfield spoke in support.

Resolved – that the application be refused.

Reasons for refusal:

The scheme as proposed envisages the provision of 178 car parking spaces, a proportion of which would be located on the site of an existing social club. It is also proposed to provide a second pedestrian crossing across the busy Fisherton Street adjacent to the existing railway bridge to link the car parking with the station.

Notwithstanding the “in principle” acceptance of a passenger interchange on part of this site by policy TR4 of the Salisbury District Local Plan, the proposal would result in the loss of an apparently well used social club, which is situated in a highly sustainable city centre location, and is excluded from the policy TR4 designation. Given that no up to date justification has been provided for the amount of car parking spaces proposed to service the railway use, and given that no replacement scheme for the social club facility has been suggested, the applicant has failed to demonstrate that there is justification for the replacement of the existing social club use with car parking.

Further, given that the application scheme as submitted does not in the opinion of the Local Planning Authority encourage the accessing of the railway station by non car based modes of transport, it is considered that the applicant has failed to demonstrate to the Local Planning Authority that the proposed development would address the sustainability aims of national and local planning policy, and would not instead lead to an increase in car based transport within the already congested highway system of the city centre.

In conjunction with this concern, the applicant has failed to demonstrate that the scheme as proposed would not exacerbate existing air quality problems in the locality, and similarly, that the scheme as currently designed would not adversely affect the amenities of residents of the area due to light pollution, the stark visual appearance of the site, and the unjustified traffic movements.

Consequently, it is considered that the current proposals as indicated would be contrary to the aims of saved policies G1 and G2 of the Salisbury District Local Plan, and DP1 of the Structure Plan, which reflect the national guidance contained within PPS1, PPS6, and PPS13, which aim to encourage non-car based travel patterns, and the development of high quality sustainable city centre locations.

82. Release of “R2” financial contributions in Salisbury for new recreational facilities

The committee considered the previously circulated report of the Head of Development Services.

Resolved – that £40,000 of the ‘R2’ contributions be released by the council to fund the recreation scheme outlined above, and in accordance with the approved project list agreed at City Area

Community Committee, and that the release of the monies be made following receipt of invoices for the works undertaken

83. Matters, if any, which by reason of special circumstances the Chairman decides should be considered as a matter of urgency:

Old Sarum Tree Works:

Following the Cabinet meeting on 17 January 2008 when this matter was referred to the City Area Committee, Members considered the previously circulated report of the Head of Development Services. Mo Vines, a local resident, addressed the Committee and requested the Council to use its influence on the way English Heritage maintained the site. Members noted that English Heritage had organised a public meeting at the Reading Rooms at Stratford Sub-Castle on 25 January, and thanked the tree officer for his hard work on this issue.

Resolved – to note the report

*Meeting closed at: 9:00pm
Number of public present: 63*