

City Area Committee

Planning & Licensing

Minutes

26 June 2003 5.30pm
Council House,
Bourne Hill
Salisbury

These minutes should be kept for use by District Councillors at the next Council meeting

Present:

Chairman: Councillor Ms S C Mallory

Vice Chairman: Councillor J R L Nettle

Councillors: Councillors Mrs P Brown, K A Cardy, Mrs E A Chettleburgh, P M Clegg, J M Collier, D A Culver, , S R Fear, S J Howarth, D J McCarthy, M J Osment, P V H Paisey, P W L Sample, I R Tomes, Miss M A Tomlinson, Mrs S A Warrander and J M Walsh

Apologies: Councillors B E Dalton, Mrs I M Evans and C Vincent (County Councillor)

MINUTES NOT REQUIRING COUNCIL APPROVAL

10. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements.

11. PUBLIC STATEMENT / QUESTION TIME

There were no public questions or statements.

12. COUNCILLOR STATEMENT / QUESTION TIME

Councillor Mrs Chettleburgh stated her concern regarding the non-compliance, by some developers/housebuilders with Council-imposed Building Consent conditions (especially 'special conditions' imposed by Area Committees as a direct response to a particularly identified issue). Councillor Mrs Chettleburgh requested that a system of formal compliance monitoring (possibly involving close liaison between Planning Officers and those responsible for carrying out building control) be introduced.

Tim Pizzey, on the behalf of the Chairman, informed the Committee that the matter of compliance monitoring and how to prevent non-compliance from occurring in the first place was currently being considered by the Heads of Development Services and Forward Planning & Transportation. Tim agreed to keep the Committee informed of progress on this issue.

The Chairman suggested to Councillor Mrs Chettleburgh that she consider bringing the matter to the attention of the Cabinet.

13. **DECLARATIONS OF INTEREST**

The following interests were declared :-

Councillor Paisey declared a personal interest in Agenda Item 8, Planning Application S/2003/0819, for the fact that he is a governor of the Infant's School that is associated with the playgroup.

Councillor Osment declared a personal interest in Agenda Item 8, Planning Applications S/2003/0703 & S/2003/0704, for the fact that his mother-in-law is a resident of Brown Street.

Tim Pizzey, Area Planning Officer, declared a personal and prejudicial interest in Agenda Item 8, Planning Applications S/2003/0349 and S/2003/0819 and left the room during the consideration thereof.

14. **MINUTES**

RESOLVED - that the minutes of the special meeting, held on 19 May 2003 be approved as a correct record and signed by the Chairman and that the minutes of the meeting held on 29 May 2003 be approved as a correct record and signed by the Chairman, subject to the following amendments being made :-

- 'B M Dalton' amended to read 'B E Dalton'
- At Minute 6, paragraph 2, the inclusion of B E Dalton in the list of members expressing a personal interest in Planning Application S/2003/0487
- At minute 6, paragraph 2, an amendment to the final sentence to reflect the fact that the Councillors expressing an interest in Planning Application S/2003/0487 did contribute to the debate (although they did not vote).

15. **CREATING MORE AFFORDABLE HOUSING IN SOUTH WILTSHIRE – MAKING IT HAPPEN AND DELIVERING THE ACTIONS:**

Owing to the heavy Agenda (including two supermarket development planning applications) and at the request of the Chairman, it was agreed that this Agenda Item be deferred for consideration at the next City Area (Planning & Licensing) Committee meeting; Thursday 24 July 2003.

16. **S/2003/0349 – O/L APPLICATION – ERECTION OF A BUBBLE TENNIS DOME DURING THE WINTER MONTHS OCTOBER – MARCH AT SALISBURY TENNIS CLUB OLD BLANDFORD ROAD HARNHAM SALISBURY FOR SALISBURY LAWN TENNIS CLUB**

Mr Lord, resident, 3 Grasmere Close, speaking on the behalf of himself and other residents of the Close, informed the Committee that he objected to the proposed development.

Mr Smith, Club Member and agent for the applicant, spoke in support of the application.

Following the receipt of the above statements, and further to a site visit earlier that afternoon the Committee considered the previously circulated report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that above application be refused for the following reason:-

The form, scale, bulk and materials proposed for the Bubble Tennis Dome would create an unacceptable strident and intrusive structure out of keeping with the character and townscape of the area and incompatible with the residential scale and landscape setting of this important approach to the historic city centre, to the detriment of visual and residential amenities in the locality and views in to and out of the adjacent Conservation Area, contrary to the policies of the Adopted Salisbury District Local Plan G1, CN14 and CN16 and contrary to the Replacement Salisbury District Local Plan policies C7, CN11, R1A, D1 and G2.

17. S/2003/0523 – FULL APPLICATION – INSTALLATION OF MOBILE CLASSROOM AT HARNHAM INFANTS SCHOOL SAXON ROAD FOR PUDDLEDUCKS PLAYGROUP:

Mr Cook, resident, 28 Saxon Road, informed the committee that he objected to the proposed development.

Mrs McCormack, Chairman of the playgroup, spoke in support of the application.

Following the receipt of the above statements, and further to a site visit earlier that afternoon the Committee considered the previously circulated report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that, subject to the Head of Development Services being satisfied that the existing playground has been relocated to a position that facilitates the linkage of the proposed development to the existing playgroup building (see plan 1/2003/001 for details), then the above application be delegated to the Head of Development Services to approve subject to the following conditions :-

- (1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- (2) The proposed playground, shown on plan 1/2003/001, is not considered as part of this application (and is, therefore, not approved).
- (3) Any external lighting shall be installed and operated in accordance with details to be submitted to and approved by the Local Planning Authority before the building is brought into use. Development shall be carried out in accordance with the approved details.
- (4) Before development is commenced on the site, including works of any description, all the existing trees to be retained shall be protected by a fence of a type and in a position and erected around each tree or group of trees, to be approved by the Local Planning Authority. Within the area so fenced, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 2 inches (50mm) or more shall be left unsevered (see British Standard BS 5837:1991, entitled 'Trees in relation to construction'.

The applicant be informed that :-

1. The application has been approved under Policy G1 of Salisbury District Council Local Plan and Policies G2 and PS6 of the Emerging Salisbury District Local Plan.
2. Prior to the building hereby permitted being brought into use, details shall have been submitted regarding the Green Travel Plan for the playgroup.

18. S/2001/1365 – FULL APPLICATION – EXTENTION TO RETAIL SUPERMARKET AT TESCO STORES LTD SOUTHAMPTON ROAD THE BOURNE CENTRE SALISBURY FOR TESCO STORES LTD

Prior to the commencement of the meeting, the application was withdrawn at the request of the applicant (see letter dated 24 June 2003, circulated as late correspondence at the meeting).

19. S/2003/0703 – FULL APPLICATION – EXTENTION TO EXISTING HOTEL TO INCLUDE HEALTH AND FITNESS CENTRE A FURTHER 14 BEDROOMS TO THE UPPER FLOORS AND NEW ROOF TO COURT YARD AND ASSOCIATED ALTERATIONS AT WHITE HART HOTEL ST JOHN STREET SAISBURY FOR MACDONALD HOTELS PLC

Further to a site visit held earlier that afternoon, the Committee considered the previously circulated report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that the above application be refused for the following reasons :-

1. The White Hart Hotel is a substantial grade II* listed building located at the heart of the Conservation Area of the historic city of Salisbury, and forms a significant part of one of the historic Chequers of the medieval settlement.

The submitted scheme is of a significant scale and would result in a further substantial addition to the original listed building. The Design Statement provides inadequate information outlining the ethos behind the design and the intended built form. Notwithstanding this, however, it is considered that the resultant scheme, as currently proposed, would not be sympathetic to the character or setting of the main listed building and would also have a similar negative impact on the setting of the adjacent listed buildings in the historic Chequer, thereby also adversely affecting the wider conservation area. As a consequence, the scheme, as proposed, would be contrary to Policies G2, D1, D3, CN3, CN5 & CN8 of the Salisbury District Local Plan and the guidance provided in government guidance PPG 15.

2. Given the significant bulk and scale of the proposals and the close proximity to surrounding properties, it is also considered that the proposals would be likely to have an adverse impact on surrounding amenities, contrary to Policy G2 (vi) of the Salisbury District Local Plan.

20. S/2003/0704 – LISTED BLDG (WKS) – EXTENTION TO EXISTING HOTEL TO INCLUDE HEALTH AND FITNESS CENTRE A FURTHER 14 BEDROOMS TO THE UPPER FLOORS AND NEW ROOF TO COURT YARD AND ASSOCIATED ALTERATIONS AT WHITE HART HOTEL ST JOHN STREET SAISBURY FOR MACDONALD HOTELS PLC

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21. S/2002/0802 – FULL APPLICATION – REDEVELOPMENT OF EXISTING FOODSTORE AND DECK CAR PARK AT THE MALTINGS SALISBURY FOR T C S LEASEHOLD INVESTMENTS

Mr Holland, agent for the applicant, spoke in support of the application.

Following the receipt of the above statement, the Committee considered the previously circulated report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that

1. the above application be deferred to assess, through submissions of further material by the developers showing the impact of the proposed design of the structure on the views of the Cathedral, from various locations and to obtain further comment on the design, particularly regarding the aerial spars, from the Council's Architect's Panel;
2. the comments listed below be held as recommendations to be submitted to the Planning & Regulatory Panel for consideration in due course (that is, at such time as the application be placed before them for determination).

RECOMMENDATIONS TO THE PLANNING & REGULATORY PANEL :-

- i). The needs of shoppers should be considered in terms of the provision of shoppers buses. (The scheme currently run by Waitrose to be used as an example).

- ii). Pedestrian links to the redevelopment site from the housing development planned at the Eastern Goods Sidings site should be investigated.
- iii). The separate needs of pedestrians and cyclists wishing to access the site OR to pass through it, en route to another destination, should be considerably and adequately catered for.
- iv). An overarching 'Green Travel Plan' (to include plans for addressing the above recommendations) should be drafted and agreed prior to the commencement of any works.
- v). The Central Carpark Public Conveniences (owned and operated by the Council) should be retained.
- vi). The effects on residents living in and around the Maltings area should be considered during the redevelopment (especially during the demolition and the construction phases) and conditions restricting the hours of work on the redevelopment imposed and, if necessary, enforced.
- vii). The means by which the access of pantechnicons to the stage door of the Playhouse could be improved should be investigated.
- viii). A system of traffic-calming measures, both in the covered and open parking areas should be included in the redevelopment so as to prevent these areas from being used as out of hours racetracks.
- ix). The need for adequate and safe access by Shopmobility, to their premises, should not be overlooked in the layout of the proposed development.
- x). The Public Realm works requested of the applicant should include facilities for young people (not just children). For example, the provision of skate and BMX parks as part of the redevelopment.
- xi). Before any decision on the proposal is reached, a legally-binding agreement relating to the installation of a coin-operated shopping trolley management scheme should be obtained.
- xii). Before any decision on the proposal is reached, an in-the-round schematic/photomontage depicting the impact of the proposed development of views of the Cathedral, should be submitted by the applicants.
- xiii). The developers should be encouraged to further explore, in liaison with the Council (including the Architect's Panel) the design impact of the proposed building, with particular attention being given to the appropriateness of the proposed 'aerial spars'.

22. S/2003/1007 – FULL APPLICATION – TWO STOREY EXTENSION INCORPORATING A CAR PORT AT GROUND LEVEL:

Mr Watkins, nextdoor neighbour, informed the committee that he and his wife objected to the proposed development.

Following the receipt of the above statement and further to a site visit earlier that afternoon the Committee considered the previously circulated report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that the above application be delegated to the Head of Development Services to approve subject to the receipt, by the Local Planning Authority, of satisfactory amended plans showing the the proposed extension in relation to the the neighbouring house (this to ensure the existence of a gap between the two properties, sufficient to allow for the erection of within plan guttering on the proposed extension) and subject to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- (2) The materials to be used in the construction of the external surfaces of the extension(s) hereby permitted shall match those used in the existing building.
- (3) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows [other than those expressly authorised by this permission] shall be constructed.

The applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan (G1) and G2 and D3 of Replacement Salisbury District Local Plan

23. ELECTION OF CITY AREA COMMITTEE SOUTH WILTSHIRE AREA GRANT (SWAG) REVIEW PANEL

RESOLVED – that Councillors Mrs Chettleburgh, Collier and Mrs Evans (in her absence) be elected as the members of the City Area South Wiltshire Area Grant (SWAG) Review Panel for the 2003/04 Municipal Year.

24. EXTENSION OF MEETING

In compliance with Council Policy, as the Committee could not conclude its business by 2100hrs, it resolved to extend the meeting by sixty minutes (during which time the matters recorded under minutes 19, 20, 24, 26, 27 & 28 were considered).

25. EXEMPT BUSINESS

RESOLVED – that the press and public be excluded from the meeting during consideration of agenda items 10 & 11 on the grounds that they involve the likely disclosure of 'exempt information' as defined in Part 1 of Schedule 12A inserted into the Local Government Act 1972 by the Local Government (Access to Information) Act 1985 as explained below.

Paragraph 12 (re agenda items 10 & 12) of the Act, namely: 'Any instructions to Counsel and any opinion of Counsel (whether or not in connection with any proceedings) and any advice received, information obtained or action to be taken in connection with –

- (a) any legal proceedings by or against the authority, or
- (b) the determination of any matter affecting the authority

(whether, in either case, proceedings have been commenced or are in contemplation)

Paragraph 13 (re agenda item 11, only) : Information, which if disclosed to the public, would reveal that the authority proposes:

- a) to give under any enactment a notice under, or by virtue of which requirements are imposed on a person, or
- b) to make an order or direction under any enactment.

SUMMARY OF EXEMPT MATTERS

Agenda Item 10 (minute 26) - In respect of the New Inn, New Street, Salisbury.

Agenda Item 11 (minute 27) - In respect of the Anchor Brewery Site, Gigant Street, Salisbury

The meeting closed at 2200hrs