

City Area Committee

Planning & Licensing

Minutes

18 September 2003 6.00 pm
Alamein Suite,
City Hall
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 K A Cardy, , Mrs E A Chettleburgh, J M Collier, D A Culver, B E Dalton, , 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, J M Walsh, Mrs S A Warrander

Apologies

Councillors: Mrs P Brown, P M Clegg, Mrs I M Evans C R Vincent (County Councillor)

MINUTES NOT REQUIRING COUNCIL APPROVAL

52. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed the Committee that, owing to the fact that Councillor Nettle was required to leave the meeting no later than 1930hrs to attend a Deputy Mayoral function, Agenda Item 11 (Planning Applications) would be brought forward on the Agenda and Planning Application S/2003/1394 considered immediately after Agenda Item 7 (Presentation by the Chairman of the Salisbury Conservation Area Advisory Panel) in order to allow Councillor Nettle to contribute to the debate on this application, for which he was a ward member.

The Chairman also informed the Committee that Councillor Mrs Chettleburgh was required to leave the meeting no later than 1830hrs to attend a Mayoral function.

53. PUBLIC STATEMENT / QUESTION TIME

There were no public questions or statements.

54. COUNCILLOR STATEMENT / QUESTION TIME

Councillor Paisey asked whether the matter of the signage on Castle Road showing the start of the City of Salisbury boundary could be investigated. The sign depicting the start of the City boundary is currently located at Hudson's Field. However, owing to the recent ward boundary changes in which

Stratford ward had been joined with St Marks ward, the City boundary had, presumably, been extended to include the Stratford area and, as a result, the sign was now in the wrong place. Owing to the ward change the sign should now, more correctly, be positioned beyond the church at Stratford.

Helen Collar, City Area Co-ordinator, responding on the behalf of the Chairman, agreed to inform the relevant Officer of the matter and to report the Officer's comments to Councillor Paisey.

55. DECLARATIONS OF INTEREST

There were no declarations of interest.

56. MINUTES

RESOLVED - that the minutes of the meeting held on 21 August 2003 be approved as a correct record and signed by the Chairman.

57. SALISBURY (BUILDINGS) CONSERVATION AREA ADVISORY PANEL

The Committee received a presentation from Mr Richard Deane, Chairman of the Panel, about the remit, work and method of operation of the Panel.

Following a brief question and answer session, the Chairman thanked Mr Deane for his interesting and informative presentation.

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

Owing to the heavy meeting Agenda and at the request of the Chairman, it was agreed that this Agenda Item be deferred for consideration at a Special City Area (Planning & Licensing) Committee meeting to be convened immediately prior to the City Area (Community) Committee meeting scheduled to take place on Tuesday 4 November 2003. The date of 4 November 2003 had been agreed in liaison with Councillor Leo, Community & Housing Overview and Scrutiny Panel Vice Chairman and lead Member for this issue.

It was agreed that Committee Members would retain their Agenda papers for this item in preparation for its consideration at the Special City Area (Planning & Licensing) Committee meeting scheduled to take place on 4 November 2003 and that no further copies should be sent out with the Agenda for the meeting of 4 November 2003.

59. TREE PRESERVATION ORDER 294 – 61 ST MARKS ROAD SALISBURY

The Committee considered the report of the Temporary Assistant Planning Officer.

RESOLVED – that Tree Preservation Order 294 be confirmed without modification.

60. CO-ORDINATION BETWEEN BUILDING CONTROL AND DEVELOPMENT CONTROL/ENFORCEMENT

The Committee considered the report of the Head of Development Services.

RESOLVED – that the contents of the report be noted.

RECOMMENDED TO CABINET – that the staffing levels in Building Control, Development Control and Development Enforcement be reviewed six months after the new monitoring procedures detailed in the report had been introduced and the success (or

otherwise) of the Council in recruiting officers in these Sections be investigated and reported to the Cabinet and the Area Committees.

61. APPLICATION S/03/1306 – FULL APPLICATION – REPLACE FLAT ROOF OF DWELLING WITH PITCHED ROOF 36 MILFORD HILL, SALISBURY – FOR MR LOWETH

Ms Vickers, resident of 35 Milford Hill informed the Committee that she objected to the application.

Following the receipt of the above statement and further to a site visit earlier that afternoon the Committee considered the report of the Head of Development Services.

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

1. The proposed alteration to the roof would by reason of its form in relation to the adjoining properties be out of sympathy with the appearance and character of the local environment and therefore contrary to D3 of the Adopted Replacement Salisbury District Local Plan.

62. S/2003/1394 – O/L APPLICATION - CONSTRUCT 10 DWELLINGS AND ASSOCIATED PARKING (DEMOLISH EXISTING BUILDING) AND CONSTRUCTION OF ACCESS (DETAILED APPROVAL SOUGHT FOR SITING & MEANS OF ACCESS) AT BUTT OF ALE INN, SUNNYHILL ROAD, SALISBURY - FOR PENNYFARTHING HOMES LIMITED:

Mr Lister, a resident of Sunnyhill Road, speaking on the behalf of himself, the 40 people present at the meeting for this item and others who could not be present, informed the Committee that he/they objected to the application and to the loss of the Public House to the estate community.

Following the receipt of this statement Judy Howles, Area Team Leader, drew the Committee's attention to the following :-

1. of the 59 letters of objection referred to in the report and in late correspondence, the majority were written in objection to the loss of the public house (considered to be a community facility for the Paul's Dene estate) rather than in objection to the proposed development, per se;
2. the statement from the District Council's Forward Planning Unit, circulated as late correspondence, confirming that Planning Policy PS3 is a relevant consideration in this application. However, that risks would exist in applying this Policy as a reason for refusal;
3. the letter from the applicant's agent, circulated as late correspondence, commenting on the applicants interpretation of Planning Policy PS3;
4. the fact that Planning Policy G1 (see agenda report, section 4, page 7, for details), 'gives with one hand and yet takes away with the other' when applied to applications of this nature; and
5. the fact that Planning Policy E16 is a relevant consideration in this application. However, that risks would exist in applying this Policy as a reason for refusal.

Following the receipt of the above statements 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 proposed massing and layout of two storey dwellings on this site would represent an obtrusive and cramped form of development out of keeping with the character of the locality, to the detriment of the street scene of Sunnyhill Road and the visual amenity of the area. The proposal is therefore contrary to policy D2 of the Replacement Salisbury District Local Plan.
2. The proposed development at two stories in height would have a detrimentally overbearing impact on the amenity of adjoining neighbours to the detriment of their residential amenity the proposal is therefore contrary to policy G2 (vi) of the Replacement Salisbury District Local Plan.
3. The proposed level of parking at units 5-10 is inadequate for this site and are likely to lead to an undesirable car parking within the highway close to a road junction, to the detriment of highway safety. The proposal is therefore contrary to policies G1 (i) and G2 (i), (ii) of the Salisbury District Local Plan.
4. The proposal, which involves the loss of a public house, which though currently closed, was an important community facility that contributed to the vitality of the estate within which it is located, is considered to be contrary to policy G1 of the adopted SDLP in that it does not promote the vitality and viability of the community but, rather, detracts from it.
5. The proposal is considered to be contrary to policy E16 of the adopted SDLP and DP1 of the approved Wiltshire Structure plan in that it will involve the loss of a community facility and source of employment without any conservation or environmental benefits nor will it provide a similar range and number of job opportunities. Furthermore insufficient evidence has been put forward to indicate an employment generating use is not viable on this site. The proposal will therefore not promote a pattern of land use that reduces the need to travel contrary to policy G1 SDLP and DP1 WSP.
6. The proposal, which involves the loss of a public house central to the economic and social life of the area within which it is located , is considered to be contrary to policy PS3 of the adopted SDLP in that insufficient evidence has been supplied to demonstrate that the public house use is no longer viable.
7. The proposal would be contrary to policy R2 of the Salisbury District Local Plan in that it makes no provision for recreational public open space.

The applicant be informed that :-

- (1) This decision has been taken in accordance with the following policies of the adopted Salisbury District Local Plan: G1, G2, H16, CN21, E16, D2, R2, PS3.
- (2) It should be noted that reason 7 given above relating to Policy R2 of the adopted Local Plan could be overcome if all the relevant parties can agree with a Section 106 Agreement, or, if appropriate by a condition, in accordance with the standard requirement of public recreational open space.

The Committee requested that it be noted that the vote to refuse the application (for the reasons given above) was carried unanimously.

63. S/2003/1594 – FULL APPLICATION - BRICK ENCLOSURE TO HOUSE LIFT COOLING UNIT TO REDUCE NOISE LEVEL TO ACCEPTABLE LEVEL AT ELIZABETH COURT CRANE BRIDGE ROAD SALISBURY FOR MICHAEL HEAP ESQ:

Mr Stock, of 2, The Square, Cathedral Views, speaking on the behalf of himself and the 49 other residents of Cathedral Views, informed the Committee that he objected to the above 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 the above application be deferred to obtain further information, as follows :-

1. What is the current noise level of the plant, when operational, as experienced by residents of Elizabeth Court and other properties surrounding the plant ?
2. What is the current activity profile, throughout a 24hr period, of the plant ?
3. For the plant to be inaudible to the residents of Elizabeth Court and other properties surrounding at what noise level (in decibels) would it be required to operate at ?
4. What is the ambient background noise in the area during different periods of the day and night ?
5. What does 34 decibels actually sound like ?
6. Would the application of noise-attenuation measures to the plant, as currently located, achieve the required result (ie plant that, to the residents of Elizabeth Court and surrounding properties, operates inaudibly) ?
7. Would it be possible (in operational and noise level reduction terms) to site the plant within the main building, preferably in the lift area, itself ?

The Committee requested the presence of an Environmental Health Officer, to be able to answer noise-related queries, when the application was returned to the City Area Committee.

64. S/2001/2075 – FULL APPLICATION - PARK AND RIDE CAR PARK WITH ASSOCIATED LANDSCAPE WORKS LAYBY AND TERMINUS BUILDING AT LONDON ROAD (LAND ADJOINING) SALISBURY FOR SALISBURY JOINT TRANSPORTATION TEAM:

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 approved 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. This permission shall enure for the benefit of Salisbury District Council and/or Wiltshire County Council.

3. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the passenger terminus building have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
4. All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority.
5. Before any development is commenced on the site, including site works of any description, all the existing trees to be retained shall be protected by a fence, of a type and in a position to be approved by the Local Planning Authority, erected around each tree or group of trees. Within the areas 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).
6. No development shall take place until full details of the treatment to the site boundaries have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the site being brought into use, unless otherwise agreed in writing by the Local Planning Authority.
7. Development shall not commence until a scheme with full details of access to the site from London Road (including the proposed bus layby) has been submitted to and approved in writing by the Local Planning Authority. The access and layby shall be provided in accordance with the approved details before the Park and Ride facility is brought into use, unless otherwise agreed in writing by the Local Planning Authority.
8. No development approved by this permission shall be commenced until a scheme for the provision of surface water run-off system has been submitted to and approved in writing by the Local Planning Authority in consultation with the Environment Agency. The scheme shall be implemented in accordance with the approved programme and details.
9. The Park and Ride shall not be brought into use until a pedestrian crossing has been provided across the A30 London Road, together with a visibility splay in the form of a 2 m wide level verge extending northwards for a distance of approximately 70m measured from the pedestrian crossing point, in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority and agreed by the Local Highway Authority.
10. This development shall be in accordance with the drawing[s] ref: 67539/02/TG2005/PO received on 13.02.02; 2032.08.A received on 13th May 2002; G1691/P02/01 received on 13th May 2002; 2032.06 E received on 31st July 2003, unless otherwise agreed in writing by the Local Planning Authority.

65. SWAG TRANCHE 2 2003/04 FUNDING APPLICATIONS:

The Committee considered the recommendations of the SWAG Review Panel held on the 4 September 2003.

RESOLVED – that the applications be awarded as set at out Annex A attached to the minutes.

66. DELEGATION PROCEDURE - RELEASE OF 'R2' FINANCIAL CONTRIBUTIONS FOR NEW RECREATIONAL FACILITIES AT THE FRIARY, SALISBURY

The Committee noted that the above matter was dealt with under the Council's Special Delegation procedure as set out at agenda item 13.

67. EXTENSION OF MEETING

In compliance with Council Policy, as the Committee could not conclude its business by 9.00 p.m., it resolved to extend the meeting by half an hour (during which time the matters recorded under minutes 59, 60 and 66 were considered).

The meeting closed at 2130hrs