

City Area Committee

Planning & Licensing

Minutes

12 February 2004 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: K Cardy, Mrs E A Chettleburgh, , D A Culver, B E Dalton, S R Fear, S J Howarth,
D J McCarthy, P Paisey, J Walsh and Mrs S A Warrander

Apologies: Councillors Mrs P Brown, J M Collier, Mrs I M Evans, M Osment, I R Tomes and Miss M
A Tomlinson.

County Councillor: C R Vincent

MINUTES NOT REQUIRING COUNCIL APPROVAL

118. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements by the Chairman.

119. PUBLIC STATEMENT / QUESTION TIME

There were no statements by or questions from members of the public.

120. COUNCILLOR STATEMENT / QUESTION TIME

There were no statements by or questions from Councillors.

121. DECLARATIONS OF INTEREST

The following interests were declared :-

- Councillor Nettle – a personal and prejudicial interest in Agenda Item 8, Planning Application S/2003/1823, for the fact that his brother lived adjacent to the proposed development. Councillor Nettle left the room during the consideration of this item.

- Councillor Mrs Warrander – a personal interest in Agenda Item 8, Planning Application A/2003/1823, for the fact that she plays Tennis and is friends with members of the Victoria Park Tennis Club. Councillor Mrs Warrander contributed to the debate and voted.
- Councillor Howarth – a personal and prejudicial interest in Agenda Item 9, SWAG Application No. 1, for the fact that his son is a member of the Air Cadets. Councillor Howarth left the room during the consideration of this item.
- Councillor Nettle – a personal and prejudicial interest in Agenda Item 9, SWAG Application No. 9, for the fact that a relative is a member of the Choir. Councillor Nettle left the room during the consideration of this item.

122. MINUTES

RESOLVED - that the minutes of the meeting held on 15 January 2004 be approved as a correct record and signed by the Chairman.

123. DRAFT DEVELOPMENT BRIEF: LAND AT OLD SARUM SALISBURY

The Committee considered the previously circulated report from the Principal Planning Officer.

RESOLVED – that the recommendations and comments listed below be forwarded to the Cabinet for consideration :-

1. The percentage of affordable housing recommended be *significantly increased*. [**Note:** The Committee requested that the Cabinet note that a vote was taken on this issue and that it was unanimously resolved that the Cabinet be urged to require the above increase.]
2. A wide range and mix of affordable and social housing be provided. For example, the mix should include properties of all sizes and be available to purchase on shared equity and other terms as well as to rent.
3. The affordable and social housing should be of a high build and design quality and not marginalised; they should be well integrated into/dispersed across the development.
4. The schools provided as part of the development be built in the first phase of the development (in part to avoid temporary turbulence in existing city area schools).
5. The infrastructure provided should seek to provide for the needs of all of the residents development. For example :-
 - i. the bus service should link with the Park & Ride service;
 - ii. the Council should negotiate with developer and the bus company to provide a temporary 'discount bus fare scheme' while demand for a regular and frequent bus service is being established.
 - iii. the access road from the Bee Hive to Old Sarum should be improved.
 - iv. speed restrictions on the approach road(s) to the development should be introduced.
6. Facilities for religious purposes be included in the amenity provision for the development.

In addition, members of the public present at the meeting requested that the following points be presented to the Cabinet for consideration :-

1. Facilities and residencies (eg nursing, residential and sheltered) for the elderly be included in the development.
2. Safe cycle routes from the development to city area amenities (particularly schools) be provided.

124. APPLICATION S/03/1823 – FULL APPLICATION – 65 BED NURSING CARE AND REST HOME AT 18 & 20 STRATFORD ROAD SALISBURY FOR COLTEN CARE

Dr Nettle of 16 Stratford Road and Mr Hewitt of 10 Stratford Road spoke for one and a half minutes each (as agreed by the Chairman) to inform the Committee that they objected to the proposed development.

Ms Baker, for Colten Care, 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 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 :-

- i. The proposed development by virtue of the overall scale, massing and depth of the proposed building into the site would represent an overdevelopment of the site that would be harmful to the character and appearance of the area and would be detrimental to the residential amenities of the occupants of the neighbouring properties. As such, the proposal would be contrary to Policies D2 (i) and G2 (vi) of the Adopted Replacement Salisbury District Local Plan (June 2003).

125. APPLICATION S/03/1885 – CHANGE OF USE – GYMNASIUM TO WINE/LOUNGE BAR AT 52A FISHERTON STREET SALISBURY FOR MISS L HEATON

Mr Singleton, Solicitor for the applicant, spoke in support of the application.

Following the receipt of the above statement, the Committee considered the 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. (A07A)

Reason: To comply with the provisions of section 91 of the Town & Country Planning Act 1990.

2. Before the use hereby permitted is brought into use, a full detailed scheme shall be submitted to and approved in writing by the Local Planning Authority (in line with the general measures outlined in the Noise Assessment Report Ref Aac/11467/RO2, dated 6/1/04 produced by Arup Acoustics). The scheme shall ensure that noise generated

from the premises shall be at least 10Db below the existing ambient noise level within the living rooms (bedrooms, lounges) of the nearest residential properties including those properties on the southern side of Fisherton Street. The scheme shall be implemented in accordance with the approved details and shall be maintained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To avoid the risk of disturbance to neighbouring dwellings/amenities in the locality during unsocial hours.

3. The premises shall not be open to the public for trade outside of the hours of 9am to 12 midnight Monday to Saturday, and 9am to 11pm Sundays and Bank Holidays unless otherwise agreed, in writing, by the Local Planning Authority.

Reason: To avoid the risk of disturbance to neighbouring dwellings/amenities in the locality during unsocial hours.

4. Unless otherwise agreed in writing by the Local Planning Authority, the layout and composition of the premises shall be generally in accordance with the submitted illustrative layout plans drawing No. 5387/3/2 and 5387/4/2 received on 11 December 2003, and shall be maintained as such thereafter.

Reason: For the avoidance of doubt and to avoid the risk of disturbance to neighbouring dwellings/amenities in the locality during unsocial hours.

5. No development shall take place until a scheme/schemes for the control of fumes from extractor fans and equipment (and for the sound insulation of that equipment) have been submitted to and approved by the Local Planning Authority; and the development shall not be brought into use until that scheme/those schemes have been implemented in accordance with the approved details. (M23A)

Reason: To minimise the effect which the emission of fumes from the proposed development/use could have upon neighbouring premises.

6. Before commencement of the development hereby permitted there shall be submitted to and approved by the Local Planning Authority a scheme for the insulation against noise emissions from any ancillary equipment (fans, refrigeration condensers, etc) installed on the premises. Such noise emissions must not exceed an Laeq 5 minutes of 38Db (A) at the nearest window of a residential property. This same equipment must have a timer control fitted to ensure it can have its operating hours regulated. Such scheme as is approved shall be implemented to the satisfaction of the Local Planning Authority before any part of the development opens for trading.

Reason: To minimise the disturbance that noise from the proposed use could have on the amenities of nearby residents.

7. Between the hours of 8pm and 8am the first floor rear fire doors shall be kept closed and there shall be no access to the rear balcony, except in emergencies, unless otherwise agreed in writing with the Local Planning Authority.

Reason: In the interests of amenities of nearby residents.

8. Prior to the development hereby approved being brought into use, a scheme to control litter in the entrance area shall be submitted to and approved in writing by the Local planning Authority. This scheme shall be implemented in accordance with the approved details.

Reason: In the interests of amenity.

9. Before the use hereby permitted is brought into use, a full detailed scheme shall be submitted to and approved in writing by the Local planning Authority outlining the proposed measures for maintaining the external cleanliness of the building and its immediate environs.

Reason: In the interests of amenity.

The applicant be informed that this permission has been taken in accordance with the following policy/policies of the Adopted Salisbury District Local Plan: G2, CN8, S2, S3

126. APPLICATION S/03/2075 – FULL APPLICATION – TELECOMMUNICATIONS INSTALLATIONS COMPRISING A 15M SLIM LINE LATTICE TOWER ACCOMMODATING SIX ANTENNAE TWO MICROWAVE DISHES AND ASSOCIATED EQUIPMENT CABINETS WITHIN COMPOUND FOR VODAFONE LIMITED AT PETERSFINGER SEWAGE TREATMENT WORKS, A36 ROAD, PETERSFINGER, SALISBURY

The Committee considered the 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 delegated to the Head of Development Services to approve subject to no substantive comments being received from Clarendon Park Parish Council or Clarendon ward members, following consultation, and subject to the following conditions :-

1. When this development is no longer required the structure hereby permitted, shall be removed and the land restored to its former condition in accordance with a scheme of work to be submitted to and approved by the LPA, unless otherwise agreed by the LPA upon submission of a planning application that behalf

Reason: In accordance with local plan policy.

2. Notwithstanding the provisions of Class A Schedule 2 (Part 24) to the Town & Country Planning General Permitted Development Order 1995, (or any Order revoking and re-enacting that Order) there shall be no installation, alteration or replacement of telecommunication apparatus unless otherwise agreed in writing by the Local Planning Authority.

Reason: To enable the LPA to retain control over development in the interests of the River Avon SSSI/cSAC.

The applicant be informed that this permission has been taken in compliance with the following policies of the Replacement Adopted Salisbury District Local Plan C10, C18, and PS7

2. the Ward Members for the areas of Alderbury, Britford and Clarendon (Councillors Mrs Bissington, Britton, Randall, Rycroft, Bissington and McLennan) be informed of the application and the resolution to approve (subject to the above conditions).

127. APPLICATION S/03/2441 – FULL APPLICATION – PROPOSED FLAT ROOF GARDEN PATIO AND CASEMENT DOOR ACCESS AT 10A SKEW BRIDGE ROAD SALISBURY FOR MR & MRS R R SHEPHERD

Mr Shepherd, the applicant, spoke in support of the application and requested that it be noted that he had concerns relating to the way the application had been dealt with prior to its reaching Committee.

Following the receipt of the above statement, and further to a site visit earlier that afternoon, the Committee received an update from the Chairman on the current situation relating to the application together with advice that the application be deferred.

RESOLVED – that the above application be deferred to allow Officers to obtain legal advice relating to the validity of the application (in relation to retrospective / unauthorised elements of the proposal).

128. APPLICATION S/03/2446 – FULL APPLICATION – FULL APPLICATION - DEMOLITION OF EXISTING BUILDINGS AND ERECTION OF 7 HOUSES AND THREE FLATS WITH ASSOCIATED PARKING AND ALTERATION OF EXISTING ACCESS AT 8 COLDHARBOUR LANE SALISBURY FOR FIELDFARE PROPERTIES LTD

The application was withdrawn by the applicants in advance of the meeting.

129. SWAG TRANCHE III 2002/03 FUNDING APPLICATIONS

The Committee considered the recommendations of the SWAG Review Panel held on the 13 January 2004.

RESOLVED – that the applications be funded as detailed in Annex A attached to the minutes.

130. SALISBURY DESIGN FORUM

In accordance with the request from the Cabinet meeting held on 17 December 2003, the Committee nominated the following Councillors to be members of the Salisbury Design Forum :-

RESOLVED – that Councillors Mrs Chettleburgh and Paisey be elected to be members of the Salisbury Design Forum.

131. EXTENSION OF MEETING

In compliance with Council Policy, as the Committee could not conclude its business by 2100hrs, it was resolved to extend the meeting by 30 minutes (during which time the matters recorded under minutes 129 and 130 were considered).

The meeting closed at 2115 hrs