

Minutes

Meeting of: Northern Area Committee

Meeting held in: Antrobus House, Amesbury

Date: Thursday 28 July 2005

Commencing at: 4.30 pm

Present:

Councillor M A Hewitt – Chairman
Councillor C G Mills – Vice-Chairman

Councillors M Baker, J A Brady, D W Brown, Mrs J M Greville, J C Noeken, A G Peach, J Rodell, I C West, F Westmoreland, T Woodbridge and K C Wren

Parish Councillors: Mr Burt (Bulford), Mrs Swindlehurst (Amesbury Town Council)

Officers

Mr A Madge (Development Services), Mr J Crawford (Legal & Property Services), Mrs E Milton (Forward Planning) and S Draper (Democratic Services).

391. Public Questions/Statement Time:

There were none.

392. Councillor Questions/Statement Time:

There were none.

393. Minutes:

Resolved – that the minutes of the ordinary meeting held on 30th June 2005 be approved as a correct record and signed by the Chairman.

394. Declarations of Interest:

Councillor D Brown declared a personal and prejudicial interest in agenda item 12 – Update Report on Focus Do-It-All, London Road, Amesbury as he lives in the immediate vicinity of the development and withdrew from the meeting during consideration thereof.

395. Chairman's Announcements:

There were none.

396. Update on the Co-Location of a Public Office on the Library Health Centre Site

The Head of Legal and Property Services informed members that the co-location was still progressing as reported at the last meeting and that at this point he did not have any further information. However, he intended to bring a report to the next meeting when hopefully he would have more news to report.

Resolved – that a further update be brought to the next meeting.

397. Update on the Expansion of Porton Down

Councillor Wren informed those present that the number of new workers was in fact to be just over 1000 not 2000 as had been stated previously.

He also informed members that a planning application for the development had not yet been submitted but that the item should be kept on the agenda so members are aware of the details when an application is submitted. Councillor Wren also informed members that all relevant agencies would be involved in discussions to ascertain the best way to support any new development when the planning application was submitted and the details were known.

Resolved – that a further update be brought to the next meeting.

398. Update on the Development of the CO-OP in Amesbury

The Head of Legal and Property Services stated that the CO-OP had informed him that the archaeological excavation work would be continuing until mid August. They had also informed him that some archaeological material had been found but nothing that was of sufficient archaeological importance to threaten the development.

He also informed members that the CO-OP had offered verbal assurances that the store would open in Spring 2006.

A letter that the CO-OP had sent to a member of Amesbury Town Council was read out which explained that the CO-OP was now inviting formal tenders for the development and hoped to begin the work in Autumn 2005.

Resolved – that an update be brought to the next meeting.

399. Update on the Progress to Reduce Anti-Social Behaviour in Amesbury

The new Section Commander for Amesbury, Bob Lisse-man-Edge, informed members that he had recently taken over the post at Amesbury and was very keen to work with members and local communities to maintain people's standard of living and improve it where possible.

Amesbury Town Council and district councillors for Amesbury felt that the good relationship that currently existed between the police, the Town Council and the local community was very helpful in reducing the number of incidents and detecting those that did occur.

Concerns were raised about problems in smaller villages in the rural areas and the need for greater police intervention where possible.

It was suggested that a meeting be held between the members of the Committee and the police outside of the public arena to allow members to consider specific cases and issues in more detail.

Resolved – that a meeting be organised between the police and the members of the Northern Area Committee at the earliest opportunity.

400. Update on Progress Relating to the Barn North of Manor House, Winterbourne Gunner

The Committee considered the report of the Conservation Officer (previously circulated).

Resolved –

1. That the urgent works notice be served as soon as the Head of Legal and Property Services is satisfied that there is nothing to impede its successful implementation.
2. That a further update be brought back to the Northern Area Committee in September

401. Update Report on Focus Do-It-All, London Road, Amesbury

The Committee considered the report of the Enforcement Officer (previously circulated).

Resolved –

1. That, if after 28 days from the date of this meeting, conditions 12 and 21 attached to planning permission S/2003/2489 dated 26th August 2004 as set out in the officer's report, have not been discharged, that the Head of Development Services be authorised to issue a Breach of Condition Notice under Section 187A of the Town and Country Planning Act 1990 (as amended) and serve it on

the appropriate person in respect of these two conditions subject to the Head of Legal Services being satisfied that there is a still a breach of the conditions at that date (such conditions which are complied with within the above timescale are not to be included in the Notice).

1. To remove all of the external lighting (including columns and fittings) unless: (a) a scheme of external lighting of the site has been submitted to the Local Planning Authority (b) If the above scheme submitted pursuant to step (a) is not approved by the Local Planning Authority a further scheme must be submitted, which fully addresses the Local Planning Authority's objections.
2. To implement in full the scheme of external lighting of the site approved by the Local Planning Authority pursuant to step 1 above.
3. To cease use of the rear service yard, unless: (a) a scheme for the control of noise emanating from the site (with particular reference to the rear service yard) has been submitted to the Local Planning Authority; (b) If the above scheme submitted pursuant to step (a) is not approved by the Local Planning Authority, to submit a further scheme, which fully addresses the Local Planning Authority's objections.
4. To implement in full the scheme for the control of noise emanating from the site approved under step 3 above.

2. That a further report be brought back to the next meeting.

402. S/2005/1046 – Full Application – Change of Use A1 to A5 Hot Food Takeaway and Erection of External Flue at 4 The Arcade, Earls Court Road, Amesbury, Salisbury SP4 7NA For Far East Europe Limited
Mr V Smith, a near neighbour, spoke in objection to the above application.

Mrs Swindlehurst, on behalf of Amesbury Town Council, informed the Committee that the Town Council had no objection to the application.

Following receipt of these statements, the Committee considered the report of the Head of Development Services (previously circulated) together with the schedule of late correspondence circulated at the meeting:

Resolved –

1. That the application be **approved**, subject to the Head of Development Services being satisfied that such an approval would not be a departure from policy S2 requiring referral to the Planning and Regulatory Panel. And for the following reasons:

(1) No 4 The Arcade is located within the Secondary Shopping Area of Amesbury as defined on the Adopted Salisbury District Local Plan proposals maps.

The principal role of the Secondary Shopping Area is to ensure that the vitality of these areas continues and shopping remains the dominant use at ground floor level. Policy S2 states that at least a third of units within any particular street frontage or frontage 50 metres either side of the application site, whichever is less must remain in A1 retail use.

There are two planning applications for change of use from A1 to non-A1 uses (S/2005/1046 and S/2005/1078). The calculation of whether proposal complies with policy should be taken sequentially in accordance with the time registered. Therefore this application falls to be determined first.

It is considered that the street frontage is formed from 3 Smithfield Street to No 15 Earls Court Road, a total of 14 units. On the basis using the 50m rule either side of the proposal site, the proposed change of use will result in 4 A1 uses out of 12 units operating within 100m representing 33.3% remaining in A1 use, which passes the policy test and the change of use would enhance the vitality and viability of the settlement of Amesbury.

2. It is also considered that there is adequate parking close by to the development site and that noise and odour concerns can be met by conditions.

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.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

2) Before commencement of the development hereby permitted there shall be submitted to and approved by the LPA a scheme to mitigate noise emissions from the extractor fans, compressors and all other similar equipment. Such a scheme as is approved shall be implemented to the satisfaction of the LPA before any part of the development is brought into use.

Reason: To minimise the disturbance which noise from the proposed development could otherwise have upon the amenities of nearby residential dwellings.

3) No development shall take place until a scheme for the control of odour fumes from the extractor fans and other similar equipment have been submitted to and approved by the LPA; and the development shall not be brought into use until that scheme has been implemented to the satisfaction of the LPA before any part of the development is brought into use.

Reason: To minimise the effect which the emission of fumes from the proposed development/use could have upon nearby residential dwellings.

2. That the applicant be informed that this decision has been taken in accordance with the following policies of the adopted Salisbury District Local Plan:

G1 (Sustainable development), G2 (General), S2 (Secondary Shopping Area)

Note: Following this meeting the Head of Development Services decided that the application did not need to be referred to the Planning and Regulatory Panel.

403. S/2005/1078 – Change of Use From Shop to Residential Lettings Agency at 1 The Arcade Amesbury, SP4 7LY For Bryan Welsh

Mr B Welsh, the applicant, spoke in support of the above application.

The members were informed that Amesbury Town Council, had no objection to the above application.

Following receipt of these statements, the Committee considered the report of the Head of Development Services (previously circulated) together with the schedule of late correspondence circulated at the meeting:

Resolved –

1. That the application be **approved**, subject to the Head of Development Services being satisfied that such an approval would not be a departure from policy S2 requiring referral to the Planning and Regulatory Panel. And for the following reasons:

(1) No 1 The Arcade is located within the Secondary Shopping Area of Amesbury as defined on the Adopted Salisbury District Local Plan proposals maps.

The principal role of the Secondary Shopping Area is to ensure that the vitality of these areas continues and shopping remains the dominant use at ground floor level. Policy S2 states that at least a third of units within any particular street frontage or frontage 50 metres either side of the application site, whichever is less must remain in A1 retail use.

There are two planning applications for change of use from A1 to non-A1 uses (S/2005/1046 and S/2005/1078). The calculation of whether proposal complies with policy should be taken sequentially in accordance with the time registered. Therefore this application falls to be determined second.

It is considered that the street frontage is formed from 3 Smithfield Street to No 15 Earls Court Road, a total of 14 units. On the basis using the 50m rule either side of the proposal site, the proposed change of use will result in 5 A1 uses out of 14 units operating within 100m representing 35.7% remaining in A1 use, which passes the policy test and the change of use would enhance the vitality and viability of the settlement of Amesbury.

(2) It is also considered that there is adequate parking close by to the development site.

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.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. (0004)

2. That the applicant be informed that this decision has been taken in accordance with the following policies of the adopted Salisbury District Local Plan:

G1 (Sustainable development), G2 (General), S2 (Secondary Shopping Area)

Note: Following this meeting the Head of Development Services decided that the application did not need to be referred to the Planning and Regulatory Panel.

404. S/2005/1128 – Outline Application for the Development of 3 Number Detached Dwellings at Rear of 51-53 Antrobus Road, Amesbury

Mr S Smith, a next door neighbour, spoke in objection to the above application.

Mr Dobson, the applicant, spoke in support of the above application.

Following receipt of these statements and further to a site visit held earlier that day, the Committee considered the report of the Head of Development Services (previously circulated).

Resolved –

1. That subject to the receipt of satisfactory plans amending the red line, that the above application be approved for the following reasons:

1. It is considered that this proposal is an acceptable form of development, which would not have an adverse effect on either neighbouring properties or highway safety and would comply with policies TR11, G1, G2, H16 and R2 of the adopted local plan.

And subject to the following conditions

- (1) Approval of the details of the siting, design and external appearance of the building, 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 1 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 five 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, whichever is the later.

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) Notwithstanding the provisions of classes A,B,C,D,E,F,H 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 dwellings 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 enable the Local Planning Authority to retain control over the development in the interests of amenity.

- (6) No development shall take place until details of provision for recreational open space in accordance with Policy R2 of the adopted Salisbury District Local Plan (June 2003) have been submitted to, and approved in writing by, the Local Planning Authority.

Reason: In order to comply with the requirements of policy R2 of the adopted Replacement Salisbury District Local Plan (June 2003)

- (7) The development hereby permitted shall not be commenced until vehicular access to the site from Antrobus road has been constructed in accordance with details to be submitted to the Local Planning Authority such details should show Levels, gradients, access and parking. As soon as such access is available for use, the existing vehicular accesses to no 51 and 53 Antrobus road shall be permanently stopped up. Any sight lines forming part of the approved details for the new access shall be kept permanently free of any structure, erection or other obstruction to visibility exceeding one metre in height above the carriageway level of Antrobus Road.

Reason: In the interests of highway safety.

2. That the applicant be informed that this decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: Policy TR11 Provision of off street car parking,

G1, General development, G2, Other General policies, H16 Housing Policy Boundaries , R2 Recreational Open Space

*The meeting concluded at 1905
Members of the public present: 19*