

Minutes

Meeting of: Northern Area Committee

Meeting held in: Antrobus House, Amesbury

Date: Thursday 22 September 2005

Commencing at: 4.30 pm

Present:

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

Councillors M Baker, D W Brown, Mrs J M Greville, J C Noeken, J R G Spencer, J Rodell, T Woodbridge and K C Wren.

Apologies: Councillors J A Brady, A G Peach, I C West and F Westmoreland

Parish Councillors: Mr Burt (Bulford), Mr I Holiday (Wyllye), Mr Stubbs (Newton Tony), Mrs Swindlehurst (Amesbury Town Council)

Officers

Mrs J Howles (Development Services), Mr J Crawford (Legal & Property Services), Mrs S Hughes (Forward Planning, Mrs M Wells (Forward Planning), L Mertens (Democratic Services) and S Draper (Democratic Services).

423. Public Questions/Statement Time:

There were none.

424. Councillor Questions/Statement Time:

Cllr Woodbridge made the following statement:

"I am becoming increasingly disillusioned and frustrated by the lack of power we appear to have regarding some planning regulations, prompted by an appeal being upheld over a decision we made, as a Committee, in only April this year and which I will come onto later.

Like Councillor Westmoreland, I do not wish to criticise officers, who are after all, following procedures but I do feel there is a need for room to allow a little common sense and perhaps more notice taken of people power and local knowledge. I note that a minor element is allowed in SPG (SPD) regarding 'local colour'.

Regarding the recent case of Focus in Amesbury, 184 of the 362 objectors are directly affected by this building yet we had to give it the go-ahead as there wasn't a strong enough planning reason that could not be overcome by conditioning the application. Where did the local colour come into this?

Common sense said that it would affect Amesbury Town Centre and the lives of surrounding citizens and we should have been able to grab the opportunity to approve the site for housing to tidy up this area and correct the obvious error of judgment allowing the siting of a haulage company many years ago.

This is a perfect case of where we should have been able to use common sense, local knowledge and listen to the people who matter – and we were powerless!

Now I come to the reason that has prompted me to write this statement.

Last year we, as a committee and council, agreed that should a planning application come in for change of use for a business premises, that we would expect the premises to be actively marketed for a minimum of 6/9 months irrespective of its current category, in the hope that it would continue as a business and provide jobs / contributions to the local economy and social well being.

At our Committee Meeting on April 7th this year, backed up with a large petition from local villagers, we refused a double application from Meadow Stores, Bulford village to convert a storeroom and garage into a one bedroomed dwelling and conversion of a shop to two single bedroomed flats with car parking. Our reasons were that we considered the premises contributed to the social and economic life of the village and there is insufficient evidence to demonstrate that the use as a business premises is unviable, contrary to policy PS3, G1, G2, H16, S9 and R2.

You will recall that the owner turned down several serious applicants during the 6/9 month period, albeit she had the premises on agents' books, fulfilling their side of the agreement.

After the decision, the owner boarded up the shop and went to appeal. I have heard that she has now won that appeal only 5 months after our directive and despite the 6 planning reasons we attached – how ludicrous is that – and how powerless are we, when we know that a new business would by now be more than likely up and running if the spirit of our resolution last year had been fully realised.

The seemingly justifiable fears of the trader next door who was told to his face that his lease will not be renewed in 3 years time so that the whole shopping parade can be turned into flats, was not an argument that could be used to the appeal committee as only facts can be considered and this was not on paper.

Indeed, having now received the inspectors' report, under item 15, most of our non-planning arguments against the proposal have been dismissed as the 'evidence to substantiate these claims is largely circumstantial and is disputed by the appellant. I do not therefore consider these allegations to be of sufficient weight to outweigh my conclusion on the main issue'.

The main issue, according to the report is 'whether the change of use of the shop, garage/store and store room would conflict with local policy concerning the retention of village shops and if so, whether there are any other material considerations that would outweigh such conflict'.

Of course the arguments are not 'material' but I believe SPG should cover this and we should be allowed to voice our concerns for them to appreciate the complete situation. I also noted that PP3 was interpreted in its current form in that the owner only has to prove the shop is unviable in its current / previous use, a matter that was raised by Councillor Westmoreland for review and already extended by our committee to cover any business use.

In all of these cases, people power, common sense and local knowledge are rendered almost irrelevant and I feel that this has to be wrong and should, at the very least, be given more consideration.

I appreciate that these areas are only marginally in our power to change but do feel that we, as a council, should ask our Planning and Economic Development Overview and Scrutiny Panel to investigate the possibility of more local flexibility that perhaps could be put forward to the LGA on behalf of SDC, as I am sure other district councils must also feel powerless working within such stringent guidelines."

Members noted that a scrutiny review on the issue of sustainability in rural communities had been included in the annual programme asked that these views be forwarded to the Scrutiny Panel for consideration. Members

also asked to be kept informed of the progress of the scrutiny review. The Chairman stated that members should give consideration to attending the next meeting of the Panel to discuss these issues.

Councillor Noeken informed members that he had recently attended a meeting of the Board of Governors for the new school at Boscombe Down. It was agreed that the school should be named the Amesbury Archer Primary School and that a mission policy for the school would be published in the near future.

425. Minutes:

Resolved – that subject to the inclusion of Councillor J G Spencer's name in the attendance list, that the minutes of the ordinary meeting held on 25th August 2005 be approved as a correct record and signed by the Chairman.

426. Declarations of Interest:

Councillor J Rodell and Councillor Mrs J Greville both declared personal and prejudicial interests in agenda item 9 –SWAG Grants, as they are both members of Durrington Parish Council and withdrew from the meeting during consideration thereof.

427. Chairman's Announcements:

There were none.

428. Salisbury NHS Trust – Foundation Trust Application

The Committee received a presentation from Mr J Williams the Project Manager for the Foundation Trust Application from Salisbury District Hospital regarding the application to become a foundation trust.

Members asked the following questions and made the following statements:

- Are the managers at the hospital confident that the increase in general surgery will not detract from the specialist services currently offered by the hospital? Mr Williams informed members that as the hospital was a national provider for these services the managers had no desire to move away from the specialisms.
- Might local residents experience longer waiting times as a result of people from outside the area opting to receive treatment in Salisbury? Mr Williams replied that this had been carefully considered and he was confident that the hospital would continue to provide a very good service to local people. He emphasised that if local people were experiencing longer waiting times they could choose to visit an alternative hospital and this was not something that Salisbury District Hospital would want to see.
- Members felt the idea of having a nursing home on the hospital site was an excellent one and the county councillors present urged Mr Williams to discuss this option further with the County Council. Mr Williams said that a nursing home was a very popular option for the use of additional land but that accommodation for nursing staff was also being considered.
- Members noted that the hospital was an excellent facility providing a high-class service to the local community and Mr Williams was confident that this would continue and improve under the foundation trust status. However, it was noted that the reconfiguration of the PCTs in the area as well as the debts accrued by the PCTs in Wiltshire would inevitably have an impact on the hospital.

429. Update on Policy R2

The Committee considered the joint report of the Forward Planning Officer and the Principal Solicitor (previously circulated).

Members made the following comments:

- They were very pleased that this review was currently taking place however, as the parishes had desired this for a long time, members wanted to know the time-scale for this review.
- Members felt that it was especially important to address one flaw namely that small parishes did not have any R2 money whilst larger parishes sometimes found it difficult to spend all of the funds available. The officer informed members that larger parishes could give funds to adjacent smaller parishes if they were happy to do so.
- A proportion be taken from each R2 contribution and placed in a central pot which could then be allocated to any area of the District.
- A query was raised about whether or not charities could spend R2 money.

Resolved –

1. That the flexibility of policy R2 continues to be actively promoted to the parish councils.

2. That the suggestion to create a district wide pot for R2 which could be allocated to any area in the District be investigated by officers.

430. SWAG Applications Tranche 2 2005/6

The Committee considered the recommendations of the SWAG review panel (previously circulated).

Resolved – The grants be awarded as set out below.

Ref. no.	Application	Amount Requested	Applicant Contribution/ Funding Raised	Parish Council Comment	Officer Priority Rating	Committee Decision
NAC/05-06/T1/02	Durrington Parish Council	£4,500	£5,230.00	N/A	Medium - High	That £4,500 be granted.
NAC/05-06/T2/01	Shrewton Recreational Charity	£5,000	£6,500	Fully supports	High	That: 1. A grant of up to 20% of the total project cost be awarded up to a value of £5000 subject to the Village Hall Grants Panel also approving a grant to this organisation. 2. That the applicant be asked to demonstrate to the SWAG review panel that the 30% contribution has been raised by themselves by 10 th January 2006.
Total		£9,500			Awards	£9,500

431. 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 completion date for the above relocation was still on target for November 2005.

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

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

The Head of Legal and Property Services informed members that the CO-OP had offered verbal assurances that they were currently working through the planning issues and intended to open the store in spring 2006. The Committee were further informed that the CO-OP representatives had met with Wiltshire County Council officers to progress the development of the roundabout which was required as part of the planning permission.

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

433. Update on the Expansion of Porton Down

Councillor Wren informed the Committee that an outline planning application had been received from Porton Down Developments but it had been sent back to the applicants as it lacked sufficient detail. Therefore he felt that it would be some time before any detailed information could be provided to the Committee. He also informed members that Cabinet was receiving regular updates on this issue.

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

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

The Committee considered the report of the Enforcement Officer circulated as late correspondence.

Resolved –

1. That the update report be noted.
2. That a further report be brought to the next meeting.

435. Update on Barn at Winterbourne Gunner

The Committee considered the report of the Conservation Officer circulated as late correspondence.

Resolved –

1. That the update report be noted.
2. That a further report be brought to the next meeting.

436. Mobile Catering Units/Snack Vans

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

Members discussed the possibility of licensing the mobile snack vans under the powers conferred by section 115A of the Highway Act 1980 to create a designated land order, versus the merits of enforcement action.

Resolved – That it be recommended to the Planning and Regulatory Panel that

1. Officers be instructed to prepare a report for future consideration which investigates the possibility of introducing a designated land order to control trading from the highway.
2. If this approach fails, then officers from Salisbury District Council be required to re-engage with Wiltshire County Council to find an acceptable solution, which should be done with member involvement in the spirit of partnership working.

437. S/2005/1509 – Full Application –Conversion of Existing Redundant Agricultural Buildings to Residential at Manor Farm, Fisherton De La Mere, Warminster BA12 0PY for D Barclay

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

Mr Holiday, on behalf of Wylfe Parish Council, informed the Committee that the parish council raised no objection to this application.

Following receipt of these statements and further to the site visit held earlier that day, 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 above application be deferred for the following reasons:
 - 1) To be supplied with information on the vacancies of similar commercial properties in the locality to enable members to establish whether there is a demand for commercial property in the locality.
 - 2) The applicant to explore a change in internal access so all 3 units are accessed from the northern access and the access parallel to the A36 is deleted. This would overcome the lights/screening from A36 issue and the concerns of the tree officer. If this cannot be achieved then full details of the method of surfacing of the parallel access be submitted to demonstrate no adverse impact on the trees.
 - 3) Clarification of sightlines following applicant's meeting with the Highway authority.
 - 4) The correct blue lines on the application plan to show clearly what land is in the applicant's control.

438. S/2005/1283 – Change of Use to Full Daycare Nursery and of Garage to Kitchen at 34 Salisbury Road, Amesbury, Salisbury SP4 7HL for Mr and Mrs J Harrison

Mr Francis spoke, on behalf of himself and other neighbours, in objection to the above application.

Mrs Swindlehurst, on behalf of Amesbury Town Council, informed the Committee that the Town Council objected to the above application.

Following receipt of this statement, 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. The above application be refused for the following reason:
 - (1) The proposal as submitted, by reason of the configuration of the access and parking area and the erroneous assumptions made in the travel plan would potentially impact upon traffic flows at peak times along Salisbury road and the associated road safety issues with children crossing the road at this location.

439. S/2005/1629 – Full Application – Erection of Conservatory at 8 Broadfield Road, East Gomeldon, Salisbury SP4 6LY for Mr and Mrs N Easter

The Committee considered the report of the Head of Development Services (previously circulated).

Resolved –

1. That the above application be approved for the following reasons

(1) The proposed extension is appropriate in terms of scale, design and materials to the existing dwelling, and subject to conditions will not result in significant adverse impact upon residential amenity or the Special Landscape Area.

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.

2. The materials to be used in the external dwarf walls of the extension hereby permitted shall match those used in the existing building

Reason: To ensure that the proposed extension will satisfactorily harmonise with the external appearance of the existing building.

3. Prior to development commencing details of the obscure glazing shall be submitted to and approved in writing by the Local Planning Authority. Before the extension hereby approved first comes into use, the proposed windows on the south elevation shall be glazed with obscure glass in accordance with the approved details and shall be fixed apart from the top opening vents (openable). The glazing shall be maintained in this condition thereafter.

Reason: To ensure adequate privacy for the occupants of neighbouring premises.

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:
G2 (General), C6 (Special Landscape Area), D3 (design)

*The meeting concluded at 1905
Members of the public present: 16*