

Minutes

Meeting of : Planning and Regulatory Panel
Meeting held in : Alamein Suite, City Hall, Salisbury
Date : Tuesday 31 July 2007
Commencing at : 6:00 pm

Present:

Councillor D O Parker (Chairman)
Councillor I D McLennan (Vice-Chairman)

Councillors M G Fowler, Mrs C R Hill (substituting for Councillor G Wright), J Holt, J C Noeken (substituting for Councillor K C Wren), L Randall, Mrs C A Spencer, J R G Spencer, J M Walsh.

Councillor S J Howarth (St Martin and Milford) was in attendance and spoke in his capacity as Ward Councillor in connection with the matter set out under Minute 9.

Councillor J P King was in attendance and spoke in his capacity as Ward Councillor in connection with the matter set out under Minute 11.

Apologies: Councillors K C Wren and G Wright

3. **Public Question/Statement Time:**
There were none.

4. **Councillor Question/Statement Time:**
There were none.

5. **Minutes:**

Resolved: that the minutes of the last ordinary meeting held on 17 April 2007, and the minutes of the Special meeting held on 21 May 2007 (previously circulated) be approved as correct records and signed by the Chairman.

6. **Declarations of interest:**
Councillor Parker declared a personal and prejudicial interest in the matters set out under agenda item 8 (S/2007/0989 – replace mobile home with chalet bungalow at Dinton Salvage, The Belt, Dinton, Salisbury) in that he had helped the applicant draw up the application before the Panel. Councillor Parker addressed the Panel as agent to the applicant, then withdrew from the meeting during consideration of the application.

7. **Chairman's Announcements:**
The Chairman informed the Panel that Debbie Dixon (Policy Director) would be moving to the Isle of Wight Council, and wished her well in her new role.



Awarded in:
Housing Services
Waste and Recycling Services



8. Planning Application S/2006/0122 – Formation and laying out of car park to provide park & ride facility. Erection of ancillary buildings and structures. Formation of new access to A36 and associated engineering works. Closure of existing junction of A36 Petersfinger Road to motorised traffic and formation of new junction to Petersfinger Road with access road to Park & Ride site. Petersfinger Park & Ride Site, Southampton Road (A36), Petersfinger Road, Salisbury:

The Chairman informed the Panel that, due to an administrative error, the relevant County Councillors, Ward Councillors and Parish Councillors had not been informed of the meeting until the day before the meeting. The Clerk read an email from Councillors Howarth and Tomes (as Ward Councillors for the application) requesting the Panel to defer consideration of the application to a future meeting of the Planning and Regulatory Panel to ensure all interested parties were given the opportunity to attend the meeting. After receiving representations from a member of the public, it was:

Resolved: That the above application be deferred to the next meeting of the Planning and Regulatory Panel.

9. S/2007/0989: Replace mobile home with chalet bungalow at Dinton Salvage, The Belt, Dinton, Salisbury:

[Note: Councillor McLennan chaired the meeting for this item, as Councillor Parker had declared a personal and prejudicial interest in the application (see Minute 6 above).]

Councillor Parker, acting as the applicant's agent, spoke in support of the application. Following receipt of this statement and further to a site visit earlier that afternoon, the Committee considered the report of the Head of Development Services (previously circulated) in conjunction with a schedule of late correspondence circulated at the meeting.

Resolved: That the above application be approved subject to a legal agreement under s106 of the Town and Country Planning Act 1990, agreeing to ensure that the dwelling hereby approved is not sold separately from the business at Dinton Salvage and the land coloured in blue on the approved plans.

Reasons for approval:

The proposed dwelling would be acceptable in principle and would not harm the character and appearance of the area or AONB, highway safety or any other material planning consideration. It would therefore comply with the relevant policies of the Adopted Salisbury District Local Plan.

And subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by section 51(1) of the Planning and Compulsory Purchase Act 2004

(2) No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: in the interests of the character and appearance of the area

(3) The occupation of the dwelling shall be limited to a person solely or mainly employed or last employed in the business occupying the plot coloured blue on the plans hereby approved, or a widow or widower of such a person, or any resident dependants.

Reason: Planning permission would not have been granted for a dwelling on this site given Local Planning policies in this countryside location, and given the proximity of the existing salvage business.

(4) Before development commences the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and the results shall be provided to the Local Planning Authority

The investigation must include:

- A full desk top survey of historic data
- A conceptual model of the site identifying all potential and actual contaminants receptors and pathways pollution linkages
- A risk assessment of the actual and potential pollution linkages identified
- A remediation programme for contaminants identified
- The remediation programme shall incorporate a validation protocol for the remediation work to be implemented confirming that the site is suitable for the consented use

The remediation programme shall be fully implemented and the validation report shall be submitted to and approved, in writing, by the Local planning authority prior to habitation of the property

Reason: in the interests of amenity

(5) Prior to the commencement of development the applicant shall undertake a noise survey to assess the noise exposure category in accordance with PPG 24. If the results of this survey indicate the site is in NEC category B or C a suitable scheme for soundproofing the dwelling must be submitted to and approved, in writing, by the Local Planning Authority

Reason: in the interests of amenity

(6) Notwithstanding the provisions of Classes A to 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 dwelling(s) 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: In the interests of the character and appearance of the area

(7) Upon first occupation of the dwelling hereby approved, the existing mobile home shall be removed from the site, and the land restored to its previous condition, in accordance with details that shall have been submitted to and approved, in writing, by the Local Planning Authority, prior to the commencement of development”

Reason: There is only a justification for one dwelling on the site, bearing in mind its location within the open countryside and AONB where new dwellings are only permitted where there is a special justification.

(8) No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to and approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hardsurfacing materials; other minor artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers/densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation. The landscape details to be agreed by reason of this condition shall ensure that the hedgerow/planting around the site is maintained at its existing levels/height.

Reason: in the interests of the character and appearance of the AONB and countryside

This decision has been taken in accordance with the following policies of the Adopted Salisbury District Local Plan:

Policy	Purpose
H23	Erection of dwellings in the countryside
H27	Dwellings for agricultural/forestry workers
C1, C2	Development in the countryside

10. S/2007/0903 - Premier Travel Inn, Pearce Way, Bishopdown, Salisbury, SP1 3GU:

Terry Marcombe, a local resident, spoke in opposition to the application. Natalie Jarman, on behalf of the applicant, spoke in support of the application. Councillor King, spoke in his capacity as Ward Councillor for Laverstock. Following receipt of these statements, the Committee considered the report of the Head of Development Services (previously circulated) in conjunction with a schedule of late correspondence circulated at the meeting.

Resolved: That subject to the agreement of a travel plan to seek to promote alternative modes of transport and include the provision of cycle parking and showers on the site.

The above application be approved in accordance with the Officer's recommendation for the following reasons:

Reason for Approval:

The proposal will provide additional low cost tourist accommodation, which is one of the objectives of the South Wiltshire Tourism Strategy. It is considered that the applicant's have demonstrated that there is a reasonable justification for the need and scale of the propose development, which will not adversely affect the vitality or viability of the city centre.

The development by reason of its design and materials, existing landscaping to the north and east site boundaries and the proposed additional landscaping, is considered to be appropriate to the overall appearance of the existing development and is not considered to have an adverse impact upon the Landscape Setting of Salisbury and Wilton.

It is considered that adequate car parking is proposed and subject to the agreement of a travel plan to seek to promote alternative modes of transport and include the provision of cycle parking and showers on the site, it is considered that the proposal will be able to promote sustainable modes of travel to and from the site.

And subject to the recommended conditions and informatives and additional condition and informative as follows:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. AS amended by section 51 (1)of the Planning and Compulsory Purchase Act 2004

(2) No development approved by this permission shall be commenced until a construction environmental management plan incorporating pollution prevention measures has been approved by the Local Planning Authority. The development shall be completed in accordance with the agreed details.

Reason: To prevent pollution of the water environment

(3) No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

In the interests of sustainable development Salisbury District Council s Supplementary Planning Guidance on Achieving Sustainable Development promotes the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies.

(4) 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.

Reason: To secure a harmonious form of development.

(5) The landscaping works and planting scheme shall be completed in accordance with the plan reference: Drawing No 250.02 received by this office on the 16th May 2007.

The landscaping works and planting shall be carried out in accordance with a timetable of implementation to be agreed in writing with the Local Planning Authority.

If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives it written consent to any variation.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure that the details of the development of the landscaping are complimentary and to ensure a satisfactory appearance to the development in the interests of the amenity value of the area designated as the Landscape Setting of Salisbury and Wilton.

(6) No development shall commence until a Travel Plan has been submitted to and approved by the Local Planning Authority. No part of the development shall be occupied prior to the implementation of the approved travel plan (or those parts identified in the approved travel plan as capable of being implemented prior to occupation). Those parts of the approved travel plan that are identified as being capable of being implemented after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied. The records of the implementation shall be made available to the Local Planning Authority if requested.

Reason: In order to promote sustainable modes of travel to and from the site, and to reduce reliance on the private car.

INFORMATIVE: - POLICY

This decision has been in accordance with the following policy/policies of the Adopted Salisbury District Local Plan:

G1- General Policy

G2 – General

D1 – Extensions

C7-Landscape Setting of Salisbury and Wilton

C24- Extensions to Buildings

D3- Extensions

T4- Tourist Accommodation

TR11- Parking Standards

INFORMATIVE:- WESSEX WATER

The development is located within a sewered area, with foul and surface water sewers. The developer has proposed to dispose of surface water to existing arrangements. Surface water should not be discharged to the foul sewer. Attenuation of flows may be required.

Please note the proposed development is within a Source Protection Zone and any surface water discharge will need to be in line with the Environment Agency guidelines.

It will be necessary if required for the developer to agree points of connection onto our systems for the satisfactory disposal of foul flows and surface water flows generated by the proposal. The connection point can be agreed at the detailed design stage.

With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site a point of connection onto Wessex systems.

INFORMATIVE:- ENVIRONMENT AGENCY

The development should include water efficient appliances fittings and systems in order to contribute to reduced water demand in the area These should include as a minimum dual flush toilets water butts spray taps low flow showers no powershowers and white goods where installed with the maximum water efficiency rating Greywater recycling and rainwater harvesting should be considered The submitted scheme should consist of a detailed list and description including capacities water consumption rates etc where applicable of water saving measures to be employed within the development Applicants should visit www.environment-agency.gov.uk Subjects Water Resources How We Help To Save Water Publications Conserving Water in Buildings for detailed information on water saving measures A scheme of water efficiency should be submitted in accordance with the information supplied on the website

RECOMMENDATIONS

Sustainable Construction

We strongly recommend that the proposed development includes sustainable design and construction measures which comply with the Code for Sustainable Homes. The development should aim to achieve the highest number of stars possible preferably six. The applicant is advised to visit http://www.planningportal.gov.uk/uploads/code_for_sust_homes.pdf for detailed advice on how to comply with the Code. It includes sections on energy and water efficiency and will soon be compulsory for all housing.

In a sustainable building minimal natural resources and renewables are used during construction and the efficient use of energy is achieved during subsequent use. This reduces carbon dioxide emissions and contributes to climate change mitigation. Running costs of the building are also reduced.

Pollution Prevention

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils, chemicals and materials, the use and routing of heavy plant and vehicles, the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.

INFORMATIVE:- PROTECTED SPECIES

Certain species are protected under Part 1 of the Wildlife and Countryside Act 1981 and others are protected under the Habitats Regulations. Some are protected under their own legislation. The protected species legislation applied independently of planning permission, and the developer has legal obligations towards any protected species that may be present.

Planning permission if granted does not absolve applicant's from complying with the relevant law including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of the Circular 06 2005.

INFORMATIVE:- TRAVEL PLAN

For more information about setting up a travel plan you are advised to contact Wiltshire County Council's Travelwise Team by email at: travelwise@wiltshire.gov.uk or by telephone on 01225 713388.

*The meeting concluded at 19.20 pm
Members of the public present: 22*