

Democratic Services
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Minutes

Meeting of : Planning and Regulatory Panel
Meeting held in : Alamein Suite, City Hall, Salisbury
Date : Tuesday 12 February 2008
Commencing at : 2:30 pm

Present:

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

R Britton (substituting for K C Wren), M G Fowler, Mrs C R Hill (substituting for G Wright), L Randall, Mrs C A Spencer, J R G Spencer, and J M Walsh

Councillors Miss M A Tomlinson and B M Rycroft were in attendance as local ward Councillors for the matters set out under Minute 47 below (Harnham Flood Defence Scheme).

Apologies: Councillors J Holt and J M English

42. Public Question/Statement Time:
There were none

43. Councillor Question/Statement Time:
There were none.

44. Minutes:

Resolved: that the minutes of the last ordinary meeting held on 15 January 2008 (previously circulated) be approved as a correct record and signed by the Chairman, subject to the attendance being amended to show Councillor Fowler as present.

45. Declarations of interest:
There were none.

46. Chairman's Announcements:
There were none.

47. Harnham Flood Defence Scheme:
The committee considered a verbal presentation from the Principal Planning Officer in conjunction with the previously circulated report of the Head of Development Services and the schedule of additional correspondence. Mr Corney of the Environment Agency, spoke in support of the application.



INVESTOR IN PEOPLE

CUSTOMER SERVICE EXCELLENCE

Awarded in:
Housing Services
Waste and Recycling Services



Mr Munrow, a local resident, spoke in opposition to the application. Councillor Miss Muriel Tomlinson spoke in her capacity as Ward Councillor for Harnham West.

Resolved: That the application be approved for the following reasons

Planning permission already exists for a more extensive scheme of flood defence works. This scheme is a material consideration of significant weight in the determination of this current application, and the impacts and benefits of the current revised scheme need to be assessed against the various impacts and benefits of the approved scheme.

It is clear that certainly in the short term, the construction works relating to this project may well have a significant visual impact on the character of the area, and will have an effect on the residential amenities currently enjoyed by existing residents and other users of the area. The highway system would be similarly affected, and there will be some impacts on the ecology of the area. However, some of these impacts can be ameliorated via suitable conditions, and as the construction works are by their very nature a temporary impact, it is considered that the short term impacts of much of the scheme in terms of construction can be mitigated to minimise impacts. In policy terms, the scheme seems contrary to open space policies and guidance.

The actual scheme itself would have a significant impact on the existing character of the Conservation Area and its associated listed buildings, and the character of the existing public open spaces, although in the longer term, the new flood banking and walling works would become accepted as part of the character of area, just as the 1990's works became part of the character of the area, and with regards the works around the Town Path, the works could actual enhance the area in a visual sense. Whilst this could be stated for any kind of development, the flood defence works are somewhat unique in that the various earthworks, whilst different and of a larger scale from those created in the 1990's, would still retain the open and green quality of the area once established. Therefore the general "green" character of the area will actually be retained. The scheme would also result in the creation of a small wetland area, thus in some improving the ecology of the area.

The main long term impact of the scheme is the likely impact on the general amenities of the area, both in terms of the amenities of residents of the area, and users of the public open spaces. Properties in adjacent to Harnham Recreational Ground will have their amenities reduced both through the additional overlooking created from users of the raised flood bank, and may also suffer some noise and disturbance due to the use of the banking by bikers. Residents of Constable Way may be similarly affected, although to a lesser extent. Furthermore, the amount of usable public open space would be reduced due to severance of part of the Harnham Recreational Ground and the intended widening of the river at Middle Street Meadow.

It is considered that in terms of the impact on the nature and usability of the public open space, an objection to the flood defence scheme in that regard would be difficult to support, given the apparent support for the flood defence scheme from Sport England, and because any maintenance issues can be ameliorated, both by condition and separately, by the Council as landowner. Therefore, in reality, the main significant impact which could warrant a refusal of this scheme is the impact of the scheme on residential amenity.

However, the above significant impacts must be considered and weigh against the broader "public" purpose of creating a flood defence scheme for the area, which would significantly reduce the likelihood that several hundred houses to the south of the defence scheme will be subject of a flood event in future years.

Furthermore, whilst the revised scheme is likely to result in the same flood defence and other benefits as the previous approved flood defence scheme, it is unlikely to have any additional impacts compared to the already approved flood defence scheme, and indeed the reduction in the extent of the works would result in lesser impacts on the existing environment.

On balance, and taking into consideration the fact that the planning system exists to serve the broader public good, it is considered that the impact and significant harm caused to the existing residential amenities enjoyed by a modest (in comparison) number of properties adjacent to the flood banks would be outweighed by the greater public good resulting from the flood defence scheme, for which there appears to be an increasing need, and which will improve the general amenities and wellbeing of a significant amount of properties (several hundred) and residents

(several thousand). Hence, whilst acknowledging that the scheme as proposed would indeed have significant impacts for a number of residents, it is considered that when all the issues are considered and balanced, the revised flood defence scheme would be acceptable in planning terms, subject to various conditions which will help ameliorate some of the impacts of the scheme.

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: 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 as amended.

2) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the proposed flood walling, the new hardsurfacing/paving, the buildings associated with the pumping station, and the railings shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To secure a form of development which would be sympathetic to the historic character of the area.

3) Before development commences, a Landscape Management Plan outlining full details of the tree protection measures, and full details of new planting shall be submitted to and approved in writing by the Local Planning Authority. Details of new planting (including seeding or turfing) shall include species, location, planting timetable, and future maintenance information, and development shall be carried out in accordance with the agreed details.

REASON: In order to secure the retention of the trees adjacent to the works

4) Before development commences with regards the proposed wetland area, a scheme shall be submitted to and agreed in writing by the Local Planning Authority which indicates how the wetland area is to be maintained and kept clean and free of litter, for a minimum period of 2 years from the date of the completion of the works. The wetland area shall be maintained thereafter in accordance with the agreed scheme, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to secure the long term retention of suitable a wildlife habitat

5) The construction works associated with the flood defence scheme shall not take place outside the hours of 0800hrs to 1800hrs, Mondays to Saturday mornings only. There shall be no work after 1pm on Saturdays, or anytime on Sundays or Public Holidays.

REASON: In order to protect adjacent residential amenities during anti social hours

6) Before development commences with regards the proposed flood defence works, a scheme shall be submitted to and agreed in writing by the Local Planning Authority which indicates how safe public access to the existing public open spaces, private dwellings, and businesses is to be facilitated during the construction period. The constructions works shall be carried out in accordance with the agreed details.

REASON: In order to retain access to public and private land in the general interests of amenity

7) Before construction works commence, a revised Environmental Action Plan containing a Site Management Plan shall be submitted to and approved in writing by the Local Planning Authority, which shall cover the issues within the EAP submitted as part of the planning application Environmental Statement, but should also be revised to cover a detailed drainage plan to demonstrate that no silt laden runoff or pollutants as a direct result of the construction will be able to enter the water course, and a proposed plan of action indicating the approximate timings throughout the contract period of specific operations. A revised water vole survey should also be undertaken prior to works going ahead, particularly where sheet piling is proposed, and the revised EAP should also cover this issue, and shall also include agreement to a minimum 2 year maintenance agreement after construction is completed. The resultant construction works shall be carried out in

accordance with agreed revised EAP, unless otherwise agreed in writing by the Local Planning Authority.

REASON: In order to mitigate the impacts of the scheme in accordance with the submitted Environmental Statement.

8) Before construction works commence, a Site Compound and Traffic Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. Such a plan shall include a scheme for wheel and vehicle washing, times for moving of heavy loads, vehicular routing information avoiding use of Lower Street, a scheme to restrict parking of construction vehicles on the public highway surrounding the development sites, and a timetable for removal of the site compound plant and other structures following completion of the flood defence works, shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to mitigate the impacts of construction works on the highway system and surrounding amenities

9) No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

REASON: In order to mitigate the impacts of the development on existing and potential archaeological remains

10) Before construction works commence, details of any temporary construction lighting shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to mitigate the impacts of lighting on residential amenities and the wider amenities and wildlife interests within the Conservation Area/SSSI/SAC

11) Before development commences on this part of the scheme, full engineering details of the works to Town Path, including materials for hard surfacing and walling, structural design and calculations of retaining walls, shall be submitted for the written approval of the Local Planning Authority. Development shall be carried out as agreed.

REASON: In order to mitigate the impact of works on the public highway

12) Details of a barrier system using appropriate bollards to discourage cycling along Town Path shall be submitted for the written approval of the LPA and the barriers installed before the works to Town Path are brought into use.

REASON: In order to improve pedestrian safety along Town Path

13) Development shall be carried out in accordance with the mitigation measures/recommendations of the Environmental Statement, including those contained within the Bat; Reptile; Water Vole; Otter; Badger Surveys submitted as part of the application, unless otherwise agreed in writing with the Local Planning Authority upon submissions of revised updated surveys.

REASON: In order to limit and mitigate any impacts on the qualifying interests of the SAC

14) Piling will only take place between June and October.

REASON: In order to prevent disturbance to the Special Area of Conservation and SSSI fish species.

15) Prior to any works commencing relating to flood banks or other structure adjacent the river, a scheme for the protection of the water course from pollution during construction shall be submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in accordance with the agreed scheme.

REASON: To prevent the pollution of the water courses/SAC/SSSI during development from material from the works, including spillage of topsoil and earth, as this could increase silt levels within the river and the disturbance of established riverside habitat.

16) Before the removal/stripping out of the vegetation along the river banks, a scheme shall be submitted to and agreed in writing by the Local Planning Authority and Natural England outlining the extent of the works, and the vegetation affected by the works. Works shall be carried out in strict accordance with the agreed scheme.

REASON: In order prevent the removal of vegetation along the riverbank which may affect the available habitat for wildlife.

INFORMATIVE:

When considering the scheme, Members raised a number of concerns, as outlined below. In particular, with regards any details submitted with condition 02, Members specified that the proposed walling should be of a mix of bricks to reflect the historic character of the area, and not an homogenous colour. Furthermore, the proposed cabinet/kiosk over the pumping station should be of a green colour.

Any details in pursuance of the above conditions in particular the EAP document should include information relating to the following matters:

- a) Future maintenance arrangements for the proposed earthworks and other similar works for a minimum 2 year period, or as otherwise agreed with the Council's Parks Department.
- b) The applicant's proposals to temporarily remove top soil and create temporary hard surfaces within areas of work is of concern to the Council's Parks Manager. Any details of the scheme submitted as part of the EAP should have the support of the Parks Manager, and full continuous consultation should be undertaken with the Council's Parks Manager through the construction period.
- c) Confirm in detail how access to dwellings and business will be affected, and confirm measures to alleviate problems of access during construction works.
- d) Members also requested that the developer instigate a scheme whereby the local populace are able to raise issues with the development during the construction process (ie a helpline for residents).

2. Members also raised issues relating to pollution entering the proposed wetland area via the diverted Churchfields Industrial Estate drain. Consequently, whilst it was fully acknowledged that the Council is responsible for the general cleanliness of public open space, Members would be grateful if the applicant/developer investigate if the litter clearance scheme can operate on a more frequent basis than the yearly litter clearance indicated to ensure that the wetland area is able to perform its function.

3. Please note that Wiltshire County Council wish to seek clarification from Halcrow on behalf of the Environment Agency with regard to the structures which the EA will wish the Highway Authority to adopt. It would be helpful if they could produce a schedule referenced to the scheme drawings. Clearly, whether the walls are adopted or not, any that support the highway will need to be designed to appropriate codes and standards, taking due regard to any additional loading required for EA vehicles.

The works where they affect Town Path must be subject to an Agreement between the applicant and the Highway Authority. This may be in the form of an exchange of letters where all costs involved in the Highway Authority checking and supervising the works will be recovered from the applicant. Commuted sums may also be obtained for future maintenance of the works.

The works where they affect Town Path and Footpath No. 12 will involve temporary closure of Town Path and the possible use of temporary means to ensure foot and cycle access along Town Path are safely maintained at all times. The temporary closure of Town Path and Footpath No. 12 and agreement on alternative safe route(s) shall be obtained by contacting the Area Office of Wiltshire County Council, telephone 01722 744440, initial contact, Tony Higgins, Streetworks Co-ordinator.

4. And with regard to the following policy/policies of the adopted Salisbury District Local Plan:
Policies G1 Purpose - Sustainable development

Policies G2	Purpose - General principles and impacts
Policies G3-G6	Purpose - Impact on Water interests
Policies CN8 CN1, CN11	Purpose - Impact on Conservation area
Policies CN20-22	Purpose - Impact on Archaeology remains
Policies C1-C3, C6, C10-C18	Purpose - Impact on countryside and ecology
Policies R5, R6	Purpose - Impact on Recreational open space

48. S/2007/2046 - demolition of existing agricultural buildings, existing dwelling and outbuildings, construction of replacement dwelling and replacement agricultural buildings at Wisma Farm, Berwick St James, Salisbury

The committee considered a verbal presentation from the Principal Planning Officer in conjunction with the previously circulated report of the Head of Development Services and the schedule of additional correspondence. Alex Oliver, the applicant's agent, and William Grant, the owner of the site, spoke in support of the application. The Parish Clerk of Winterbourne Stoke Parish Council also spoke in support of the application.

Resolved – That the application be approved for the following reasons:

The planning and regulatory committee considered that there were exceptional circumstances for granting planning permission contrary to policy H30 of the adopted local plan.

- 1) That there would be a general environmental gain to the site from the proposed development.
- 2) The proposal would retain an agricultural use on the site.
- 3) The development it is considered would enhance the special landscape area in which it is situated.
- 4) The proposed development was considered to be of an appropriate size for the site.

And subject to the following additional conditions:

- 1) The development hereby approved 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 details and samples of all external facing and roofing materials (including the colour of any timber stain) to be used in the construction of the replacement dwelling, Loose boxes and agricultural building hereby approved, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the building is satisfactory.

- 3) 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 thereafter be carried out in accordance with the approved details prior to the first commencement of the use hereby approved or in accordance with a timetable to be agreed in writing with the Local Planning Authority. These details shall include, as appropriate, indications of all existing trees, hedgerows and other site features and details of any to be retained together with measures for their protection in the course of development and proposed finished levels or contours. Details of soft landscaping works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes, numbers/densities and positions. The details for the hard landscaping of the site shall include full details of the surfacing materials and colours of all hard surfaces, and where so required by the Local Planning Authority samples of such materials and finishes. If within a period of 5 years from the date of the planting or establishment of any tree, 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.

Reason: To enable the Local Planning Authority to secure a satisfactory standard of design and implementation for the landscaping of the proposed development and establishment of the approved landscape scheme, in the interests of visual amenity.

- 4) No development shall be commenced until such time that a landscape management plan, including long-term design objectives, management responsibilities and maintenance schedules covering all elements of the implementation of the agreed landscape scheme has been submitted to, and approved in writing by, the Local Planning Authority. The landscape management plan shall thereafter be carried out in accordance with the approved details.

Reason: To enable the Local Planning Authority to secure the satisfactory evolution, management and maintenance of landscape works, in the interests of visual amenity.

- 5) No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to, and approved in writing by, the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to, and approved in writing by, the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

- 6) No tree, shrub, or hedge shown as being retained as part of the approved landscape scheme shall be cut down, uprooted, wilfully damaged or destroyed, cut back in any way or removed other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. All tree works approved shall be carried out in accordance with British Standard Recommendations for Tree Work (BS.3998: 1989).

If any tree shown to be retained in accordance with the approved plans and particulars is removed, uprooted or destroyed, or dies, or becomes severely damaged or diseased within 5 years of the completion of the development, another tree, shrub or hedge shall be planted at the same place, and that tree, shrub, or hedge shall be of such size, specification, and species, and should be planted at such time as may be specified in writing by the Local Planning Authority.

If within a period of five years from the date of planting any replacement tree is removed, uprooted or destroyed, or dies or becomes seriously damaged or defective another tree 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.

Reason: To ensure the retention and safeguarding of existing trees forming part of the approved landscaping scheme, whilst providing for the suitable replacement of any that are subsequently lost and to ensure the satisfactory establishment of the approved scheme for the landscaping of the site.

- 7) No development shall take place until a scheme of all boundary treatments (to include both internal boundaries within the site and the boundaries to the perimeter the site), to include details/a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first commencement of the use hereby approved, maintained for a period of five years and thereafter retained.

Reason: In the interests of visual amenity.

- 8) No development shall commence and no vegetation works, including all tree, scrub and hedgerow works/clearance, shall take place between the months of March to August inclusive, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In order to avoid the bird breeding/nesting season and thereby mitigate the impacts on protected species.

- 9) The development, hereby approved, shall be carried out in accordance with the recommendations detailed in the submitted protected species survey prepared by County Contracts and dated September 2006, unless otherwise first agreed in writing by the Local Planning Authority to any variation.

Reason: To ensure the adequate protection of protected species.

- 10) No development shall take place, including the clearance/felling of trees, hedgerow and scrub, until such time that a scheme for the provision of an alternative roosting site for Barn and Little Owls in the form of a barn owl loft, together with the provision of bat boxes and bird nesting boxes as alternative roosting/nesting sites, within the finished scheme, to include details of their design and a timetable for their implementation/provision, has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details and thereafter retained, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In order to ensure that the designs of the alternative bird and bat roosting/nesting boxes and owl loft are appropriate and provide a suitable alternative habitat, in the interests of nature conservation and preserving habitat for protected species.

- 11) No development shall take place, including the clearance/felling of trees, hedgerow and scrub, and any demolition works, until such time that a further bat and bird survey of all the existing buildings and vegetation on the site, to include an internal survey of all roof spaces, shall be carried out between April to September and a report of the findings of these surveys shall be submitted to, and approved in writing by, the Local Planning Authority.

If the survey identifies the presence of bats and/or birds within any of the buildings and/or vegetation on the site, a detailed scheme of mitigation measures to ensure the protection of the protected species and its habitat shall be submitted to, and approved in writing by, the Local Planning Authority. The mitigation measures as may be agreed by the Local Planning Authority shall thereafter be fully implemented in strict accordance with the approved details prior to the first occupation of any of the buildings, hereby approved, unless the Local Planning Authority gives prior written consent to any variation.

Reason: To ensure the protection of protected species and their habitat.

- 12) No development shall take place until such time that a method statement detailing the potential risks from pollution, such as the storage of oils, fuels and chemicals, to include mitigation measures, during and after construction to the river system has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To prevent damage to features of the River Avon SAC or any features of special scientific interest of the River Avon and River Till SSSI through habitat loss and pollution both during and after construction.

- 13) No development shall take place until a scheme of water efficiency measures to reduce the water consumption of the replacement dwelling, stable block/store building, office building and storage building, hereby approved, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and made available for use prior to the first commencement of use of the buildings to which they relate and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of the conservation of water resources and 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.

- 14) No development shall take place until a scheme for the discharge of foul and surface water from the development, hereby approved, has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall subsequently be carried out in its entirety prior to the first occupation and/or commencement of use of the buildings, hereby approved, and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority to any variation.

Reason: To ensure that the development is provided with a satisfactory means of foul and surface drainage and in order to prevent pollution of any surface water and groundwater resource.

- 15) No development shall take place until such time that a desk study report documenting the history of the site and its surrounding area and the likelihood of contaminant extent and type has been undertaken and submitted to, and approved in writing by, the Local Planning Authority.

If the study confirms the possibility of contamination a site investigation report documenting the ground conditions of the site, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors should also be submitted to, and approved in writing by, the Local Planning Authority.

If the risk assessment identifies unacceptable risk(s) a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants/or gases when the site is developed shall be submitted to, and approved in writing by, the Local Planning Authority. This shall be approved in writing by the Local Planning Authority prior to that remediation being carried out on the site. The remediation scheme as may be agreed by the Local Planning Authority shall be fully implemented in accordance with the approved details prior to the first occupation and/or use of the buildings hereby approved, unless the Local Planning Authority gives prior written consent to any variation.

If during development, contamination not previously identified, is found to be present at the site no further development shall be carried out until a revised remediation programme detailing the nature and extent of the unforeseen contamination and any remedial works to be undertaken to deal with the unsuspected contamination has been submitted to, and approved in writing by, the Local Planning Authority, unless otherwise first agreed in writing by the Local Planning Authority. The remediation works shall be approved in writing by the Local Planning Authority prior to that remediation being carried out on site. The remediation works to deal with the unforeseen contamination shall thereafter be implemented in accordance with the approved details prior to the first occupation and/or use of the buildings hereby approved.

On completion of the works, a validation report detailing the implementation of the agreed remedial works and measures shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first commencement of the use hereby approved.

Reason: To identify unacceptable risks to human health and other sensitive receptors, to prevent pollution of the land and controlled waters and to ensure that the development is carried out safely in the public interest and in accordance with best practice in PPG23.

- 16) No development shall take place within the application site area until the applicant, or their successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation that has been submitted to, and approved in writing by, the Local Planning Authority.

Reason: To ensure that the archaeology of the site is adequately recorded.

- 17) No development shall take place, until a Waste Management Plan has been submitted to, and approved in writing by, the Local Planning Authority. The agreed scheme shall include appropriate targets and objectives for the minimisation and recycling of any waste/materials generated during the demolitions and construction phases. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the development includes sustainable waste recycling features.

18) Prior to the commencement of development, full details of the proposed new access shall be submitted for the further approval of the Local Planning Authority and the access constructed in accordance with the approved details prior to the occupation of the new dwelling.

Reason: In order to ensure a safe standard of access is available to the site.

19) The proposed new vehicular access shall be surfaced in a suitable consolidated material which shall be agreed in writing and approved by the local planning authority prior to occupation of the dwelling. Such consolidated material as is agreed shall be laid for the first 10 metres of the proposed driveway measured from the nearside edge of main road carriageway.

Reason: In the interests of highway safety.

20) Any access gates on the proposed new access shall be set at least 10 metres from the nearside edge of the main road carriageway.

Reason: In the interests of highway safety.

21) Prior to the first occupation/commencement of use of any of the buildings, hereby approved, the new vehicular access to the site shall be fully constructed and available for use and the existing accesses to the site shall be permanently stopped up and abandoned within 7 days upon construction or opening up of the new vehicular access in accordance with details that shall have been submitted to, and approved in writing by, the Local Planning Authority, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

22) No development shall take place until a scheme to prevent the discharge of surface water from the area of vehicular access onto the public highway has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall subsequently be carried out in its entirety prior to the first occupation and/or use of any of the buildings hereby approved and thereafter retained.

Reason: To ensure a satisfactory means of surface water disposal to prevent the discharge of surface water onto the public highway.

23) The extent of the area of land related to the agricultural use hereby approved shall be limited to that area of land as illustrated within the line on submitted plan (drawing no.07/13/P002 Rev A) and the residential curtilage associated with the replacement dwelling, hereby approved, shall be limited to that area of land contained within the dotted line as illustrated on the submitted plan (drawing no.07/13/P002 Rev A).

Reason: For the purpose of clarity and to define the extent of the land associated with approved uses in the interests of the amenities of the users of the site and the character and appearance of the countryside.

24) The two agricultural buildings hereby permitted shall only be used for agricultural purposes and for no other uses without the prior consent from the local planning authority.

Reason: In order to ensure that the agricultural buildings hereby approved are not used for any use other than agriculture.

25) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, no further development permitted by Classes A-G inclusive of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain planning control over the use of the development hereby permitted in the interests of the character and appearance of the countryside.

26) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, no further fences, gates, walls or other means of enclosure as permitted by Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 shall be erected, other than those approved by this permission, without formal planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain planning control over the use of the development hereby permitted in the interests of the character and appearance of the countryside.

27) Prior to first occupation of the dwelling hereby approved the existing two chicken sheds currently situated on the site shall be removed in their entirety from the site including all their associated debris and foundations.

Reason: In order to achieve the enhancement of the open countryside that provided the justification for the departure from policy.

28) Prior to commencement of development of the proposed new dwelling the existing bungalow situated on the site shall be demolished.

Reason: In order to ensure that two dwellings do not become established at the site.

Informative:

It should be noted that in relation to condition 2 planning and regulatory committee requested specifically that traditional flint is used in the external surfaces of the buildings hereby permitted where it is shown as flint and that flint block will not be acceptable to the local planning authority.

48. S/2007/2229 – retrospective erection of new dwelling formed partly from retention of remaining original two walls and subsequent rebuilt single storey section, 2 storey extension and associated works at Cowshed Barn, Milford Farm, Petersfinger Road, Salisbury

The committee considered a verbal presentation from the Senior Planning Officer in conjunction with the previously circulated report of the Head of Development Services and the schedule of additional correspondence. Ms Miller, the applicant, spoke in support of the application, and Ken Gross, on behalf of Laverstock and Ford Parish Council, spoke in objection to the application.

Resolved: that the application be approved for the following reasons:

Reason for approval:

It is considered that there are exceptional reasons in this case for planning permission to be granted despite non-compliance with Local and National Planning policies in the countryside, given the very specific site and case circumstances. In particular, it is considered that retention of the dwelling would have an acceptable impact on the character and appearance of the site, it would be no different in appearance to the earlier approved conversion proposal, it is in a sustainable location, and the resultant dwelling will retain a cohesive group of buildings and courtyard appearance that will contribute to the appearance of the area. It is not considered that this would set a precedent for any other site. The retention of the development as built and proposed would not harm highway safety, archaeological interests, protected species or any other material planning considerations.

And subject to the following conditions:

(1) 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 or alterations 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 countryside and Special Landscape Area

- (2) The landscaping of the site shall be as agreed in connection with application S/2004/0948, unless otherwise agreed in writing by the Local Planning Authority. Landscaping shall be undertaken as agreed before the first occupation of the dwelling hereby approved.

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

- (3) If within a period of 5 years any planting as so approved is removed uprooted destroyed or dies or becomes in the opinion of the local planning authority seriously damaged or defective new planting of the same species and sizes as that originally planted shall be planted in the same place unless the local planning authority gives its written consent to any variation

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

- (4) The development hereby approved shall be undertaken in accordance with the ecologist's report dated 8th February 2008 unless otherwise agreed in writing by the Local Planning Authority. The bat box referred to at point 2 of that report shall be installed within one month of the date of this permission or at any other time agreed in writing by the Local Planning Authority and shall be retained in perpetuity.

Reason: in the interests of protected species

- (5) The materials used in the development of this site shall be those re-claimed from the existing barn where possible. Within one month of the date of this permission, a schedule of materials shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved schedule.

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

- (6) The dwelling shall not be occupied until the visibility splays shown on drawing no 1333 5 rev C (as submitted with application S/2004/0948) have been constructed provided with no obstruction to visibility at or above the height of 1m above the nearside carriageway level. The visibility splays shall thereafter be maintained free of obstruction at all times.

Reason: in the interests of highway safety

- (7) Any entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of 4.5m from the carriageway edge

Reason: in the interests of highway safety

- (8) Development and works shall be undertaken in accordance with the specification for archaeological works and the 'watching brief' by AC Archaeology approved as part of planning application S/2004/0948.

Reason: in the interests of archaeology

This decision has been taken having regard to the following policies of the Adopted Salisbury District Local Plan and the Wiltshire County Structure Plan:

Adopted Salisbury District Local Plan

C1, C2	Development in the countryside
C7	Landscape Setting of Salisbury and Wilton
C12	Protected Species
C22	Conversion of buildings in the countryside
H22/H23	New dwellings outside of Housing Policy Boundaries
G1	Sustainability
G2	General Development Criteria
CN20	Development affecting Scheduled Ancient Monuments

Adopted Wiltshire County Structure Plan

DP9
DP14

Re-use of buildings in the countryside
Development in the countryside

*The meeting concluded at 5:25 pm
Members of the public present: 9*