

# Minutes

**Meeting of** : Planning and Regulatory Panel  
**Meeting held in** : Alamein Suite, City Hall, Salisbury  
**Date** : Tuesday 18 March 2008  
**Commencing at** : 6:00 pm

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## Present:

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

K A Cardy (substituting for F Westmoreland) J M English, M G Fowler, J Holt, Mrs C R Hill (substituting for G Wright), L Randall, Mrs C A Spencer, J R G Spencer, and J M Walsh

Councillor J A Green was in attendance as Chair of the Western Area Committee for the matter set out under Minute 54 below (S/2006/2384 - replacement clubhouse including two storey extensions, and creation of a caretaker's flat, and associated works at Pythouse Club, West Hatch, Tisbury). Councillors S J Howarth and I R Tomes were in attendance as local ward Councillors for the matters set out under Minute 55 below (S/2007/1460 – proposed 8 unit retail warehouse, off London Road, Salisbury). County Councillor M Douglas, and Councillor P M Clegg were also in attendance for this application.

## 49. Public Question/Statement Time:

There were none

## 50. Councillor Question/Statement Time:

There were none.

## 51. Minutes:

**Resolved:** that the minutes of the last ordinary meeting held on 12 February 2008 (previously circulated) be approved as a correct record and signed by the Chairman.

## 52. Declarations of interest:

There were none.

## 53. Chairman's Announcements:

On behalf of the Panel the Chairman expressed his best wishes to Councillors Cole-Morgan and Wren.

## 54. S/2006/2384 - replacement clubhouse including two storey extensions, and creation of a caretaker's flat, and associated works at Pythouse Club, West Hatch, Tisbury:

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 a site visit held earlier in the day.



Awarded in:  
Housing Services  
Waste and Recycling Services



Quentin Edwards, a local resident, and Janet Montgomery, the applicant's agent, spoke in support of the application. Councillor Green endorsed the views of the Western Area Committee, which had considered the application at its meeting held on 7 February 2008 and recommended approval to the Planning and Regulator Panel.

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

It is considered that the proposed development, including the provision of 'tourist/holiday' accommodation, and the provision of ancillary residential accommodation for a caretaker, would provide a positive benefit in providing a community facility that would contribute to the social and economic vibrancy of this rural community, that would not harm the character and appearance of the countryside or of the Cranborne Chase and West Wiltshire Downs AONB. Although the proposal would not entirely accord with the saved policies of the Adopted Salisbury District Local Plan, it is considered that in this exceptional case, the benefits are a sufficient material consideration that justifies approval in this instance.

Subject to the applicants entering into a legal agreement under s106 of the Town and Country Planning Act to ensure that:

- All units are tied into one ownership, and that the residential unit or the units of visitors'/tourists accommodation will not be let/sold/occupied other than in association with the sports club
- No part of the new building will be occupied before the cricket ground and its new facilities are fully completed
- Priority will be given to local people in the use of the facilities and membership (based on the terms of the Pythouse Club Business Plan submitted with the application)

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 details (and where so required by the Local Planning Authority) samples of the materials to be used in the construction of the external surfaces of the building 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) Before the commencement of the development or any works on site, details of the landscaping of the site, including retention of trees and other natural features, shall be submitted in writing for the approval of the Local Planning Authority, and shall be carried out as approved

**Reason:** In the interests of the character and appearance of the area

- (4) No tree, shrub, or hedge which are shown as being retained on the approved plans 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.

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:** In the interests of the character and appearance of the area

- (5) Before the commencement of development, the 2.4m x 90m visibility splay indicated on the submitted site plan numbered 044-PO5B shall be provided with nothing over 1.0m in height above the adjacent carriageway level being planted, erected or maintained in front of (highway side) the splay line.

**Reason:** in the interests of highway safety

- (6) The first 5.0m of the site access measured back from the highway carriageway edge shall be properly surfaced and consolidated (not loose stone or gravel) 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:** in the interests of highway safety

- (7) Any gates to close the site access shall be set back a minimum distance of 4.5m and shall be made to open inwards (away from the highway) only.

**Reason:** in the interests of highway safety

- (8) The development hereby approved shall be undertaken in full accordance with the revised mitigation protected species survey (including the clarified timings associated with construction).

**Reason:** in the interests of protected species

- (9) Prior to the commencement of development, details of the proposed re-sited cricket pavilion shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the details thereby approved.

**Reason:** in the interests of clarity

- (10) Prior to the commencement of development, details of the surfacing of the tennis courts and of the proposed car parking area shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the details thereby approved.

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

- (11) No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation scheme has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

**Reason:** to prevent the increased risk of flooding.

- (12) No development approved by this permission shall commence until a scheme for water and energy 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.

**Reason:** In the interests of sustainable development.

- (13) Full details of the non-mains foul drainage system to be used to serve the development must be submitted to and approved in writing by the Local Planning Authority in accordance with circular 3/99 (Planning Requirements in respect of the Use of Non-Mains Sewerage incorporating Septic Tanks in New Development).

**Reason:** To prevent pollution of the local water environment

- (14) The development hereby approved shall be used only as a sports/community clubhouse and associated accommodation, and for no other use within Class D2 of the Town and Country Planning (Use Classes) Order 1987 (as amended).

**Reason:** planning permission has only been granted for the scheme as submitted. Other D2 uses would raise considerably different planning issues, which would merit further consideration

- (15) Prior to the commencement of development, details of the means of lighting the site (including number, position, timing, hours and shielding of lighting) shall be submitted to and approved, in writing, by the Local Planning Authority. The development shall thereafter be lit in accordance with the approved lighting scheme, and no changes to the lighting scheme shall be made without the prior written consent of the Local Planning Authority.

**Reason:** in the interests of reducing light pollution and the impact of lighting on the Area of Outstanding Natural Beauty

- (16) Between March and August inclusive of any and every year, no work shall take place within areas of the site known or potentially used by nesting birds, unless a thorough assessment for the presence of nesting birds has been undertaken by a competent ecologist of the part of the site to be worked on. If any nests are found as a result of this assessment no work shall take place in the area until the nest has been permanently vacated by the birds.

**Reason:** in the interests of ensuring bird habitats are not disturbed

**INFORMATIVES:**

1. Any signage needs to be sensitively designed and placed, and may need separate consent under the Advertisement Regulations.
2. The applicant is referred to the advice of the Environment Agency in their letter of 11<sup>th</sup> December 2006 regarding water efficiency measures, foul drainage and swimming pool filter backwash, sustainable drainage systems, pollution prevention and sustainable construction

**55. S/2007/1460 – proposed 8 unit retail warehouse, off London Road, 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, the schedule of additional correspondence and a site visit earlier that day. Mike Claydon, a member of the Bishopdown Farm Residents' Association, Richard McGuire, a local resident, and Paul Woods, representing the Salisbury Partnership, spoke in objection to the application. Sean McGrath, the applicant's agent, spoke in support of the application. Ken Gross spoke on behalf of Laverstock and Ford Parish Council. County Councillor Mary Douglas, Councillor Clegg (as Salisbury District Council's Climate Change Champion), and Councillors Howarth and Tomes (as local ward Members) also spoke on the application.

**Resolved** – That the application be refused for the following reasons:

- (1) Notwithstanding the conclusions of the applicants transport assessment, and the offer of a bond towards the future lowering of St Thomas's Railway Bridge, the scheme as submitted does not in the opinion of the Local Planning Authority adequately facilitate the lowering of the A30 railway bridge within a defined period of time; does not facilitate a scheme for the provision of a sustainable and comprehensive cycleway system connecting the site to the wider area, and does not contain an adequate assessment of how lorry and car movements would affect the wider highway system and settlements around the site.

As a consequence, it is considered that the applicant has failed to demonstrate that the development would not discourage a significant increase in vehicular traffic in a manner which would result in additional congestion and heavy lorries using the already busy local highway system. The scheme as currently proposed is therefore considered to be contrary to the aims of saved policies G1, G2, and TR1, TR12, TR13 and S7 of the SDLP, policy T5 of the Wiltshire Structure Plan 2006, and Planning Policy Guidance Note 13.

- (2) Salisbury is an attractive historic city centre, which contains a variety and mix of mainstream multiple and independent retailers from which it derives its ambience and character. The Local Plan contains a six point strategy for the City centre at paragraph 9.6 of the Shopping chapter, which seeks to protect and maintain the historic character and role of Salisbury as a sub-regional centre.

Notwithstanding the evidence contained within the submitted retail assessment, it is considered that the applicant has failed to demonstrate that the scheme as submitted would not result in a number of the larger retailers moving out of the city centre, thereby undermining the attractiveness of the city centre as a sub regional centre contrary to the aims of PPS6, which seeks to promote the vitality and viability of town centres. Consequently, the scheme as proposed is considered to adversely affect the aims and objectives of the city centre retail strategy, which seek to retain the vitality and attractiveness of the city centre shopping environment, contrary to the aims of the saved shopping chapter and policy S7 of the Salisbury District Local Plan; the aims of policy DP6 of the Wiltshire Structure Plan 2006, and Planning Policy Statement 6.

- (3) The site is located in a prominent location at the entrance to the historic city, adjacent to the busy A30 road, and lies directly adjacent to, and is visible from, open countryside which is protected due to its attractive landscape characteristics.

In the absence of any detailed landscape assessment or appraisal of how the development relates to its wider context, and given the large scale and height of the building, it is considered that the applicant has failed to demonstrate that the development would not be unduly prominent from the surrounding area and the wider landscape. Furthermore, in the absence of any detailed evidence, the scheme does not in the opinion of the LPA meet the challenges of climate change and the guidance provided in national planning guidance.

As a result, the scheme as currently proposed is considered to be contrary to the aims of saved policies D1 and C7 of the Salisbury District Local Plan, the guidance provided within the Council's supplementary design guidance "Creating Places", and the aims of policies C9, HE6, DP1 and DP2 of the Wiltshire Structure Plan 2006, and Planning Policy Statements 1 and 7.

*The meeting concluded at 9:30 pm  
Members of the public present: 38*