

Minutes

Meeting of : Planning and Regulatory Panel
Meeting held in : City Hall, Salisbury
Date : Monday 1st September 2008
Commencing at : 4:00 pm

Present:

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

Councillors R Britton, Mrs E A Chettleburgh (part only), J M English, Mrs C Hill, J Holt, Mrs C A Spencer, J M Walsh and F Westmoreland (part only).

Councillor B Rycroft was in attendance as a substitute for Councillor M Fowler and also in his capacity as District Councillor of Ebble Valley. He spoke on the matter set out under Minute 79 (Planning application – S/2008/0171).

County Councillor J Johnson was in attendance in his capacity as County Councillor for Downton and Ebble Valley spoke on the matter set out under Minute 79 (Planning application – S/2008/0171).

Apologies: Councillor Randall

Officers: Stephen Llewellyn (Principle Planning Officer), Janet Wallace (Senior Planning Officer), Kelly Fry (Community Safety Projects Officer), Jo Pickett (Partnership Anti-Social Behaviour Reduction Officer), Jade Hibberd (Democratic Services Officer)

72. Public Question/Statement Time:
There were none

73. Councillor Question/Statement Time:
There were none

74. Minutes:

Resolved: that the minutes of the last meeting held on 29 July 2008 (previously circulated) be approved as correct records and signed by the Chairman.

75. Declarations of interest:

Councillors R Britton, B Rycroft and I McLennan declared personal and non-prejudicial interests in the matters set out under Minutes 78 and 79 (Planning Applications PN/2008/0023 and S/2008/0171) in that they were members of the Southern Area Committee that had referred the applications to the Planning & Regulatory Committee on the 14th August. Members declared they came to the meeting with an open



Awarded in:
Housing Services
Waste and Recycling Services



mind, remained in the meeting, spoke and voted thereon.

Councillor Walsh declared a personal and prejudicial interest in the matters set out under Minute 78 (Planning Application PN/2008/0023), in that he acted as bursar to Godolphin Prep School. He addressed the committee as a member of the public and then left the meeting for the duration of the item. Councillor Hill declared a personal and non-prejudicial interest in the matters set out under Minute 78 (Planning Application PN/2008/0023), as she is a resident of Old Blandford Road. She remained in the meeting, spoke and voted thereon.

76. Chairman's Announcements:

On behalf of the Panel the Chairman expressed member's best wishes to Councillor Cole-Morgan in his recovery and sent good wishes to John Crawford on learning of his ill-health. The Chairman also notified members that a book was being circulated for signatures as a present to Councillor Howarth to express member's kind wishes during his ill health.

77. PN/2008/0023 – A 12m Timber Pole With 3 Antennas, 0.3m Link Dish and Equipment Cabinet at Land at Cow Lane, Laverstock, Salisbury, SP1 2SR for Vodafone Ltd:

The committee considered a verbal presentation from the Senior 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. Mr E Newton, Headmaster of Chafyn Grove School and resident of Bourne Avenue, Mr Bourne, a local resident, and Councillor John King, a local resident, spoke in objection to the application.

Members were informed by the Principle Planning Officer that government guidelines had been applied to the application ensuring any health implications had already been taken into consideration and members could therefore not apply any this in their decision making.

Resolved:

1) that Prior Approval be granted for the following reasons:

The appearance of a wooden telegraph pole design is acceptable in this location and it is considered that on balance the visual impact of the structure would be acceptable in accordance with Local Plan policies.

INFORMATIVE 1

And in accordance with the following saved policies of the Adopted Replacement Salisbury District Local Plan (June 2003).

Policy	Purpose
G2	General criteria for development
C3	Small scale development for public utilities
C7	Landscape setting of Salisbury
C17	Conservation of river corridor and River Avon SAC
PS7	Telecommunications policy
PPG 8	Telecommunications

79. S/2008/0171 Demolition of Existing Buildings, Erection of 13 Detached Dwellings & Relocation of Existing Access onto Old Blandford Road at Cornworthy, Coombe Road, Salisbury, SP2 8BT for Prime Meridian:

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 circulated at the meeting and a site visit earlier that day.

Mr M Cusack, a local resident, spoke in objection to the application. Mr D Mimms, the agent, spoke in favour of the application.

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

1) The site is on the edge of the built-up area of Salisbury, adjacent to and partially within the Housing Restraint Area. The remainder of the site is located within the 'landscape setting of Salisbury and Wilton' where 'no new development will be permitted'. The site is however, previously developed land; and it can be demonstrated that the quality of the landscape will not be impaired as the site is fairly well screened from the wider landscape by the earth bund and the vegetation around the edge of the site.

- 2) Taking into account the objectives of national planning policy statements, although the proposed development would eliminate the possibility of the site being redeveloped for a new and more employment generating business use, which is an objective of Local Plan policy E16, in view of the nature of the site and as it is considered that the proposal would improve the environmental quality of the area it is considered on balance, that the principle of redevelopment of this site for housing, is acceptable.
- 3) And Subject to all relevant parties entering into a Section 106 Agreement under the requirements of the Town and Country Planning Act 1990 relating to:
 - The payment of a commuted sum under the requirements of Policy R2 of the Adopted Salisbury Local Plan (June 2003);
 - The payment of a commuted sum relating to the need for local educational infrastructure improvements;
 - The payment of a commuted sum relating to the need for waste/recycling equipment; and
 - A contribution towards/provision of traffic calming measures along Old Blandford Road.

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. (A07B)

Reason (1) 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 (0004 AMENDED)

2. This development shall be in accordance with the drawing[s] Topographic drawing, 387/17.P002, 387/17.P003, 387/17.P004 and 387/17.P005 deposited on 17 January 2008 with the amended drawing[s] 387/17P020A, 387/17P019A, 387/17P017A, 387/17P016A, 387/17P015A, 387/17.P011D deposited with the Local Planning Authority on 12 June 2008 unless otherwise agreed in writing by the Local Planning Authority.

Reason (2) For the avoidance of doubt.

3. No development shall take place until 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 external wall[s] and roof[s] of the proposed development have been submitted to and approved in writing, by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details. (D04A)

Reason (3) To secure a harmonious form of development.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), no windows/dormer windows/roof lights [other than those expressly authorised by this permission] shall be inserted in any elevation (such expression shall be taken to refer to both walls and roofs) of any of the dwellings hereby approved and there shall be no extensions to the dwellings nor the erection of any structures or enclosures within the curtilages and no additions or alterations to the roofs of the dwellings, permitted by Classes A To F of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason (4) To enable the Local Planning Authority to retain control over the development in the interests of neighbouring amenities and the character of the area.

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification) the garaging hereby approved shall not be converted into living accommodation, without submission of a formal planning application to the Local Planning Authority.

Reason (5) To enable the Local Planning Authority to retain control over the development in the interests of neighbouring amenities and the character of the area.

6. No development shall take place until full details of the improvements to the frontage to Old Blandford Road, as shown on sketch scheme drawing 387/17.P011D, shall be submitted for the further approval of the Local Planning Authority and the improvements shall be completed in accordance with the approved details prior to the first occupation of the development.

Reason (6) In the interests of highway safety.

7. 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 (7) 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.

8. 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 shall be submitted to, and approved in writing by, the Local Planning Authority prior to the first commencement of the development, or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall thereafter be carried out in accordance with the approved details.

Reason (8) To enable the Local Planning Authority to secure the satisfactory evolution, management and maintenance of landscape works, in the interests of visual amenity.

9. 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 (9) Reason To enable the Local Planning Authority to secure the satisfactory maintenance of landscape works for a sufficient period of time to enable planted material to become adequately established.

10. 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 (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 (10) To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to safeguard the amenity of the existing trees to ensure a satisfactory appearance to the development.

11. During construction works, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site other than between the hours of 0800 to 1800 on Mondays to Fridays, 0900 to 1300 on Saturdays and at no time on Sundays, Bank and Public Holidays. This condition shall not apply to the internal fitting out of the buildings.

Reason (11) To avoid the risk of disturbance to neighbouring dwellings/the amenities of the locality during unsocial hours.

12. During construction works, all plant, machinery, and building materials shall be contained within the application site.

Reason (12) In order to limit the impact on the Old Blandford Road.

13. No development shall take place until a scheme for the implementation of water efficiency measures has been submitted to and approved in writing by the Local Planning Authority. The scheme shall subsequently be implemented in accordance with the agreed details, prior to the first occupation of any of the dwellings hereby approved.

Reason (13) 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.

14. Before development commences the applicant shall commission the services of a competent contaminated land consultant to develop a remediation strategy having regard to the remediation recommendations contained in Ground Investigation report J10384 by Soils Ltd dated January 2008. The remediation strategy shall be submitted to the Local Planning Authority and approved in writing prior to the commencement of the development hereby consented. The remediation strategy shall incorporate a validation protocol for the remediation. The remediation programme shall be fully implemented and a validation report confirming whether the site has been rendered suitable for a residential end use shall be forwarded to the Local Planning Authority prior to habitation of the properties.

Reason (14) To enable the Local Planning Authority to ensure that appropriate measures are taken to avoid any threat which the proposed development might pose to health and safety and/or the environment and to ensure protection and prevention of pollution to controlled waters.

15. Prior to the first occupation of the dwellings hereby permitted, the windows to the elevations facing Coombe Road shall be provided with acoustic double glazing in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority. Development shall thereafter be carried out in accordance with the approved details, prior to the first occupation of any of the dwellings hereby approved and thereafter be retained in perpetuity.

Reason (15) To minimise the impact of noise from traffic on any future occupiers.

16. 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 construction phase. The development shall thereafter be carried out in accordance with the approved details.

Reason (16) To ensure that the development includes sustainable waste recycling features.

Informative: 1 Policy

And in accordance with the following policies of the adopted Salisbury District Local Plan:
Saved Policy Purpose

G2	General Criteria for Development
G9	Infrastructure contributions
D2	Design of Infill Development
H19	Housing Restraint Area
H22	Application of Housing Policy Boundaries
C2	Countryside
C6	Special Landscape Area
C7	Landscape Setting of Salisbury and Wilton
C8	Landscape features retention
CN21 and CN22	Archaeological Interest,
E16	Employment Land,
R2	Public Open Space
TR11	Off-street car parking provision

Informative: 2 Highways

The applicant should be aware that the extension of the 30mph zone should be undertaken via a Section 38 or Section 278 Agreement with the Highway Authority.

Informative: 3 Wessex Water

The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within or very near to the site. If any such apparatus exists applicant's should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement the right to prevent the carrying out of any such development proposals as may affect its apparatus.

Informative: 4 Wiltshire Fire and Rescue Service

The attention of the applicant is drawn to the comments of the Wiltshire Fire and Rescue Service, a copy of which is attached.

Informative: 5 Prevention of Pollution

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. We recommend referring to our Pollution Prevention Guidelines found at www.environment-agency.gov.uk/business.

80. Designated Public Place Order – Durrington:

Members considered the report of the Community Safety Projects Officer. Councillor Walsh questioned the Officer about possible anti-social behaviour being displaced to the surrounding areas of those covered by the Order. The Officer informed members that a performance review of the Order would be carried out after three months to assess any problems that may have arisen.

Resolved: that the Order be approved.

*The meeting concluded at 18:57 pm
Members of the public present: 14*