

Minutes

Meeting of : Southern Area Committee
Meeting held in : Radnor Hall, Bodenham, Salisbury
Date : Thursday 14 August 2008
Commencing at : 4.30 pm

Present:

District Councillors:

Councillor B M Rycroft – Chairman
Councillor L Randall – Vice-Chairman

Councillors R Britton, D Luther, I McLennan, C Morrison, C Devine and J King

Apologies: Councillor J Launchbury

Parish Councillors: Parish Councillors for Laverstock and Landford.

Officers: J Wallace, S Llewellyn, Amanda Iles (Development Services), Jane Ferguson (Legal & Property Services), Paul Trenell and Jade Hibberd (Democratic Services)

161. Public Questions /Statement Time:

There were none.

162. Councillor Questions/Statement Time:

Councillor Britton notified members of the death of Earl Radnor and recognised the work he had done in the Southern Area. The committee expressed their regret at his death.

Councillor Devine congratulated the Chairman on his recent 50th Wedding anniversary and presented a card on behalf of the committee to Mr and Mrs Rycroft.

163. Minutes:

The Democratic Services Officer notified members that the reference to Councillor Green would be removed from minute 151.

Councillor Britton requested that minute 157 be amended to reflect that members wished the name "Southern Area" to apply to the community area, rather than just the committee.

Resolved: That subject to the above amendments the minutes of the last meeting held on 17 July be approved as a correct record and signed by the Chairman.

164. Declarations of Interest:

Councillor King declared a personal interest in agenda item 7 (planning application PN/2008/0023) due to his son attending Chafyn Grove school. He remained in the room during discussion.

165. Chairman's Announcements:

There were none.

166. S/2007/2541 – Change of Use of Cottage to Offices with Ancillary Residential Use and Erection of New Building to Form Healthcare Clinic with Associated Car Parking and Turning Area at The Beehive Cottage Amesbury Road, Old Sarum, Salisbury, SP4 6BL for Mr David Guy.

The committee considered a presentation from the Planning Officer in conjunction with her previously circulated report and information contained in the schedule of additional correspondence circulated at the meeting. Mr M Smith, the agent, spoke in favour of the application.

Resolved: That the above application be refused for the following reasons:

- 1) The proposed development, by reason of its location within the open countryside, outside any settlement boundary, is likely to encourage additional vehicle trips and create further dependence on the private car for travel to and from the site, contrary to the principles of achieving a sustainable pattern of development. As such, it is considered that the proposed development is contrary to 'saved' Policy G1 of the Adopted Replacement Salisbury District Local Plan (June 2003) and the aims and objectives of PPG13 "Transport".
- 2) The proposed development, by reason of the design, scale and massing of the healthcare clinic building, in conjunction with its close proximity to the existing listed building (The Beehive), would have an overbearing relationship to the detriment of the setting and historic character of the existing building as a former toll house. As such, the proposal is contrary to 'saved' Policy CN5 of the Adopted Replacement Salisbury District Local Plan (June 2003) and the aims and objectives of PPG15 "Planning and the Historic Environment".
- 3) Inadequate information has been submitted to demonstrate that the proposed development can be adequately served with a satisfactory means of foul drainage, without having a risk of contamination to controlled waters. As such, the proposal is contrary to 'saved' Policy G5 of the Adopted Replacement Salisbury District Local Plan (June 2003) and the advice contained within Circular 03/99.

167. 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 presentation from the Senior Planning Officer in conjunction with her previously circulated report, information contained in the schedule of additional correspondence and a site visit held earlier in the day.

Resolved:

- 1) That the above application be referred to the Planning and Regulatory Committee due to the close proximity of the mast to the neighbouring administrative area of the City Area Committee;
- 2) The Southern Area Committee recommends to the Planning and Regulatory Committee that Prior Approval be granted in accordance with the recommendation set out in the previously circulated report of the Head of Development Services.

REASONS FOR APPROVAL

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

168. S/2008/0507 Two Detached Dwellings and Garages with New Access at Ferncot, Southampton Road, Alderbury, Salisbury SP5 3AG for Barclay and Phillips Ltd.

This application was withdrawn by the applicant and therefore was not considered by the Committee.

169. 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 presentation from the Senior Planning Officer in conjunction with her previously circulated report, information contained in the schedule of additional correspondence and a site visit held earlier in the day. Mr M Cusack, a local resident, spoke in objection to the application. Mr D Mimms, the applicant, spoke in favour of the application.

Resolved:

- 1) That the above application be referred to the Planning and Regulatory committee due to the fact that this application is so similar in terms of the proximity of the site to the boundary with City Area Committee to that determined under Plans List Item No2 and in order to avoid a possible legal challenge;
- 2) The Southern Area Committee recommends to the Planning and Regulatory Committee that the above application be approved in accordance with the Officer recommendation set out in the previously circulated report of the Head of Development Services and subject to the following:
 - Amended wording to Condition No14 as set out in the schedule of additional correspondence;
 - Subject to all relevant parties entering into a Section 106 Agreement under the provisions of the Town and Country Planning Act 1990 (as amended) requiring the applicant to provide:
A contribution towards the provision of traffic calming measures along Old Blandford Road; and
 - Officer's to investigate the opportunities for the provision of a scheme to enable children to gain access from the site to Harnham Infants and Junior School, and if viable to make a contribution towards/provision of such a scheme.

APPROVE SUBJECT TO S106

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 the provision of traffic calming measures along Old Blandford Road.

Reasons for approval

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.

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.

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.

170. Community Update:

Councillor Devine referred to the second round of consultation on the Local Development Framework and stated that there was to be no development at Firsdawn.

Councillor King informed members that a small amount of development was continuing at Old Sarum in the form of a series of show homes and a block of affordable houses.

171. Exempt Information:

In view of the confidential or sensitive nature of the matters to be considered, the Southern Area Committee excluded the press and public from the meeting during consideration of agenda item 8 on the grounds that it involved the likely disclosure of 'exempt information' as defined in Part 1 of Schedule 12A of the Local Government Act 1972, as amended by Local Government (Access to Information) Variation Order 2006 whether the public interest against disclosing the information outweighs the public interest in favour of disclosure as explained below:

Paragraph 2 namely: 'Information which is likely to reveal the identity of an individual'

Paragraph 5 namely: 'Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings'

Paragraph 7 namely: 'Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime'

Summary of Exempt Matter

Enforcement Update

*The meeting closed at 19.05 pm
Members of the public: 17*