

Minutes

Meeting of : Southern Area Committee
Meeting held in : City Hall, Salisbury.
Date : Thursday 06 November 2008
Commencing at : 4.30 pm

Present:

District Councillors:

Councillor L Randall – Chairman (substituting Councillor Rycroft)

Councillors R Britton, I McLennan, J Launchbury, C Morrison, C Devine, R Clewer, W Moss, J King, D Luther and Wiltshire County Councillor J Johnson.

Apologies: Councillor Rycroft

Parish Councillors: P James & J Tier (Firsdown), J Martin (Landford), M Chandler & S Lacey (Downton)

Officers: Stephen Llewellyn & Janet Wallace (Development Control), Rob Hannis (Highways Authority) Gianina Newell (Legal & Property Services), Jade Hibberd (Democratic Services)

187. Public Questions /Statement Time:

Dr T Atkins informed members that the traffic light system at Portway had become problematic and dangerous to road users. He explained that at certain intervals the traffic in all directions would be stopped simultaneously which has lead to dangerous attempts of motorists driving through red lights. The pause in the light system was for a pedestrian crossing that is not yet in place as the planned estate in this location is yet to be built. A request was therefore made that the use of the traffic lights be discontinued until the estate is occupied.

Resolved: that a letter from Southern Area Committee would be sent to the Highways Authority requesting that this issue be investigated and resolved.

188. Councillor Questions/Statement Time:

There were none.

189. Minutes:

Resolved: that the minutes of the last meeting held on 09 October 2008 be approved as a correct record and signed by the Chairman.



INVESTOR IN PEOPLE



CUSTOMER SERVICE EXCELLENCE

Awarded in:
Housing Services
Waste and Recycling Services

190. Declarations of Interest:

Councillor Clewer declared a non-prejudicial interest in agenda item 9 (planning application S/2008/1555) due to being a member of Whiteparish Parish Council. He remained in the room and voted thereon. Councillor's Launchbury and Luther declared a non-prejudicial interest in agenda item 8 (Downton Conservation Area Appraisal and Management Plan) due to both being members of Downton Parish Council, they remained in the room and voted thereon.

191. Chairman's Announcements:

There were none.

192. Youth Development Service Update:

Members received an update on Youth Development Services from Kevin Sweeney (Senior Manager of Operations and Staffing Development Services for Young People at Wiltshire County Council) and considered the previously circulated report. Councillor Launchbury thanked Mr Sweeney on behalf of the committee for attending the meeting. She also requested that further figures be collated to show the spending of county council per head on young persons, a comparison of the same figures in neighbouring areas and the impact that youth centres have on these figures. Councillor Britton identified that a problem in the Alderbury area had been a lack of liaison between their youth worker and the Parish Council and it was agreed by Mr Sweeney that this should be addressed.

Resolved: that;

- (1) figures giving a more detailed overview of the Youth Development Service be circulated to the committee at a later date;
- (2) members requested that measures are put in place for Parish Councils to be kept informed of all youth activities in their area;
- (3) the Youth worker responsible for the Alderbury area attend the next meeting of Alderbury Parish Council to discuss youth activities; and
- (4) the report be noted

193. Downton Conservation Area Appraisal and Management Plan:

The Committee received a presentation from the Principal Conservation Officer and considered the previously circulated report. The Chair of Downton Parish Council Planning Committee addressed the committee following the presentation to express the Parish Council's unhappiness at the lack of consultation with both themselves and the local residents in finalising the report. They informed the committee that as a result of this they believed there to be several inaccuracies. Members expressed the view that without this additional consultation the report was incomplete and not suitable to go to Cabinet with the other Conservation Area Appraisals.

Resolved: that the report be referred back to Conservation Officers for consultation with Downton Parish Council and local residents and returned to Southern Area Committee following this for consideration before going to Cabinet.

194. S/2008/1555 – Erection of 7 Dwellings (Rural Affordable Housing) and Alteration of Access, Newton Lane, Whiteparish, Salisbury, SP5 2SP, for John Lippitt Chartered Architects:

The committee considered a presentation from the Planning Officer in conjunction with his previously circulated report and site visit. The Highways Agency officer also clarified any road issues affecting the application. Mr S Karmy, a local resident, spoke in objection to the application. Ms T Mulbury, a local resident, spoke in favour of the application.

Resolved: that the above application be approved 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 (1)
- The provision of affordable housing as an exception site for rental in perpetuity.

For the following reasons:

This application is for the development of a site outside the Housing Policy Boundary as a site for 'affordable' housing under the exceptions policy, saved policy H26. Whilst the delivery of affordable housing is one of the objectives of the Local Plan and of regional

and national planning policy, other policies and requirements are still applicable to 'exception' housing sites.

In this case, it is accepted that there is a need for affordable housing in Whiteparish, and the provision of affordable housing within a medium-sized village such as Whiteparish where there are services and facilities is in accordance with that principle.

In relation to the existing site there were formally concerns regarding the lack of a full contamination survey, however, this issue has been addressed and the Council's Environmental Health Officer is satisfied that all that remains to be resolved is the method of remediation for the contaminants identified.

As the site had been derelict for a considerable period, concerns were raised regarding the potential effect on protected species. However, the District Ecologist is now satisfied that there are no protected species present on the site.

In relation to this scheme for 'affordable' housing, it is considered that in the view of the reduction in the number of dwellings proposed, the alterations to the layout, the reduction in the size of the area devoted to vehicular access, parking/turning areas and the larger rear gardens that the concerns expressed regarding these aspects in the previous application have been sufficiently overcome for this to no longer warrant a reason for refusal. In conjunction with the larger rear gardens, the more substantial planting and the smaller gaps in the frontage it is considered that the development is now sufficiently in keeping with character and appearance of the residential development in this area that the need for affordable housing outweighs the harm to the visual qualities of the landscape that the need for affordable housing would otherwise cause.

Furthermore on the basis that the proposal accords with Policy H26 of the adopted Salisbury District Local Plan; subject to highway improvements the Highway Authority considers the proposal would not be detrimental to highway safety in accordance with policy G2.

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. (2)

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 (0004 AMENDED).

- (2) 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.

Reason: To secure a harmonious form of development.

- (3) Notwithstanding the provisions of the Town and Country Planning (3) 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: To enable the Local Planning Authority to retain control over the development in the interests of neighbouring amenities and the character of the area.

- (4) There shall be no development until a scheme for the improvements to the access to the site including the widening of the carriageway, the provision of a footway, street lighting, the disposal of surface water, car parking, visibility splays and the extension of the local speed limit have been submitted to and approved in writing, by the Local Planning Authority. The gradient of the two accesses shall not be steeper than 1 in 15 for the first 4.5m of its length measured from the carriageway. There shall be no occupation of the dwellings until the approved scheme has been implemented.

Reason: In the interests of highway safety.

- (5) The proposed highway improvements shall be constructed in such a manner to ensure that each dwelling before it is occupied shall be served by a properly consolidated and surfaced footway and carriageway to at least base course level between the dwelling and existing highway

Reason: In the interests of highway safety.

- (6) The proposed development requires the legal diversion of Public Footpath 3 to enable the development to take place. Before the start of development details of a scheme for the replacement footpath, including the timing of the closure of the existing footpath and the opening of the new replacement footpath shall be submitted to and approved by the Local Planning Authority. The diversion order should be in place prior to the commencement of the development hereby approved

Reason: In the interests of pedestrian safety.

- (7) No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (4) 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.

- (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: 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: 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 (5).

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 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: To avoid the risk of disturbance to neighbouring dwellings/the amenities of the locality during unsocial hours.

- (12) The existing drainage ditch on the south eastern boundary of the site shall be retained and maintained in accordance with details to be submitted to and approved by the Local Planning Authority.

Reason: In order to minimise the risk of flooding.

- (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: 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) No works shall be undertaken until the all vegetation has been removed from the site under the supervision and advice of an ecologist.

Reason: In the interests of nature conservation

- (15) Development shall not begin until a scheme to deal with contamination of the site has been submitted to and approved in writing by the Local Planning Authority.
(6)

Reason: In the interests of health and safety for occupants of, or visitors to, the proposed development.

- (16) The above scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be taken to avoid risk to the [public/buildings/ environment] when the site is developed. (7)

Reason: 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.

- (17) Development shall not commence until the measures approved in the scheme have been implemented. (8)

Reason: In the interests of health and safety for persons working at or visiting the site during the construction period.

- (18) Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any [residential] unit hereby permitted is first occupied. (9)

Reason: In the interests of health and safety for occupants of, or visitors to, the proposed development.

Informative: 1 Policy

And in accordance with the following saved policies of the adopted Salisbury District Local Plan:

Policy	Purpose
G1	General aims of the Local Plan
G2	General Criteria for Development
G9	Infrastructure contributions
D2	Design of Infill Development
H22	Application of Housing Policy Boundaries
H23	Undeveloped land
H26	Affordable housing
C2	Countryside
C6	Special Landscape Area
C12	Protected species
R2	Public Open Space
TR11	Off-street car parking provision

Informative: 2 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: 3 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: 4 Highways

The applicant should be aware that the improvements should be undertaken via a Section 38 or Section 278 Agreement with the Highway Authority to ensure the future maintenance of the works, once adopted, will be at public expense. .

195. S/2008/1173 – Erection of Dwelling at Rear of 3 Firs Close, Firsdawn, Salisbury, SP5 1SG for Bernard Eacock Ltd:

The committee considered a presentation from the Principal Planning Officer in conjunction with the previously circulated report and site visit. Mrs J Curtis, a local resident, and Mr P James, Firsdawn Parish Councillor, both spoke in objection to the application. Mr B Eacock, the agent, spoke in support of the application.

Resolved: That the above application be approved subject to;

1. the applicant and any other relevant parties undertaking, under Section 106 of the principal act to pay a commuted sum towards open space
2. if the applicant does not comply with (1) above the application is delegated to the Head of Development Services to refuse the proposal on non-compliance with Policies G9 and R2.

For the following reasons:

The site is located within the Housing Policy Boundary and in view of recent Inspector's decisions, it is considered, in principle, that the residential development of the site is acceptable. Moreover, whilst it could be argued that the location of the site represents both backland and tandem development, it is not considered that the proposed development will cause any material harm to the amenities of the occupants of the neighbouring dwellings, while the Local Highway Authority considers that the vehicular access to the site is adequate and that there is sufficient space for parking and turning within the site.

Whilst the trees on the southern boundary of the site form an important screen between the properties and constrain the location and design of a dwelling on the site, it is considered that the applicant has demonstrated that the proposed scheme whilst affected by the shade from the trees will slightly exceed the minimum levels of daylight and sunlight required by standard good practice. Furthermore, it is also considered that the applicant has demonstrated that the proposed development satisfies the tests set out in Circular 3/99 regarding the proposed treatment plant for it to be unreasonable to continue to maintain this as a reason for refusal and indeed the Environment Agency has granted a 'Consent to Discharge'.

Therefore, it is considered that the applicant has sufficiently overcome the previous reasons for refusal for this proposal to be considered to be acceptable in accordance with the Salisbury District Local Plan Policies.

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: 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) 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. The development shall thereafter be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

- (3) Notwithstanding the provisions of Class[es] A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling(s) nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf. (V15A)

Reason: To enable the Local Planning Authority to retain control over the development in the interests of amenity.

- (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 further windows/dormer windows/rooflights [other than those expressly authorised by this permission] shall be constructed in the dwelling hereby approved.

Reason: To ensure adequate standards of privacy for the neighbouring dwelling(s) through the avoidance of overlooking from windows or rooflights.

- (5) No development shall take place until details of a scheme for the discharge of surface water from the building, driveway and paths has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

Reason: To ensure that the development is provided with a satisfactory means of surface water disposal.

- (6) No development shall take place until details of the system for disposal of foul drainage have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

Reason: To ensure that the building is provided with a satisfactory means of foul drainage.

- (7) During construction works, which shall not include fitting out, no machinery shall be operated, no process shall be carried out and no deliveries taken at or despatched from the site outside the following time 0800 to 1800 on Mondays to Fridays and 0900 to 1300 on Saturdays. There shall be no activities/working on Sundays, Bank and Public Holidays.

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

- (8) No development shall take place until a scheme for the provision of water efficiency measures has been submitted to, and approved in writing by, the Local Planning Authority. The scheme shall thereafter be implemented in accordance with the agreed details prior to the first occupation of the dwelling.

Reason: 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.

- (9) No development shall take place until details of the treatment of the boundaries of the site, have been submitted to, and approved in writing by, the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the occupation of the dwelling.

Reason: In the interests of the amenity and the environment of the development.

- (10) The development shall be undertaken in accordance with the detailed recommendations of the Arboricultural Method Statement dated 16 May 2008, ref. 7403-AIA-DC. The fencing, or other protection which is part of this approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works and soft landscaping have been completed and all equipment, machinery and surplus materials removed from site, unless the prior approval of the Local Planning Authority has been given in writing.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

- (11) Both in the first instance and upon all subsequent occasions, the windows coloured ORANGE on the approved plan being the proposed bathroom rooflight in the northern roof elevation and the proposed bathroom rooflight in the eastern roof elevation shall be a fixed light and glazed with obscure glass in a form sufficient to prevent external views to the satisfaction of the Local Planning Authority.

Reason: To protect the amenity and privacy of the adjoining properties.

- (12) The dwelling hereby approved shall not be occupied until the turning space, parking and garaging as indicated on the approved plan have been constructed, and these shall thereafter be retained and kept available for those purposes at all times.

Reason: In the interests of highway safety.

- (13) This development shall be in accordance with the drawing ref: 774.01B deposited with the Local Planning Authority on 27 June 2008 as amended by drawing ref: 774.03C received on 22 October 2008 unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt

- (14) No development shall take place until details of the porous hard wearing surface treatment for the resurfacing of the existing access track along the length coloured ORANGE on the Location Plan on drawing ref. No. 774.01B, have been submitted to and approved in writing by the Local Planning Authority. The access shall thereafter be resurfaced in accordance with these approved details prior to the first occupation of the dwelling.

Reason: In the interests of the amenities of the neighbours

INFORMATIVE 1

And in accordance with the following saved policies of the adopted Salisbury District Local Plan:

Policy	Purpose
G1	General aims of the Local Planning Policy Guidance

G2	General Criteria for Development
G5	Provision of Drainage
H16	Housing Policy Boundary
D2	Design Criteria for new dwellings
C6	Special Landscape Area
R2	Open Space contribution

INFORMATIVE 2: BOUNDARY TREATMENT

In relation to Condition 9 the Local Planning Authority would expect that the new treatment to the northern boundary of the site that would be of a sufficient height and solidity as to prevent any overlooking from the ground floor windows.

*The meeting closed at 19:40 pm
Members of the public: 20*