

Minutes

Thursday 31st July 2003 at 4.30pm
Pitton Village Hall
Pitton, Salisbury

**THESE MINUTES SHOULD BE KEPT FOR USE BY DISTRICT COUNCILLORS
AT THE NEXT COUNCIL MEETING**

P R E S E N T

District Councillors

Councillor W R Moss – Chairman
Councillor B M Rycroft – Vice Chairman

Councillors G A N Anderson, F D Bissington, Mrs P J Bissington, R Britton, C Devine,
P J Leo, I D McLennan, Mrs. M M A Peach and L Randall

Apologies: None

County Councillors

Apologies: County Councillors J P Johnson and K C Wren

Parish Representatives

A Brewster (Pitton & Farley - sitting in the public seating area), Mrs B Carter (Downton),
P Green (Whiteparish), J Gross (Laverstock) and M Hitchins (Britford).

MINUTES NOT REQUIRING COUNCIL APPROVAL

35. PUBLIC QUESTION/STATEMENT TIME:

There were none forthcoming.

36. COUNCILLOR QUESTION/STATEMENT TIME:

There were none forthcoming.

37. DECLARATIONS OF INTEREST:

There were none.

38. MINUTES OF THE LAST MEETING:

RESOLVED – that the minutes of the previous meeting, held on 3rd July 2003
(previously circulated), be approved as a correct record and signed by the Chairman.

39. CHAIRMAN'S ANNOUNCEMENTS:

There were none.

40. RELEASE OF R2 FUNDING IN WHITEPARISH FOR IMPROVING RECREATIONAL FACILITIES

The Committee considered the previously circulated report of the Forward Planning Officer.

RESOLVED - that:

- (1) £1,676 plus any interest accrued on currently available 'R2' contributions be committed by this Council to assist the funding of the recreation scheme outlined in the report.
- (2) Approval be delegated to officers that further sums likely to be released from currently unstarted developments be made available for this project up to a maximum of £5,041.
- (3) No R2 contributions be released to Whiteparish Parish Council for this scheme until all funding has been secured and confirmed in writing. This restriction is appropriate to ensure that full funding is in place ahead of the project's commencement.

41. S/2003/0906 FULL APPLICATION – ALTERATIONS TO APPROVE FLOOD DEFENCE SCHEME (PLANNING PERMISSION S/2002/2207) VARIOUS SITES: DOWNTON SALISBURY SP5 3NA FOR ENVIRONMENT AGENCY

Judy Brown, a local resident, spoke in objection to the above application relating to the site at the rear of The Borough.

Mrs Barbara Carter, of Downton Parish Council, advised the Committee that the Parish Council was pleased that the car park was to be retained but had some concerns over the level of one footpath.

Following these statements the Committee considered the report of the Head of Development Services (previously circulated):

RESOLVED –

- (1). That the above application be approved, subject to the following conditions:
 1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
 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 development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
 3. Before any development is commenced on the site, including site works of any description, all the existing trees to be retained shall be protected by a fence, of a type and in a position to be approved by the Local Planning Authority, erected around each tree or group of trees. Within the areas so fenced, the existing ground level shall be neither raised nor lowered and no materials, temporary buildings, plant, machinery or surplus soil shall be

placed or stored thereon. If any trenches for services are required within the fenced areas, they shall be excavated and backfilled by hand and any tree roots encountered with a diameter of 2 inches (50mm) or more shall be left unsevered (See British Standard BS 5837:1991, entitled 'Trees in relation to Construction').

4. Before development commences, details of all new planting, including location and species, and times of planting shall be submitted to and approved in writing by the Local Planning Authority.
5. 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.
6. Before development commences, a Method Statement outlining the details of the construction process, including times of working, a Transport Management Plan including routes of construction traffic through the village, and mitigation measures to limit the impact of construction on adjacent neighbours, shall be submitted to and approved in writing by the Local Planning Authority. The scheme so agreed shall be carried out in accordance with the agreed details.
7. Before development commences, a Method Statement outlining the details of the construction process and any likely contamination, and mitigation measures to limit the impact of the works on the flora and fauna shall be submitted to and approved in writing by the Local Planning Authority. The scheme so agreed shall be carried out in accordance with the agreed details.
8. Before development commences, an Environmental Action Plan, outlining how the findings of the Environmental Statement are to be addressed, including the long term maintenance of the proposed works, shall be submitted to and approved in writing by the Local Planning Authority. The scheme so agreed shall be carried out in accordance with the agreed details.
9. No development shall commence until details of various fencing and railing works, including colour/staining details, shall be submitted to and approved in writing by the Local Planning Authority. Such painting/staining shall be carried out as agreed, within 12 months of the erection of the railings/fencing.
10. No development shall commence until full details of the materials to be used for the pumping stations shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out as agreed.

11. The car parking area (adjacent to the Tannery as shown on plan no.KJ/DOWN/252 REV H) shall be kept free of obstruction during construction works, and shall be properly surfaced in accordance with the applicants letter dated 11th July 2003, within a period to be agreed with the Local Planning Authority.

(2) The applicant be informed that this permission has been taken in accordance with the following policies of the adopted Salisbury District Local Plan (G1, C7, CN12, C12, C17, C18).

(3) A letter is to be written from Salisbury District Council (Development Services) to the Environment Agency expressing the concerns of the Southern Area Committee with regard to the following aspects of the above application:

1. The Committee believes that the width of the bridge (of 4 metres) is too wide and when constructed should be shorter and narrower.
2. The Environment Agency should continue its negotiations with the owner of The Three Horseshoes Public House, adjacent to the site, regarding provision of access rights.

42. S/2003/0989 - FULL APPLICATION – CONSTRUCT NEW DWELLING AND ACCESS AT LAND AT CORNER OF CROFT HEIGHTS COMMON ROAD WHITEPARISH SALISBURY FOR N S EVANS:

Ms. Dawn Lygo-Baker, resident of No. 1 Croft Heights, spoke in objection to the above application.

Mr N S Evans, the applicant, spoke in favour of the above application. Mr Evans also pointed out to the Committee that there was a typographical error in the report. On Page 9, paragraph 2, the last line should read "would not be harmful".

Peter Green, of Whiteparish Parish Council, advised the Committee that the Parish Council objected to the above application.

It was pointed out to Members that in the planning report, any reference to policy D3 should in fact read D2.

Following these statements, the committee considered the report of the Head of Development Services (previously circulated):

RESOLVED –

(1) The applicant and any other relevant parties undertake, under Section 106 of the principal act, to pay a commuted sum under policy R2 of the Salisbury District Local Plan within one month, then this authority is minded to grant planning permission to the above application subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.

2. Before development is commenced, a schedule of materials and finishes, to match those used in Croft Heights, 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 shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. 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.
4. Before the occupation of the building[s] hereby permitted, the development shall be screened from Croft Heights and Common Road by the planting of a hedge of a type, height and in a position to be agreed in writing by the Local Planning Authority. The hedge shall thereafter be maintained in accordance with the details so agreed and any part of it which within a period of five years from the completion of development dies or becomes seriously damaged or diseased shall be replaced in the next planting season using plants of a similar size and species unless the Local Planning Authority gives written consent to any variation.
5. The dwelling hereby permitted shall not be occupied until the area shown on drawing No.E/299/1 for the parking and turning of vehicles has been drained and surfaced and that area shall not thereafter be used for any purpose other than the parking or turning of vehicles.
6. No structure or planting shall be placed on the two metre adopted highway strip adjacent to Croft Heights or in the visibility area at the junction of Common Road and Croft Heights on the site layout plan dated 21st May 2003.

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 Policy R2.

- (2) The applicant be informed that this permission has been taken in accordance with policies G2, D2, H16 and R2 of Adopted Salisbury District Local Plan June 2003 and PPG3.

43. S/2003/0490 – OUTLINE APPLICATION – NEW BUNGALOW TO REAR USING EXISTING VEHICULAR ACCESS AT REAR OF CARRON NORTH LANE NOMANSLAND SALISBURY FOR MR & MRS R E KEATS

The Committee considered the report of the Head of Development Services (previously circulated):

RESOLVED – that the above application be refused for the following reasons:-

- (1) Notwithstanding the redevelopment of an adjacent site for a new dwelling, it is considered that the proposal would result in a dwelling outside the Housing Policy Boundary in the open countryside without any proven justification. The proposal would therefore be contrary to policy HA2 and H23 of the Adopted Salisbury District Local Plan.

- (2) This development is considered to constitute backland development, which would be out of character in this semi-rural location and would unduly disturb, interfere and cause conflict in terms of noise, overlooking and general disturbance which would be detrimental to the amenities of the occupiers of neighbouring dwellings.

44. S/2003/0891 – FULL APPLICATION – DEMOLISH WORKSHOPS AND ERECT 2 NEW DWELLINGS AT FURNITURE WORKSHOPS BACK DROVE WEST WINTERSLOW SALISBURY FOR MR N NORTHEAST

Mr K Ludlow, of Winterslow Parish Council, advised the Committee that the Parish Council objected to the above application.

Following this statement and further to a site visit earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated), together with a schedule of late correspondence:

RESOLVED –

- (1) The above application be refused for the following reasons:-
1. The proposed dwellings are large in scale, at two stories across the width of the site, the dwellings will effectively front on to the by-way. The bulk, mass, scale and height of the proposed dwellings are considered to be out of keeping with the character of development in the area, resulting in a cramped form of development on site, to the detriment of the spacious character and visual amenity of this part of the Special Landscape Area. The proposal is therefore contrary to policies D2 and H19 of the Salisbury District Local Plan.
 2. The proposal is contrary to Policy E16 of the Salisbury District Local Plan in that the redevelopment of this site for a non-employment use would not result in benefits to the local environment, which would outweigh the loss of local jobs.
 3. The application site lies to the south west of the neighbouring bungalows. Due to the scale of the proposals and the proximity to adjacent dwellings, it is considered that the proposal would have a detrimentally overbearing, overshadowing impact to the detriment of their residential amenity, contrary to policy G2 (vi) of the Salisbury District Local Plan.
 4. The proposed development would result in increased traffic and the narrowing of a designated by-way with consequent loss of amenity and risk of additional hazard and inconvenience to all users of the designated right of way. The by-way is not of the standard necessary to accommodate the volume and type of traffic likely to be generated which would have to reverse out into the path of other byway users. The increased use of the sub-standard junction of Back Drove with The Street, generated by the development, is likely to be prejudicial to road safety. The proposal is therefore contrary to policies G1 and G2 (i), (ii) of the Salisbury District Local Plan.

5. The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the adopted Salisbury District Local Plan because appropriate provision towards public recreational open space has not been made.

(2) The applicant be informed that:

1. This decision has been taken in accordance with the following policies of the adopted Salisbury District Local Plan: G1(i), G2, D2, H19, E16, C6, R2.
2. R2 FOR REFUSAL - It should be noted that the reason given above relating to Policy R2 of the adopted Local Plan could be overcome if all the relevant parties can agree with a Section 106 Agreement, or, if appropriate by a condition, in accordance with the standard requirement of public recreational open space

45. S/2003/0915 - FULL APPLICATION – REPLACEMENT FURNITURE WORKSHOPS WITH ASSOCIATED RESIDENTIAL USE AT FURNITURE WORKSHOPS BACK DROVE WEST WINTERSLOW SALISBURY FOR MR N NORTHEAST

Mr K Ludlow, of Winterslow Parish Council, advised the Committee that the Parish Council objected to the above application.

Following this statement and further to a site visit earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated):

RESOLVED –

(1) The application be refused for the following reasons:-

1. It is proposed to erect a building with a mixed use of residential and workshop. Approximately 60% of the proposed floor area is residential (129.4m²) and 88m² is proposed for the workshop. The building is therefore tantamount to a new residential development in the countryside, for which there is no agricultural justification and is therefore contrary to the adopted Salisbury District Local Plan policy H26 and H26 of the Replacement Salisbury District Local Plan.
2. The bulk and form of the proposed two storey building is out of keeping with the character of single storey dwellings in Back Drove and would have a detrimental impact on the open rural character of the Special Landscape Area here. The proposal would be inappropriate outside the built up area of the village and the defined Housing Restraint Area, which would be detrimental to the rural character of the area and set an unwelcome precedent which the Local Planning Authority would find difficult to resist. There is no residential curtilage proposed to be provided to the new dwelling. The provision of a private amenity space here would further erode the rural character of the area. The proposal would cause damage to a mature tree on site to the detriment of the visual amenity of the area. The proposal is therefore contrary to the adopted Salisbury District Local Plan policy G1(i) (ix) and C7 and policies G2 (iv) and C6 of the Replacement Salisbury District Local Plan.

3. The proposed development would result in increased traffic and the narrowing of a designated by-way with consequent loss of amenity and risk of additional hazard and inconvenience to all users of the designated right of way. The by-way is not of the standard necessary to accommodate the volume and type of traffic likely to be generated which would have to reverse out into the path of other byway users. The increased use of the sub-standard junction of Back Drove with The Street, generated by the development, is likely to be prejudicial to road safety. The proposal, located remote from services, employment and being unlikely to be well served by public transport is contrary to the key aims of PPG13 which seeks to reduce growth in the length and number of motorised journeys. The proposal is therefore contrary to policies G1 (i) and G2 (i), (ii) of the Salisbury District Local Plan.
4. The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the adopted Salisbury District Local Plan because appropriate provision towards public recreational open space has not been made.

(2) The applicant be informed that:

1. This decision has been taken in compliance with the following policies of the adopted Salisbury District Local Plan: G1, E20, C2, C7, H26 AND G2, E20, C2, C6, H26 of the Replacement Salisbury District Local Plan
2. R2 FOR REFUSAL - It should be noted that the reason given above relating to Policy R2 of the adopted Local Plan could be overcome if all the relevant parties can agree with a Section 106 Agreement, or, if appropriate, by a condition, in accordance with the standard requirement of public recreational open space.

46. S/2003/0958 – CHANGE OF USE TO MIXED USE OF DOCTORS SURGERY AND RESIDENTIAL ACCOMMODATION AT TANNERY HOUSE HIGH STREET DOWNTON SALISBURY FOR DR PAUL LAYMAN:

Dr Paul Layman, the applicant, spoke in support of the above application.

Mrs Barbara Carter, of Downton Parish Council, advised the committee that the Parish Council supported the above application.

Following these statements the Committee considered the report of the Head of Development Services (previously circulated), together with a schedule of late correspondence circulated at the meeting:

RESOLVED –

- (1) The applicant and any other relevant parties undertake, under Section 106 of the principal act, to enter into an agreement to:
 1. restrict the operation to a personal permission by Dr. Layman's practice; and;

2. to agree a Green Travel Plan for the staff, visitors to the surgery and the residents of the dwelling unit on site;

then this authority is minded to grant planning permission to the above application subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
 2. Before commencement of the uses hereby approved, the car parking spaces shown on the approved drawing no. 6344/1A drawn 10th June 2003, shall be marked out on site and shall not thereafter be used for any purpose other than the parking of vehicles.
- (2) The applicant be informed that this permission has been taken in accordance with policy G2 of the adopted Salisbury District Local Plan.

47. S/2003/1040 - FULL APPLICATION – RETROSPECTIVE – ALTERATIONS TO STABLE BLOCK TO PROVIDE SELF CONTAINED LIVING ACCOMMODATION ABOVE THE RESTORED STABLES INCLUDING NEW FIRST FLOOR WINDOW IN END ELEVATION AT BRICKWORTH PARK WHITEPARISH SALISBURY FOR PROFESSOR ROGER WILLIAMS:

Richard Steele, owner of the neighbouring property, spoke in objection to the above application. Professor Roger Williams, the applicant, spoke in support of the above application. Peter Green, of Whiteparish Parish Council, advised the Committee that the Parish Council objected to the above application.

Following these statements, the Committee considered the report of the Head of Development Services (previously circulated) together with a schedule of late correspondence circulated at the meeting:

RESOLVED – That the above application be refused for the following reason:

that the proposed residential conversion of the building in the manner proposed would by reason of its proximity to adjacent residential and stabling use, would be likely to have a detrimental impact on the residential amenities of the neighbours and of any future occupiers of the flat, contrary to Adopted Salisbury District Local Plan policy G2 (vi) and (vii).

48. S/2003/1072 – CHANGE OF USE – OF PART OF AGRICULTURAL LAND INTO GARDEN FOR ‘1WILWYN’ AND CONSTRUCTION OF NEW ACCESS AT WESTON LAND WINTERSLOW SALISBURY FOR RICHARD VICTOR JAMES CHALMERS:

Richard Chalmers, the applicant, spoke in support of the above application. K Ludlow, of Winterslow Parish Council, advised the committee that the Parish Council supported the above application.

Following these statements and further to a site visit earlier that afternoon the Committee considered the report of the Head of Development Services (previously circulated), together with a schedule of late correspondence circulated at the meeting:

RESOLVED - that the above application be refused for the following reason:

that the site lies within a Special Landscape Area where development is strictly controlled. The proposed change of use of existing agricultural land to residential garden area would result in a residential intrusion into the open rural landscape beyond the village, which would be seriously detrimental to the character and appearance of the locality and the surrounding countryside in general. Therefore the proposal would be to be contrary to policies C1, C2 and C6 of the Adopted Salisbury District Local Plan.

49. S/2003/1145 – FULL APPLICATION – ALTERATIONS TO EXISTING ACCESS TO NEW FIELD CROSSING TO ACCESS NEW DWELLING AT MANOR FARM HOUSE LOWER ROAD BRITFORD SALISBURY FOR MR & MRS P GOWER:

Paul Gower, the applicant, spoke in support of the above application.

Malcolm Hitchin, of Britford Parish Council, advised the committee that the Parish Council had no objection to the above application.

Following these statements the Committee considered the report of the Head of Development Services (previously circulated), together with a schedule of late correspondence circulated at the meeting:

RESOLVED -

- (1) That the above application be approved subject to the following conditions:
 1. The development hereby permitted shall be begun before the expiration of five years from the date of this decision.
 2. The surface of the track way, hereby approved, shall be constructed in 'grasscrete' or other similar material which permits grass to be planted and grow across the hardened surface as shown in the details submitted on 28th May 2003. There shall be no definition of the track way in the form of curbing or other hard edging unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.
- (2) The applicant be informed that this permission has been taken in accordance with policies G2, C2, C7 and C19 of the Adopted Salisbury District Local Plan.

50. MATTERS, IF ANY, THAT THE CHAIRMAN DECIDES SHOULD BE CONSIDERED AS A MATTER OF URGENCY

EXEMPT INFORMATION:

In view of the confidential or sensitive nature of the matters to be considered, it was:

RESOLVED - that the Press and Public be excluded from the meeting during consideration of those matters defined as 'Exempt' under the Access to Information Act 1985 as specified below:

Paragraph 13, namely – 'Any instructions to Counsel and any opinion of Counsel (whether or not in connection with any proceedings) and any advice received,

information obtained or action to be taken in connection with –

- (a) any legal proceedings by or against the authority, or,
- (b) the determination of any matter affecting the authority

(whether, in either case, proceedings have been commenced or are in contemplation).'

Summary of 'exempt' matter

Agenda Item 9 – In connection with a property in Coombe Bissett.

The meeting closed at 7.37 pm