

Southern Area Committee

Minutes

Thursday 28 August 2003 at 4.30pm
Morgans Vale & Woodfalls Village Hall
The Ridge, Redlynch, 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

M Chandler (Downton) – except planning application S/2003/1410, Mrs B Carter (Downton) – for
planning application S/2003/1410 only, K Gross (Laverstock), P James (Firsdawn) – sitting in public area,
and I Wallis (Landford)

Officers Present

Arabella Davies (Democratic Services), Jane Ferguson (Legal and Property Services),
Richard Hayman (Development Services), Richard Hughes (Development Services),
Andrew Rose (Democratic Services), Robin Townsend (Community Initiatives)
and Janet Wallace (Development Services).

MINUTES NOT REQUIRING COUNCIL APPROVAL

52. PUBLIC QUESTION/STATEMENT TIME:

There were none forthcoming.

53. COUNCILLOR QUESTION/STATEMENT TIME:

There were none forthcoming.

54. DECLARATIONS OF INTEREST:

Councillor Anderson advised that he had a personal, but non-prejudicial, interest in planning item 6 (S/2003/1231) and so remained and took part in the ensuing debate for this item.

Councillor Devine declared a personal and prejudicial in planning item 1 (S/2003/1441) and left the meeting during consideration thereof.

Councillor Randall declared a personal and prejudicial in planning item 8 (S/2003/1336) and left the meeting during consideration thereof.

55. MINUTES OF THE LAST MEETING:

RESOLVED – that the minutes of the previous meeting, held on 31st July 2003 (previously circulated), be approved as a correct record and signed by the Chairman.

56. CHAIRMAN'S ANNOUNCEMENTS:

1. Councillor Moss welcomed to the meeting Members from Winchester City Council who were in attendance to examine how Salisbury District Council operates its Area Committees.
2. Agenda Item 7 (Management Options Review of Leisure Services) would, in view of the possibility of a need to move into exempt business, be taken as the last matter considered.
3. During consideration of planning applications; after planning application 2 (S/2003/1485) has been considered, planning application 4 (S/2003/1150) would be considered next, followed by planning application 7 (S/2003/1267). This was because the 3 applications were by the same applicant and were very similar.

57. MANAGEMENT OPTIONS REVIEW OF LEISURE SERVICES:

The Committee considered the previously circulated report of the Principal Leisure & Community Officer.

A question and answer session was undertaken between Members and the Principal Leisure & Community Officer. The points raised were as below:

- If Salisbury District Council decides to go along the route of trust status for its leisure services, then the trust in question should be a stand-alone trust and not a trust in partnership with a body external to South Wiltshire.
- The objectives of the trust should be laid out very clearly to provide sports development activities and leisure facilities on an open and equal basis to all local people regardless of wealth, ability or location. The trust should have a strategic role in managing and delivering Sports Development.
- It is important that the trust is told what its long-term objectives are by SDC. Robin Townsend advised that this can be achieved through the funding agreement that the trust will have to commit to with SDC.
- The policy and objectives of the trust must be set out and made very clear from the start of its existence.

- If the main sports and leisure strategic objectives of SDC can be achieved through a trust then this should be pursued, but if the sole reason for change is for managerial reasons, then trust status should be resisted. The purpose of a trust should be to provide more recreational leisure service provision and ensuring an equitable distribution of provision across the District.
- It was advised to Members that there is such a trust in Whiteparish that manages some of the outdoor areas, but its performance has been disappointing. The Parish Council, having handed over management to the trust, now has very little control or influence.
- Members heard from David Luther, Chairman of the Brian Whitehead Sports Centre Association in Downton who advised Members that during their 7 years of operation, the first 5 years could be said to have been hard. However, the trust now has in place a good management team to manage the day to day operation of the facility.
- A question was asked whether SDC could retain control of a significant part of the trust's management board, but Robin advised that SDC would be limited to 20% representation on the board, but none of those who undertake this role should be Members as it could lead to a conflict of interest, especially in budget requests. The element of control / influence is through the funding agreement.

RESOLVED - That the Southern Area Committee would support the concept on the basis that:

- (1) The vision is to establish an integrated approach to leisure services that would lead to a better-planned and co-ordinated service, provided in partnership to meet the needs of the local community.
- (2) The key objective is to provide sports development activities and leisure facilities on an open and equal basis to all local people regardless of wealth, ability or location
- (3) The Council agrees that the vision calls for a change in ethos away from facility provision towards developing sporting opportunities and that this is achieved by redistributing all of the current level of subsidy to ensure an equitable distribution of provision across the whole of the District.

58. ENFORCEMENT ACTION RE CONSTRUCTION OF A HARDSTANDING, ERECTION OF TIMBER BUILDING, STORAGE OF VEHICLE BODY AND TIMBER BUILDING MATERIALS ON LAND ADJACENT TO COURTENS GARDEN CENTRE, ROMSEY ROAD WHITEPARISH:

The Committee considered the previously circulated report of the Principal Planning Officer (Enforcement).

RESOLVED - that the Head of Legal and Property Services be authorised to issue an Enforcement Notice under Section 172 of the Town and Country Planning Act 1990 (as amended) and serve it upon the appropriate person(s).

Alleging the following breaches of planning control

The construction of a hardstanding and erection of a timber building, storage of a vehicle body and timber building materials unrelated to agricultural use

Requiring the following steps to be taken

1. Dismantle and remove the timber building from the land;
2. Remove the parts of a timber building from the land;
3. Remove the hardstanding including all foundations and materials of construction from the land.
4. Restore the land covered by the hardstanding to its condition immediately prior to formation of the hardstanding by seeding it with grass
5. Cease using the land for storage unrelated to the purposes of agriculture.

Reason for serving the Notice

The site is in the countryside, within a Special Landscape Area and an Area of High Ecological Value. The carrying out of operational development consisting of erection of a timber shed and hardstanding together with the storage of a vehicle body and timber panels all appear as an unduly alien intrusion into these rural surroundings, seriously detracting from the character and appearance of the surrounding countryside within the SLA and therefore being contrary to C2, C6 and R1C (ii) of the Replacement Salisbury District Local Plan.

Time for compliance

3 months for steps 1-4 and 4 months for step 5.

59. USE OF LAND FOR STATIONING AND OCCUPATION OF TWO MOBILE HOMES ON LAND AT WOODSIDE BOTTOM, LYNDHURST ROAD, LANDFORD:

The Committee considered the previously circulated report of the Principal Planning Officer (Enforcement).

Jane Ferguson, Principal Solicitor, advised Members that, immediately preceding this meeting, she had had contact with the owners' legal representative who had requested a deferment of this matter pending submission of further evidence. Jane Ferguson advised members that she did not feel deferment was merited.

RESOLVED -

that the Head of Legal and Property services be authorised to issue an Enforcement Notice under the Town and Country Planning Act 1990 (as amended) and serve it on the appropriate persons.

Alleging the following breach of planning control:

Without planning permission:

The use of the land as a caravan site and the stationing and residential occupation of two mobile homes.

Requiring the following steps to be taken:

- (1) To permanently cease the residential occupation of the mobile homes;
- (2) To cease the use of the land as a caravan site by permanently removing the mobile homes stationed from the land and attached extensions.

Reasons for serving the Notice:

- (1) The site is in open countryside within the New Forest Heritage Area and a Special Landscape Area, outside the defined Housing Policy Boundary for Landford, where new development is strictly limited, the character of the landscape is protected and new dwellings (including mobile homes) are only normally allowed where there is a proven need for the purposes of agriculture or forestry. The stationing and use of the mobile homes as dwellings also seriously erodes the character of the surrounding countryside within the above designated areas. Their continued retention would therefore be contrary to policies DP15, C7 and C9 of the Adopted Wiltshire Structure Plan 2011 and policies H23, H32, C2, C6 & HA1 of the Replacement Salisbury District Local Plan.
- (2) The 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.

Time Period For Compliance:

- (1) Within six months of the Notice taking effect.
- (2) Within seven months of the Notice taking effect.

60. S/2003/1441 O/L APPLICATION – DEMOLITION OF EXISTING WORKSHOPS AND OUTBUILDINGS AND ERECTION OF TWO SINGLE STOREY RESIDENTIAL UNITS AT HAYNES GARAGE LOPCOMBE CORNER LOPCOMBE SALISBURY FOR W V HAYNES:

Mr Haynes, son of the applicant, spoke in support of the above application.

Following this statement 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) The proposal would result in the redevelopment and loss of an existing employment use and the loss of a potential employment site, and the creation of two dwellings in the open countryside, in an unsustainable location remote from services and employment opportunities; divorced from the pattern of development, and not well served by public transport.

On the basis of the information submitted, the Local Planning Authority therefore considers that the proposal would be contrary to policy E16, H22, and D1 and D2 of the Salisbury District Local Plan, and policy DP1 of the Wiltshire Structure Plan, and contrary to the sustainability aims of PPG3 & PPG13.

- (2) The proposal does not make any provisions for public recreational open space contrary to Policy R2 of the Adopted Salisbury District Local Plan.

61. S/2003/1485 – CHANGE OF USE – FROM SINGLE FAMILY DWELLING TO STAFF HOUSE IN MULTIPLE OCCUPATION FOR EIGHT PERSONS AT 36 DOWNLANDS CLOSE DOWNTON SALISBURY FOR T ASHLEY:

Alexandra Hamel, representing the residents of Downlands Close, spoke in objection to the above application.

Trevor Ashley, the applicant, spoke in favour of the above application.

Michael Chandler, of Downton 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 –

- (1). that the above application be refused for the following reason:-

As submitted the proposal represents an undesirable and inappropriate intensification of the use of this modest semi-detached property, out of character with the nature of other residential properties in the area and likely to involve unacceptable levels of associated comings and goings, noise and

disturbance, creating an unneighbourly form of development, unsuitable for the local environment, to the detriment of the amenities currently enjoyed by the occupiers of neighbouring property in the locality contrary to Salisbury District Local Plan policies G2 (vi) and supporting text paragraph 4.43.

- (2). The applicant be informed that this decision has been taken in accordance with policy G2 of the Adopted Salisbury District Local Plan.

It was requested by Members that officers and Portfolio Holders take into consideration the issue of multiple occupation of properties when drawing up supplemental planning guidance.

62. S/2003/0695 – OUTLINE APPLICATION – OUTLINE ERECTION OF BUNGALOW AT LAND OFF MAPLE DRIVE AND REAR OF 64 FIRS ROAD FIRSDOWN SALISBURY FOR MR W C WRIGHT

Mary Weyland, owner of No. 1 Maple Drive, spoke in objection to the above application. Peter James, of Firsdown Parish Council, advised the Committee that the Parish Council objected to the above application.

Following these statements, and further to a site visit early 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:

Due to the restricted size of the proposed plot and close proximity to adjacent residential dwellings, the proposal would result in a cramped form of development which would be out of keeping with the spacious character of the area and which would detract from the amenity enjoyed by adjacent residents, contrary to policies G2 and D2 of the Adopted Salisbury District local Plan.

63. S/2003/1150 – CHANGE OF USE – RETROSPECTIVE CHANGE OF USE ONLY SINGLE FAMILY DWELLING HOUSE TO STAFF ACCOMMODATION HOUSE OF MULTIPLE OCCUPATION FOR EIGHT PERSONS AT 4 SQUAREY CLOSE DOWNTON FOR MR & MRS T ASHLEY:

Philip Angel, on behalf of local residents, spoke in objection to the above application. Trevor Ashley, the applicant, spoke in support of the above application. Michael Chandler, of Downton 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):

RESOLVED –

- (1). That the above application be refused for the following reason:-

As submitted the proposal represents an undesirable and inappropriate intensification of the use of this modest detached property, out of character with the nature of other residential properties in the area and likely to involve unacceptable levels of associated comings and goings, noise and disturbance, creating an unneighbourly form of development, unsuitable for the local environment, to the detriment of the amenities

currently enjoyed by the occupiers of neighbouring property in the locality contrary to Replacement Salisbury District Local Plan policy G2 (vi) and supporting text 4.43.

- (2). The applicant be informed that this decision has been taken in accordance with the policy G2 of the Adopted Salisbury District Local Plan.

It was requested by Members that officers and Portfolio Holders take into consideration the issue of multiple occupation of properties when drawing up supplemental planning guidance.

64. S/2003/1172 - FULL APPLICATION – DEMOLITION OF EXISTING BUNGALOW AND CONSTRUCTION OF REPLACEMENT DWELLING AND ALTERATION TO ACCESS AT WEST MURRAY LYNDBURST ROAD LANDFORD SALISBURY FOR METCALFE & COLE:

Mr Morris, resident of the property opposite the site, advised Members that the name of the road is in fact Pound Hill, but he also spoke in objection to the above application.

Colin Burrows, agent for the applicant, spoke in support of the above application.

Ian Wallis, of Landford Parish Council, advised the Committee that the Parish Council objected to the above application.

Janet Wallace, Planning Officer, advised Members that all references to policy R2 in the Planning Officer's report should be ignored as this policy is not valid with such an application as this.

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

RESOLVED – that the above application be deferred to allow officers to bring to Committee a new report detailing the correct policies relevant to this application.

65. S/2003/1231 – FULL APPLICATION – NEW DWELLING AND CONSTRUCTION OF NEW ACCESS AT LAND ADJOINING THE CROFT SCHOOL ROAD NOMANSLAND SALISBURY FOR MR TURNER:

Julie Robson, a neighbour to the site, spoke in opposition to the above application.

James Turner, the applicant, spoke in support of 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 – The above application be refused for the following reasons:

- (1) The proposed development for an additional dwelling would constitute an unsatisfactory sub-division of an existing plot resulting in a cramped form of over-development, out of keeping with the general scale and character of the existing development in the area. Furthermore, it would be likely to result in the development being over-dominant and overbearing in relation to the neighbouring dwellings, and would adversely effect their amenities. As such, the proposal would be contrary to Adopted Salisbury District Local Plan policies D2 and G2 (vi) and HA2.

- (2) 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.

66. S/2003/1267 – CHANGE OF USE - RETROSPECTIVE – CHANGE OF USE FROM DOMESTIC SINGLE FAMILY DWELLING TO STAFF ACCOMMODATION HOUSE OF MULTIPLE OCCUPATION FOR EIGHT PERSONS AT 12 MOOT GARDENS DOWNTON SALISBURY FOR MR & MRS T ASHLEY:

Mrs Hall, a neighbour, spoke in objection to the above application.

Trevor Ashley, the applicant, spoke in support of the above application.

Michael Chandler, of Downton 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 –

- (1). That the above application be refused for the following reason:-

As submitted the proposal represents an undesirable and inappropriate intensification of the use of this modest detached bungalow, out of character with the nature of other residential properties in the area and likely to involve unacceptable levels of associated comings and goings, noise and disturbance, creating an un-neighbourly form of development, unsuitable for the local environment, to the detriment of the amenities currently enjoyed by the occupiers of neighbouring property in the locality contrary to Replacement Salisbury District Local Plan policies G2 (vi) and supporting text 4.43.

- (2). The applicant be informed that this decision has been taken in a accordance with policy G2 of the Adopted Salisbury District Local Plan.

It was requested by Members that officers and Portfolio Holders take into consideration the issue of multiple occupation of properties when drawing up supplemental planning guidance.

67. S/2003/1336 – FULL APPLICATION – DETACHED DWELLING (2BED) AT NEW PLOT GREENFIELDS WEST GRIMSTEAD SALISBURY FOR LANDCARE:

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

RESOLVED –

- (1). The subject to the applicant and any other relevant parties undertaking, 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, 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. This development shall be in accordance with the submitted drawing[s] deposited with the Local Planning Authority on 24TH June 2003, as amended by the applicant's plans received on 24th July 2003, unless otherwise agreed in writing by the Local Planning Authority.
 4. Other than those hereby permitted, there shall be no windows or rooflights inserted in the building or enlarged in size above ground floor level.
 5. Before the dwelling is first occupied, the windows in the first floor workshop above the garage shall be glazed with obscure glass, details of which shall be submitted to and approved in writing by the Local Planning Authority.
 6. The garage[s] and workshop hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling and not for any trade, business or industrial purposes whatsoever.
 7. Before any development commences 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 or 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").
- (2). The applicant be inform that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan G2 D2.

68. S/2003/1410 – FULL APPLICATION – 2 TWO BED HOUSES 7 THREE BED HOUSES 5 FOUR BED HOUSES AND ACCESSES AT WOODLEA GRANGE ALDERBURY SALISBURY FOR WILSON CONNOLLY SOUTHERN:

Nigel Wyatt, on behalf of local residents, spoke in objection to the above application.

Graham Beck, agent for the applicant, spoke in support of 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 –

(1). That the above application be refused for the following reasons:

1. The proposal would be an over-development of the site out of keeping with the general scale, density, character and design of existing properties in the locality and would result in a development of comparatively cramped appearance that would detract from the visual amenity of the area. Furthermore, the proposal by reason of the layout and siting of the units would result in an un-neighbourly form of development that would adversely affect adjacent properties. As such, the proposal would be contrary to policies H16, D1 and G2 of the Replacement Salisbury District Local Plan.
2. Protected species may be present on the site. The application has not provided sufficient information regarding the likely impact of the proposed development on the species and possible mitigation measures. In the absence of such information, it is not possible to adequately assess the impact on the nature conservation interest of the site as required under policies C13, C14 and C15 of the Replacement Salisbury District Local Plan.
3. The proposed development does not meet the requirements of Policy R2 of the Adopted Salisbury District Local Plan or Policy R2 of the Replacement Salisbury District Local Plan in respect of the provision of public recreational open space.

(2). The applicant be informed that:

1. In relation to reason No. 2 above, it is noted that a full protected species report has not been submitted. The applicant is advised to contact English Nature on this subject. It may be possible to overcome this reason for refusal subject to the submission of an appropriate report with mitigation measures to the satisfaction of the Local Planning Authority.
2. In relation to reason No. 3 above, the submission of a satisfactory scheme for the provision of recreational public open space in accordance with Policy R2 of the Replacement Salisbury District Local Plan could overcome this reason for refusal.

69. S/2003/1429 – FULL APPLICATION – CONSTRUCTION OF SINGLE STOREY EXTENSION TO SOUTH-WEST ELEVATION FOR ADDITIONAL ACCOMMODATION AND CHANGING HIP TO GABLE ON MAIN ROOF AT 142 THE BOROUGH DOWNTON SALISBURY FOR MR & MRS NEUDEGG:

Barbara Carter, of Downton Parish Council, advised the Committee that the Parish Council had no objections to the above application.

Following this statement, the Committee considered the report of the Head of Development Services (previously circulated):

RESOLVED – 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 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.

The applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan G2 D3 CN8.

70. EXTENSION OF MEETING

In compliance with Council Policy, as the Committee could not conclude its business by 7.30 p.m, it resolved to extend the meeting (during which the matters recorded under minutes 57 and 69 were considered).

The meeting closed at 8.45 pm