

Minutes

Thursday 23 October 2003 at 4.30pm
The Council House, Bourne Hill
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, R Britton, C Devine,
I D McLennan, Mrs. M M A Peach and L Randall

Apologies: Councillors Mrs P J Bissington and P J Leo

County Councillors

Apologies: County Councillors J P Johnson and K C Wren

Parish Representatives

N D Anderson (Redlynch), G Barley (Pitton & Farley) and K Gross (Laverstock)

Officers Present

Richard Hughes (Development Services), Andrew Rose (Democratic Services)
and Janet Wallace (Development Services)

MINUTES NOT REQUIRING COUNCIL APPROVAL

90. PUBLIC QUESTION/STATEMENT TIME:

There were none forthcoming.

91. COUNCILLOR QUESTION/STATEMENT TIME:

There were none forthcoming.

92. DECLARATIONS OF INTEREST:

Councillor Moss declared a personal and prejudicial interest in agenda item 7 (Planning Applications), plans list 1 S/2003/1694, and left the meeting during consideration thereof.

Councillor Britton declared a personal and prejudicial interest in agenda item 7 (Planning Applications), plans list 8 S/2003/1722, and left the meeting during Members consideration thereof.

93. MINUTES OF THE LAST MEETING:

RESOLVED – that the minutes of the previous meeting, held on 25th September 2003 (previously circulated), be approved as a correct record and signed by the Chairman.

94. CHAIRMAN'S ANNOUNCEMENTS:

There were none.

95. S/2003/1694 - FULL APPLICATION - REPLACEMENT OF EXISTING DWELLING WITH NEW DWELLING AND ONE NEW DWELLING IN THE GARDEN AND CONSTRUCTION OF NEW AND ALTERATION TO EXISTING ACCESS AT FIELDFARE QUAVEY ROAD REDLYNCH SALISBURY FOR MR & MRS P CROUCH

Kate Crouch, the applicant, spoke in support of the above application.

N D Anderson, of Redlynch parish Council, advised the Committee that the Parish Council supported the above application.

Following these statements, and a site visit held earlier that day, 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 – Subject to plans being received by the Local Planning Authority showing a joint access driveway and the moving of the northern house southwards and provided that all persons concerned enter into a Section 106 Agreement under the provisions of the Town and Country Planning Act 1990 (as amended) to pay a commuted sum under policy R2 of the Salisbury District local Plan within one month, then 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. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
3. Notwithstanding the provisions of the Town and Country Planning (General permitted Development) Order 1995 and the definition of development in the Town and Country Planning Act 1990, no windows shall be inserted into the side elevations of the houses hereby approved, other than with the express written approval of the Local Planning Authority.
4. 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 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).

96. S/2003/1782 - FULL APPLICATION - DEMOLITION OF EXISTING DUTCH BARN AND OUT BUILDINGS CONSTRUCTION OF NEW MIXED USE BUILDING CONTAINING ADDITIONAL LIVING ACCOMMODATION DISPLAY AREA STABLING GARAGE AND STORES ACCOMMODATION FOR 'DEPENDANT PERSONS' AT FORD MILL FORD SALISBURY FOR ALAN LOVERING

Alan Lovering, owner of the site, spoke in support of the above application.

K Gross, of Laverstock 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 – the above application be refused for the following reasons:

1. The proposed development would consist of a large unit of residential accommodation, with facilities capable of independent use in a new building separate to and some distance from the existing dwelling, which could not be re-absorbed into the existing accommodation at a later date. It is therefore considered to be tantamount to the erection of a new dwelling in the countryside. Such a dwelling would be harmful to the rural character of the open countryside and would adversely affect the character and setting of the adjacent listed building and would be contrary to policies G1, G2, H33, CN3 and H23 of the Replacement Salisbury District Local Plan.
2. Based on the information provided it has not been demonstrated, to the satisfaction of the Local Planning Authority, that the proposed development will not harm the Nature Conservation Interests, including protected species, of the River Bourne Site of Special Scientific Interest and candidate Special Area of Conservation, or the Area of High Ecological Value. In this respect, the proposal would be contrary to policies C10, C11 and C12 of the Replacement Salisbury District Local Plan.

The applicant be informed that this decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G1, G2, G4, C11, C12, C18, CN3, H23, H33.

97. S/2003/1863 - FULL APPLICATION - FIRST FLOOR RESIDENTIAL EXTENSION AT 5 BENNETT CLOSE REDLYNCH SALISBURY FOR MR P MORRIS

N D Anderson, of Redlynch Parish Council, advised the Committee that the Parish Council supported the above application.

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

RESOLVED - that because the proposed extension is deemed to have no impact on overlooking of neighbouring properties, have no effect on amenities and is of a suitable design, then the above application be approved subject to the following conditions:

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

2. The materials to be used in the construction of the external surfaces of the extension hereby permitted shall match those used in the existing building.

98. S/2003/1515 - CHANGE OF USE - FROM EXISTING A1 SHOP AND POST OFFICE TO PROPOSED A3 PIZZA TAKEAWAY AT THE FORMER REDLYNCH GARAGE MORGANSVALE REDLYNCH SALISBURY FOR MS B BONACDAR

Matthew Grigg, a local resident, spoke in objection to the above application.

Trevor Gilbert, agent for the applicant, spoke in support of the above application.

N D Anderson, of Redlynch 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 – 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. The car park on the south-eastern side of the premises shall be made available for the use of customer and staff parking (and the adjacent uses in the adjacent units either side of the application site).
3. The use hereby permitted shall not be open to customers outside the following times: 8.00am to 11.00pm Monday to Saturday, and 9.00am to 10.30pm on Sundays.
4. Prior to commencement of the use hereby permitted a scheme shall be submitted to and approved in writing by the Local Planning Authority to encourage vehicles to use the existing on-site car parking. The approved scheme shall be implemented before the use commences, and such measures shall be maintained thereafter.
5. Before commencement of the development hereby permitted there shall be submitted to and approved by the Local Planning Authority a scheme for the insulation against noise emissions of extraction equipment. Such scheme as is approved shall be implemented to the satisfaction of the Local Planning Authority before any part of the development is brought into use (opens for trading).
6. No development shall take place until a scheme/schemes for the control of fumes from extractor fans and equipment (and for the sound insulation of that equipment) have been submitted to and approved by the Local Planning Authority; and the development shall not be brought into use until that scheme/those schemes have been implemented in accordance with the approved details.
7. The premises shall be used for a Class A3 takeaway / restaurant and for no other purpose (including any other purpose in Class A3 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

8. Before the use commences, a scheme for additional bin storage and cleaning of the bins shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved.
9. Before the use commences, a scheme to ensure that drainage from the building is not impeded, shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved.
10. Before use commences, a scheme to protect the south eastern boundary of the site between the car park and the residential dwelling shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved.

The applicant be informed that this permission has been taken in accordance with the following policies of the adopted Salisbury District Local Plan; G1, G2,k PS1and PS3.

99. S/2003/1516 - CHANGE OF USE - FROM ROYAL MAIL SORTING OFFICE TO B1 OFFICE AT THE FORMER REDLYNCH GARAGE MORGANSVALE REDLYNCH SALISBURY FOR MS B BONACDAR

N D Anderson, of Redlynch Parish Council, advised the Committee that the Parish Council had no comment.

Following this statement 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 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. The car park on the south-eastern side of the premises shall be made available for parking of vehicles for staff and customers of the premises (and the adjacent uses in the adjacent units either side of the application site).
3. The premises shall be used for a Class B1 Office and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).
4. The change of use hereby permitted shall not commence until the use of the vacant post office shop unit subject of planning application no. S/03/1515 has been implemented.
5. The B1 office use hereby approved shall not take place outside the hours of 7:30am and 10:00pm.
6. The premises shall be used for Class B1 offices and for no other purpose (including any other purpose in Class B1 or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to

that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

7. Before the use commences, a scheme to ensure that drainage from the building is not impeded, shall be submitted to and approved by the Local Planning Authority and shall be carried out as approved.

The applicant be informed that this permission has been taken in compliance with the following policies of the adopted Salisbury District Local Plan; G1, G2, PS1 and PS3.

100. S/2003/1578 - TO VARY CONDITION - VARIATION IN OPERATING HOURS TO PERMIT OPERATION TO START AT 0700 HOURS (PLANNING CONDITION 2 PERMISSION S/96/1684) AT ST THOMAS FARM LONDON ROAD SALISBURY FOR P BIALEK CB SKIPS

K Gross of Laverstock Parish Council, advised the Committee that the Parish Council objected to the above application.

Following this statement 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

- (1) provided that all persons concerned enter into a Section 106 Agreement under the provisions of the Town and Country Planning Act 1990 (as amended) to pay a commuted sum under policy R2 of the Salisbury District Local Plan, within three months from the date of this permission, subject to:

- a. The proposed means of operations being controlled which shall include the vehicle movements involving delivery and collection of aggregates and any vehicles associated with the waste transfer and recycling operations (including deliveries) shall not use Church Road, Laverstock before 8.00 am
- b. Vehicles containing skips shall be used only to convey aggregates
- c. The monitoring of the traffic movements involving aggregate movement is conducted by the applicant with such records made available for inspection by the Local Planning Authority

then the above application be approved subject to the following conditions:

1. Waste transfer and recycling operations, including deliveries, shall take place only between the hours of:

Monday to Friday	0700-1800
Saturday	0700-1300
Sundays and Public Holidays	No Use

2. No materials shall be despatched from the site outside the hours of:

Mondays to Fridays	0700 – 1800
Saturdays	0700 – 1300
Sundays and Public Holidays	No Use

3. The increase in the hours of the waste transfer and recycling operation including any associated deliveries shall ensue for a temporary period only, and the operational hours shall revert to the previously consented hours of operation of 8am to 6pm Mondays to Fridays and 8am to 1pm on Saturdays imposed by planning permission S/96/1684, on or before the expiration of one year from the date of this planning permission.
4. Any external lighting shall be installed and operated in accordance with details to be submitted to and approved by the Local Planning Authority before development commences.
5. No plant or machinery associated with the skip hire/waste transfer operations hereby approved and other than that specified in the Waste Management Plan submitted with the planning application shall be brought onto the development site without prior approval in writing of the Local Planning Authority.
6. The skip hire/waste transfer operation hereby approved shall be carried out in accordance with and as indicated on the approved plan number WT/96/11/A received on 30/01/97, and with the Working Plan submitted with the application unless otherwise agreed in writing by the Local Planning Authority.
7. Before the building hereby permitted is first brought into use, save for the retention of the 5 young ash trees, which are to be trimmed, to remove all canopy growth below 2.0m in height, the area between the nearside carriageway edge and lines drawn between a point 4.5m back from the carriageway edge along the centre line of the access and points on the carriageway edge 90m from and on both sides of the centre line of the access shall be cleared of obstruction to visibility at and above a height of 150mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.
8. Notwithstanding the provisions of the Town and Country Planning (General permitted Development) Order 1995, (or any Order revoking and re-enacting that Order) no development on the holding identified by plans received on 30/01/97 and edged blue falling within class[es] A of Part 6 to Schedule 2 shall be carried out unless an application in that behalf has first been submitted to and approved by the Local Planning Authority.
9. The occupation of the dwelling known as St Thomas Farm House shall be limited to a person solely or mainly employed in the business occupying the plot edged red on the approved plan, or a widow or widower of such a person, or any residential dependents.
10. The new driveway hereby permitted shall be the sole means of access/egress for commercial vehicles connected with the waste/transfer skip hire operation hereby approved.

101. S/2003/1686 - FULL APPLICATION - TWO STOREY AND SINGLE STOREY REAR EXTENSION ERECTION OF TWO BAY GARAGE AND WORKSHOP AT MAY COTTAGE HOMINGTON SALISBURY FOR R STANTON

Following a site visit held earlier that day, 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 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. This development shall be in accordance with the submitted drawing[s] ref: S2194/02 REV A deposited with the Local Planning Authority (showing a complete slate roof on the proposed single storey lean to extension).

102. S/2003/1722 - FULL APPLICATION - ERECTION OF DWELLING AND RETAINING WALL DEMOLITION OF CAR PORT PROVISION OF 2X NO PASSING BAYS AT TWIN ASH THE GREEN PITTON SALISBURY FOR LOGIC MARKETING UK LTD

Richard Sharpe, spokesman for the residents group, spoke in objection to the above application G Barley, of Pitton & farley Parish Council, advised the Committee that the Parish Council objected to the above application

Following these statements, and a site visit held earlier that day, 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 deferred pending the findings of an independent Highways Consultant to be appointed by Salisbury District Council.

Members also requested that the Planning Officer obtain clarification on the legal status of one of the passing bays included in this application which is currently the focus of a dispute regarding ownership between the applicant and Wiltshire County Council.

103. S/2003/1734 - FULL APPLICATION - ERECTION OF TWO HOUSES AND ALTERATION TO EXISTING ACCESS AT BEDMINS SPRAYS THE STREET WHITEPARISH SALISBURY FOR MR B BARTLET

Following a site visit held earlier that day, 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 provided that all persons concerned enter into a Section 106 Agreement under the provisions of the Town and Country Planning Act 1990 (as amended) to pay a commuted sum under policy R2 of the Salisbury District local Plan within one month, then 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.
 3. Before development commences, a scheme for the demolition of the existing buildings on the site and the removal of any spoil and other debris, including times of demolition works, should be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved scheme.
 4. Other than those approved as part of this permission, no windows shall be inserted or enlarged in the side elevations of either dwelling hereby approved.
 5. 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.
 6. Any gate[s] provided to close the proposed access shall be set a minimum distance of 4.5 metres from the carriageway edge and shall be made to open inwards only.
 7. Before the dwellings hereby approved are first occupied, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed, details of which shall have been submitted to and approved by the Local Planning Authority.
 8. The gradient of the access for the first 4.5 metres not exceeding 1 in 15.
 9. 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. 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. Development shall not commence until the measures approved in the scheme have been implemented.
- (2) The applicant be informed that if they do 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.

104. S/2003/1754 - APPLICATION TO WCC - CONSTRUCTION & OPERATION OF A LANDFILL GAS UTILISATION SYSTEM COMPRISING AN ELECTRICITY GENERATING ENGINE, FLARING EQUIPMENT AND ASSOCIATED EQUIPMENT & ELECTRICITY SUB STATION AT WHITEPARISH LANDFILL SITE WHITEPARISH SALISBURY FOR WILTSHIRE COUNTY COUNCIL

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

RESOLVED – The Southern Area Committee has no objections to the above, 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. When the use hereby permitted shall cease or at the end of 20 years whichever shall first occur, the use hereby permitted shall cease and all materials and equipment brought on to the site in connection with the use shall be removed.

Wiltshire County Council be informed that Members of the Southern Area Committee expressed concerns about the possible visibility of the new flue. Consequently, Salisbury District Council would be grateful if further consideration be given to the screening of the flue with new planting where possible, and the use of suitably regressive colours/materials etc.

105. S/2003/1845 - CHANGE OF USE - CHANGE OF USE FROM PASTURE TO EQUESTRIAN GRAZING & RE-INSTATEMENT OF EXISTING ACCESS RETROSPECTIVE CONVERSION OF BARN TO LOOSE BOXES AT WHITES FARM LAND NEWTON LANE WHITEPARISH SALISBURY FOR MRS L HENDERSON

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

RESOLVED - that the above application is 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. There shall be no external lighting of the site or buildings without the prior written permission of the Local Planning Authority.
3. The total number of horses on the site at any one time shall not exceed five.
4. The use of the holding, outlined in red on plan 0868 01 Rev A dated 8 October, shall be limited to either agriculture or equestrian grazing as per the approved details and shall not be used for a commercial breeding or riding stables
5. The hedges on the north west boundary shall be retained and shall not be removed without the previous written consent of the Local Planning Authority If the hedge becomes severely damaged, seriously diseased, or dying it shall be replaced with hedging plants of a size, species and in a location to be agreed in writing by the Local Planning Authority.
6. Any dung heap required in relation to the use of the stables, hereby permitted, shall be located in a position to be agreed in writing with the Local Planning Authority
7. Within one month of the date of this permission, a scheme shall be agreed in writing with the Local Planning Authority for the noise insulation of the stables, hereby permitted.

106. S/2003/1913 - CHANGE OF USE - BARN CONVERSION TO CREATE SEPARATE DWELLING AT BANNISTER BARN NEWTON LANE WHITEPARISH SALISBURY FOR MR & MRS NORMAN

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:

1. The creation of a new access as proposed, with inadequate turning facilities to enable a vehicle to enter and leave the highway in forward gear and inadequate visibility splays would have an adverse impact on highway safety, contrary to Salisbury District Local Plan Policy G2.

The applicant is advised to consider the potential for providing a means of access to the proposed site from the access to the existing dwelling and should discuss this matter with Wiltshire County Council Highways.

Meeting Closed at 7.35 pm