

Southern Area Committee

Minutes

Tuesday, 8th July 2004 at 4.30pm
Downton Secondary School,
Breamore Road, Downton.

**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 B M Rycroft – Chairman

Councillor F D Bissington – Vice Chairman

Councillors: G A N Anderson, R Britton, I D McLennan,
P J Leo, W Moss, Mrs. M M A Peach and L Randall

Apologies: Councillor Mrs P J Bissington and Councillor C Devine

County Councillors

Apologies: County Councillor J P Johnson

Parish Representatives

R Amor (Grimstead) and K Gross (Laverstock)

Apologies: Parish Councillor T King (Whiteparish)

Officers Present

Jane Ferguson (Legal and Property Services), Stephen Hawkins (Development Services),
Richard Hughes (Development Services), David Simmons (Development Services)
and Andrew Rose (Democratic Services)

MINUTES NOT REQUIRING COUNCIL APPROVAL

276. DECLARATIONS OF INTEREST

There were none

277. MINUTES OF THE LAST MEETING

RESOLVED – that the minutes of the previous meeting, held on 8 June 2004 (previously circulated), be approved as a correct record and signed by the Chairman with the addition of the following sentence into minute 263:

“The possibility of imposing a Tree Preservation Order be investigated by officers.”

278. PUBLIC QUESTION/STATEMENT TIME

There were none.

279. COUNCILLOR QUESTION/STATEMENT TIME

There were none.

280. CHAIRMAN'S ANNOUNCEMENTS

The Chairman made the following announcements:

1. At the August meeting of the Southern Area Committee there will be an opportunity for Members to discuss the recent announcement that the New Forest is to be designated as a National Park.
2. Item 7 on the agenda has been postponed as Alison Butterfield, who was scheduled to make a presentation and answer questions, is unable to attend. This item will be considered at a future meeting of this Committee.
3. Under agenda item 11, planning application S/2004/1055 is going to be considered first and not third as per the agenda.

281. NEW MEMORANDUM OF AGREEMENT FOR THE CRANBORNE CHASE AND WEST WILTSHIRE DOWNS AONB PARTNERSHIP

The committee noted the report of the Chairman of Southern Area Committee (previously circulated) for information purposes only.

282. RELEASE OF "R2" FINANCIAL CONTRIBUTIONS IN WINTERSLOW FOR NEW RECREATIONAL FACILITIES.

The committee considered the report of the Development Contributions Officer (previously circulated):

RESOLVED - that £15,331.12 plus any interest accrued to a maximum of £20,450.00 of the 'R2' contributions be released by this Council to assist the funding of the recreation scheme outlined in the officer's report, and that the release of the monies be made following receipt of invoices for the works undertaken.

283. ENFORCEMENT NOTICE AT LAND AT GREEN LANE

Mr A Beale, a Director of the Company that owns the land in question, spoke to advise that whilst he does not object to enforcement action being served, it should be served against the occupiers and not the landowner.

K Gross, of Laverstock Parish Council, advised the committee that the Parish Council have no objections to enforcement action.

Following this statement, the committee considered the report of the Principal Planning Officer (previously circulated):

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 Person(s)

Alleging the following breach of planning control:

Without planning permission:

The material change in the use of the land from undeveloped, open grassland to use as a caravan site for the stationing of caravans and vehicles adapted for human habitation

The stationing and residential occupation of a touring caravan and a bus/coach on the land.

Requiring the following steps to be taken:

- (1) To cease the use of the land as a caravan site;
- (2) To permanently remove caravans, mobile homes, buses, coaches and vehicles from the land.

Reasons for serving the Notice:

1. The site is outside the defined Housing Policy Boundary for Ford, on land regarded as countryside, where new residential development, including mobile homes, are permitted only exceptionally in the event that a proven need for agriculture or forestry workers or affordable housing has been demonstrated. The development is therefore contrary to policies H23 and H32 of the Replacement Salisbury District Local Plan and policy DPI5 of the Adopted Wiltshire Structure Plan 2011.
2. Additionally the development by reason of the site's relatively remote location, does not encourage reduction in the need to travel or result in increased use of public transport, cycling and walking, and therefore is counter to the objectives of sustainable development, conflicting with policy GI(i) and policy DPI(3) of the Adopted Wiltshire Structure Plan 2011.
3. The development appears as an unduly alien and incongruous feature in its surroundings, seriously eroding the character and appearance of the local landscape which is within the Landscape Setting of Salisbury and is adjacent to the Special Landscape Area, and is therefore contrary to the objectives of policies C6 and C7 of the Replacement Salisbury District Local Plan and policy C9 of the Wiltshire Structure Plan 2011.

Time Period For Compliance

1. Within three months following the date of the Notice taking effect.
2. Within three months following the date of the Notice taking effect.

Councillor Anderson made a request that relevant officers draft a report to be considered by Cabinet and the Southern Area Committee highlighting issues regarding enforcement action against travellers who occupy land without the consent of the landowner.

284. S/2004/385 - FULL APPLICATION - PROPOSED EXTENSION AT ST MARY'S CHURCH, WEST DEAN, SALISBURY SP5 1JQ FOR VICAR AND PAROCHIAL CHURCH COUNCIL OF ST MARY'S

John Sweetnam, one of the Church Wardens and speaking on behalf of the Parochial Church Council, spoke to support the above application being constructed in brick.

Following receipt of 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). 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.

Reason To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Prior to the commencement of development, detailed drawings of the proposed new windows (1:5 sections and elevations) shall be submitted to, and, approved in writing by, the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

3. Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

- (2). The applicant be informed that this decision has been taken in accordance with policies G2, CN3, CN5 and CN8 of the adopted Salisbury District Local Plan.
- (3). The applicant be informed, that for the sake of clarity, with regard to conditions 2. and 3. above, the approved details are drawing number 8250Ext07.
- (4). Consent will be needed from the Environment Agency for the discharge of sewage. Under the terms of the Water Resources Act 1991, written approval of the Environment Agency is required for any discharge of sewage or trade effluent into controlled waters, and may be required for any discharge of sewage or trade effluent from buildings or fixed plant into or onto the ground or into waters which are not controlled waters. Such approval may be withheld. (Controlled waters include rivers, streams, underground waters, reservoirs, estuaries and coastal waters). The Applicant is advised to contact the Hampshire Area Office (Environment Management Test Team) to discuss this matter further.

285. S/2004/948 - FULL APPLICATION - CONVERSION OF REDUNDANT FARM BUILDINGS TO TWO DWELLINGS PROVISION OF GARAGE AND AMENDMENTS TO HIGHWAY ACCESS AT MILFORD FARM BARN, PETERS FINGER ROAD, SALISBURY SPI INJ FOR PRIME RESIDENTIAL LTD

Phillip Pollard, on behalf of the owners of the adjacent farm, spoke to object to the above application.

Alistair McDonald, agent to the applicant, spoke to support the above application.

K Gross, of Laverstock Parish Council, advised the Committee that during it's consideration of this matter, the Parish Council was divided equally and so is unable to either support or object to the above application.

Following receipt of these statements, and further to a site visit held earlier that day, the committee considered the report of the Head of Development Services (previously circulated) together with a verbal summary by the Planning Officer of late correspondence that had been omitted from the schedule of late correspondence:

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

Due to the lack of marketing of the property, the Local Planning Authority remains unconvinced that every reasonable attempt has been made to secure a suitable agricultural, business or community re-use of the buildings. Furthermore, due to the close inter-relationship and awkward juxtaposition between the proposed residential use of the barn and cowshed and the adjacent farm buildings which are in commercial use, the proposal is likely to result in conflict between the adjacent uses, and significantly reduce the amenities of existing and future residents. As a consequence, the proposal is considered to be contrary to policies C22 and G2 of the Salisbury District Local Plan.

The Committee made a request that officers investigate whether the listing of the barn included in the application is possible.

286. S/2004/1055 - FULL APPLICATION - DEMOLITION OF EXISTING DUTCH BARN AND OUTBUILDINGS AND CONSTRUCTION OF NEW MIXED USE BUILDING CONTAINING ADDITIONAL LIVING ACCOMMODATION, DISPLAY AREA, STABLING, GARAGE AND STORES AT FORD MILL, FORD, SALISBURY SP4 6DN FOR ALAN LOVERING

John Montgomerie, agent to the applicant, spoke in support of the above application. K Gross, of Laverstock Parish Council, spoke to advise the Committee that the Parish Council supported the above application.

Following receipt of 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 subject to no new material considerations being raised in representations on or before 15th July which affect the recommendation then the above application be refused for the following reason:

The proposed development would consist of a large unit of accommodation, with facilities capable of independent use in a new building separate to the existing dwelling. It is considered that the development would be tantamount to a new dwelling in the countryside, and that the proposed building would be harmful to the rural character of the open countryside and Special Landscape Area and would adversely affect the setting of the adjacent listed building. In this respect it would be contrary to Replacement Salisbury District Local Plan policies G1, H23, H33, CN3, C2 and C6.

287. S/2004/1061 - CHANGE OF USE - CHANGE OF USE OF MAIN HOUSE TO PERMIT HOLDING OF MUSICAL CONCERTS, WEDDING RECEPTIONS, CONFERENCES AND ASSOCIATED ACTIVITIES, CONSTRUCTION OF NEW DRIVE ACCESS AND ERECTION OF ENTRANCE LODGES AT TRAFALGAR HOUSE, STANDLYNCH, SALISBURY SP5 3QR FOR MR M WADE

Councillor Mrs Peach advised the Committee that Downton Parish Council had not seen the designs submitted and so are unable to make a comment.

Following receipt of 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 the applicant and any other relevant parties undertake, under Section 106 of the principal act, that occupancy of the residential accommodation in the lodges shall be for staffing purposes only in

connection with the running of Trafalgar Park; and agree to pay a commuted sum under policy R2 of the Salisbury District Local Plan within one month, then, for the following reason:

the proposal would not result in any material harm to the character and setting of the Listed Building or the registered Historic Garden, the Special Landscape Area, highway safety or the amenity of the surrounding area;

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.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the proposed lodges hereby permitted, have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the proposed extension will relate appropriately to that of the existing building.

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'.)

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

4. Notwithstanding the provisions of Classes A-H 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 proposed lodges nor the erection of any structures surrounding 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 visual amenity.

5. Before the access hereby permitted is brought into use, the area between the nearside carriageway edge and lines drawn between a point 4.5 metres back from the carriageway edge along the centre line of the access and points on the carriageway 120metres from

and on both sides of the centre of the access, shall be cleared of obstruction to visibility at and above a height of 1 metre above the nearside carriageway level and thereafter maintained free of obstruction.

Reason: In the interests of highway safety.

6. This permission is for a partial change of use of the main house only for the holding of up to 2 business conferences per week, up to 30 concerts a year and 12 wedding receptions a year, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of protecting the character and setting of the Listed Building and Historic Garden Park, the Special Landscape Area and in the interests of highway safety

7. Prior to commencement of development, detailed drawings of the design of the proposed metal entrance gates shall be submitted to and approved in writing by the Local Planning Authority, and the development shall be carried out in accordance with the details so approved.

Reason: In the interests of visual amenity

- (2). The applicant be informed that this decision has been taken in accordance with policies G1, G2, D2, H23, CN3, CN4, CN18, C2, C6, C22, C23 and R2 of the adopted Salisbury District Local Plan.
- (3). If the applicant does not comply with (1). above then the application is delegated to the Head of Development Services to refuse the proposal on the grounds of non-compliance with Policy R2.
- (4). The applicant is advised that Discharge Consent will be required from the Environment Agency for the proposed foul water disposal.

288. S/2004/1134 - FULL APPLICATION - DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF REPLACEMENT DWELLING. C.O.U RESIDENTIAL - AGRICUTURAL AND C.O.U AGRICULTURAL - RESIDENTIAL TOGETHER WITH ASSOCIATED WORKS AT COWESFIELD HOUSE ROMSEY ROAD, WHITEPARISH, SALISBURY SP5 2QY FOR MR AND MRS I DAVIES

William Coburn, owner of the neighbouring property, spoke to advise that, following agreement with the applicant, he wished to withdraw two letters of objection previously submitted.

Mr I Davies, applicant, spoke in support of the above application.

Councillor W Moss, as County Councillor, spoke to advise that, as a County Councillor, he supported the above application.

Following receipt of 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

- (1). The 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.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

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.

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.

Reason: In order to limit and control the bulk and scale of the replacement dwelling and its impact on the wider countryside.

4. Before development commences, a scheme for the timing of the development and the removal of the existing dwelling house shall be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In order to ensure that an additional dwelling is not created in the open countryside of the Special Landscape Area.

- (2). The applicant be informed that this decision has been taken in accordance with policies G2, D3 and H30 of the adopted Salisbury District Local Plan.

289. S/2003/1802 - FULL APPLICATION - ERECTION OF TWO NEW SEMI DETACHED DWELLINGS AND ACCESS AT CHAPEL HILL, WEST GRIMSTEAD, SALISBURY SP5 3SG FOR MR & MRS G READ

Peter Finley, owner of 3 Greenfields (a neighbouring property), spoke to object to the above application.

Malcolm Brown, agent to the application, spoke in support of the above application.

Robert Amor, of Grimstead Parish Council, spoke to advise the Committee that the Parish Council objected to the above application.

Councillor W Moss, speaking as a County Councillor, spoke to advise he supported the reduction in hedge height as per comments made by the Highways Department.

Following receipt of 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

- (1). provided that the applicant and any other relevant parties undertake, under Section 106 of the principal act and agree to pay a commuted sum under policy R2 of the Salisbury District Local Plan within one month, then, for the following reason;

it is considered that the proposed dwellings would be of an acceptably high quality of design and that they would be of a scale that is sympathetic to the surrounding properties. The design approach would also retain a reasonable sense of spaciousness around the proposed dwellings and the neighbouring properties such that it would preserve the character of the area, whilst making an efficient use of previously developed land. In respect of other issues, the proposed development would not materially affect the amenities of the neighbouring residential properties. The proposed development will therefore comply with Policies G2, D2, H16, C6, TR11 and R2 of the Adopted Salisbury District Local Plan;

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.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990.

2. Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that the external appearance of the dwelling is satisfactory.

3. Prior to the commencement of development, details/a plan indicating the positions, design, materials and type of boundary treatment to be erected or retained are to be submitted to, and approved in writing by, the Local Planning Authority. The erection of the approved boundary treatment shall be completed before the dwelling is first occupied. Development shall be carried out in accordance with the approved details, and thereafter retained, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and privacy for the occupants of the neighbouring properties.

4. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactments thereof, no further windows (other than those expressly authorised by this permission) shall be inserted in the north west (side), north east (rear) and south east (side) elevations (such expression to include the roof and wall) of the dwellings hereby permitted, unless otherwise first agreed in writing by the Local Planning Authority.

Reason: To avoid loss of privacy to the neighbouring properties.

5. Before the dwelling is first occupied, the bathroom windows in the north east (rear) elevation of the dwellings hereby approved shall be glazed with obscure glass in a form sufficient to prevent external views and shall either be of a fixed, or top opening vent only design so as to prevent the effect of obscure glazing being negated by reason of opening the window and shall be retained in its condition thereafter.

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

6. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, no further development permitted by Classes A and B of Part I of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of the character and appearance of the area and in the interests of neighbouring amenity due to the restricted size of the plots.

7. The dwelling hereby approved shall not be occupied until the access and parking as indicated on the approved plan has been constructed, and these shall thereafter be retained and kept available for those purposes at all times.

Reason: In the interests of highway safety.

8. Prior to the commencement of development, a scheme for the discharge of surface water from the dwellings and areas of hard standing, hereby approved, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall subsequently be carried out in its entirety prior to the first occupation of the flats and thereafter retained.

Reason: To ensure a satisfactory means of surface water disposal and to prevent the discharge of surface water onto the public highway.

9. Prior to the first occupation of the dwellings hereby approved the vehicular access and parking area as indicated on the approved plan shall be properly constructed, consolidated and surfaced (not loose stone or gravel), in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority.

Reason: In the interests of highway safety.

10. The existing hedgerow along the boundary of the site to Chapel Hill shall be retained and reinforced where necessary in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority. Any such reinforcement shall be carried out during the planting season before development commences following the first occupation of the dwelling hereby approved and

properly maintained for a period of five years including replacement of any plants which die, are removed or become damaged or diseased within this period with plants of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation, and the approved scheme thereafter retained. The Local Planning Authority shall be advised in writing when the planting has been undertaken so that initial compliance with the condition can be checked.

Reason: In the interests of visual amenity and to preserve the character and appearance of the site and the surrounding area.

- (2). The applicant be informed that this decision has been taken in accordance with policies G2, D2, H16, C6, TR11 and R2 of the adopted Replacement Salisbury District Local Plan.
- (3). The applicant be informed that, in conjunction with condition 3. above, it is expected that the existing boundary between the application site and number 3 Greenfields will be retained in its current form and/or enhanced.

The meeting concluded at 7.20 p.m.

Members of the Public: 33