

SOUTHERN AREA PLANNING

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON THURSDAY 7TH MAY 2009 AT CITY HALL, SALISBURY

Present:

Mr R Britton, Mr D Brown, Mr B Dalton, Mr E Draper, Mr P Edge, Mr M Fowler, Mr M Hewitt, Mrs C Hill, Mr I McLennan, Mr A Roberts, Mr B Rycroft, Mrs C Spencer and Mr I West

County Councillor T Deane

11. Apologies for Absence

Apologies for absence were received from Mr P Sample and Mr J Walsh.

12. Minutes of the Previous Meeting

Resolved:

That the minutes of the meeting held on 16th April 2009 be approved as a correct record and signed by the Chairman.

13. Public Participation

The committee noted the rules on public participation and the manner in which the meeting would proceed.

14. Chairman's Announcements

The Chairman reminded members to return their presentation CDs to planning support.

15. Members' Interests

There were none.

16. S/2009/0121 – RETROSPECTIVE CHANGE OF USE OF TWO BUILDINGS FROM EQUESTRIAN USE TO STORAGE OF SANITARY WARE – Cotswold Farm Stables, West Dean Road, West Tytherly, Salisbury, SP5 1 QA:

Public Participation:

Mr Ray Simmonds, the applicant, spoke in support of the application.

The Committee then considered the officer's report, along with the schedule of additional correspondence circulated at the meeting and debated the

application. The officer's recommendation was that the application be granted subject to conditions.

Resolved:

That permission be GRANTED for the following reason and subject to an alteration to condition 6 as set out below:

The proposed development is not judged to be visually detrimental to the surrounding area or prejudice residential amenity or highway safety. As such the proposal is judged to conform with saved policies G1, G2, C6 & C22.

Subject to the following conditions:

(1) The buildings shall be used for the storage of sanitary ware only and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 2006, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification). (V01A)

Reason: To enable the Local Planning Authority to exercise control over the use of the premises in the interests of regulating any alternative kinds of operations which could have adverse effects upon the amenities of nearby dwellings and highway safety.

(2) The use hereby permitted shall be carried on only by Raymond Simmonds and upon him ceasing to use the buildings in connection with the permitted use, they shall revert to equine use.

Reason: In the interests of amenity, to secure the cessation of a use which can only be justified on the basis of a special personal need by the applicant.

(3) The use hereby permitted shall be discontinued on or before three years of the date of this decision and the building shall be reinstated to its former use.

Reason: In the interests of amenity in order to monitor the impact of the use.

(4) There shall be no outside storage of sanitary ware at the site.

Reason: To enable the Local Planning Authority to exercise control over the use of the premises.

(5) The turning and parking areas and vehicular access to the buildings shown on the location plan submitted on 01/05/09 shall be kept free of obstruction at all times.

Reason: In the interests of highway safety

(6) There shall be no use of the building nor deliveries or dispatch of goods outside the following hours:

0800-1800 Monday to Friday

0800-1200 Saturday

There shall be no use, deliveries or dispatch on Sundays and Bank Holidays.

**Reason: In the interests of residential amenity and highway safety
And in accordance with the following policies of the Adopted
Salisbury District Local Plan.**

G1 General Development Guidance

G2 General Development Guidance

C6 Development within the Special Landscape Area

C22 Change of Use of Buildings within the Countryside

This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Location Plan submitted on 01/05/09

17. S/2009/0416 – DEMOLITION OF EXISTING DWELLING AND BUILDING OF REPLACEMENT DWELLING – Grove Farm, Lower Coombe, Donhead St Mary, Shaftesbury, SP7 9LY:

Public Participation:

Mrs Lisa Dennis, the applicant, spoke in support of the application.

Mrs Jean Barnes, on behalf of Donhead St Mary Parish Council, spoke in objection to the application.

County Councillor T Deane spoke in objection to the application.

The Committee then considered the officer's report, along with the schedule of additional correspondence circulated at the meeting and debated the application. The officer's recommendation was that the application be granted subject to conditions.

Resolved:

That PERMISSION be granted for the following reason, subject to additional conditions cited as conditions 7 and 8 below:

It is considered that the proposed replacement dwelling would not be significantly larger, or of an unacceptable design, and that it would not harm the character or appearance of the area, or the

AONB's natural beauty. It would not harm highway safety, the amenities of nearby properties, the ecology of the Lower Coombe and Ferne Brook Meadows Site of Special Scientific Interest, or the interests of protected species. It would therefore comply with the relevant saved policies of the Adopted Salisbury District Local Plan and the advice in relevant Government Guidance.

And subject to the following conditions :

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

Reason (1): To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by section 51(1) of the Planning and Compulsory Purchase Act 2004.

2) Development shall be undertaken in accordance the external facing materials detailed in the application forms unless otherwise agreed, in writing, by the Local Planning Authority.

Reason (2): in the interests of the character and appearance of the area

(3) Notwithstanding the provisions of Classes A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995 as amended (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling, 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 (3): in accordance with saved policy H30 of the Adopted Salisbury District Local Plan, which seeks to limit the cumulative impact of development in the countryside

(4) Prior to the commencement of development (including demolition), details of the siting, design, implementation and maintenance of a bat roost shall be submitted to and approved, in writing, by the Local Planning Authority. The roost shall be provided in accordance with the details thereby approved.

Reason (4): in the interests of protected species

(5) Development shall be undertaken in accordance with the construction method statement dated 19th March 2009, unless otherwise agreed in writing by the Local Planning Authority.

Reason (5): in the interests of protecting the Lower Coombe and Ferne Brook Meadows Site of Special Scientific Interest.

(6) Prior to the commencement of development (including demolition) details of the means of access to the site for vehicles

and equipment used in the demolition of the existing dwelling and the construction of the replacement dwelling, and of the maintenance/repair of any damage caused to the highway or public rights of way caused as a result of these works, shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in full accordance with the details thereby approved.

Reason (6): in the interests of users of the highway and public rights of way.

7) During the undertaking of the proposed development, all materials (including all waste), equipment, machinery etc associated with the works shall be kept on site.

Reason (7): in the interests of highway safety

(8) No development works (including demolition) shall take place outside of the following hours: 08:00 to 18:00 on Mondays to Fridays; 08:00 to 13:00 on Saturdays. No works shall take place on Sundays or Public Holidays.

Reason (8): in the interests of the amenities or nearby properties.

INFORMATIVES:

(1) This decision has been taken in accordance with the following saved policies of the Adopted Salisbury District Local Plan, and relevant national guidance:

C2 Development in the countryside
C4, C5 Development in the AONB
H30 Replacement dwellings in the countryside
G1, G2 General Development Criteria
C11, C12 Nature Conservation and Protected Species
National Government Guidance:
PPS1 Delivering Sustainable Development
PPS7 Sustainable Development in Rural Areas
PPS9 Planning and Nature Conservation

(2) This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings structures and may also lead to prosecution.

18. Planning Code of Good Practice:

Members discussed the Planning Code of Good Practice. The Area Development Manager informed the committee that the code had been adopted by the Interim Executive and would remain in place for the duration of the interim period. There would be a meeting of Interim Area Planning Committee Chairmen with relevant officers and portfolio holders after the election to discuss lessons learnt from the interim period. Suggested amendments to the code would be considered at this point.

The committee's comments are summarised below:

- Members felt strongly that Town, Parish and City Council's should be treated separately from other consultees. As democratic bodies with a duty to represent residents it was felt that they should be treated independently, given a specific slot on the agenda, and given longer than three minutes to contribute.
- It was felt that the new public participation arrangements would potentially disadvantage applicants. People are more inclined to speak against a development than in favour, and typically it is only the applicant or agent who wishes to speak in support. It was anticipated that objectors would regularly speak for nine minutes, whilst the supporters would only speak for three minutes. It was felt both sides should be given exactly the same amount of time.
- Members felt that it was unnecessary to limit the number of consultee contributions to three. It would be a very rare occurrence for more than three consultees to wish to speak, but in such an event statutory consultees should be given the right to contribute.
- Members felt that the 21 day call-in limit was too short. It was suggested that the limit either be extended to 28 days, or to coincide with the expiry date on the site notice.
- Members felt strongly that Committee Chairmen and Planning Officers should be able to agree to hold a site visit in advance of a meeting. Site visits were felt to be very important for certain applications, especially so given that planning committees were now covering a larger area. The current arrangement was slow and cumbersome, and unfair to councillors, officers and applicants. Encouraging councillors to attend site visits alone was not seen as acceptable as it could lead to accusations of bias or bribery. The absence of a planning officer to advise members on a site visit was also seen to devalue the practice. It was noted that the current Wiltshire Council Regulatory Committee held site visits, which sets a precedent.

(Duration of meeting: 6.00pm – 7.26pm)

The Officer who has produced these minutes is Paul Trenell, Democratic Services, direct line (01722) 434250 or e-mail paul.trenell@wiltshire.gov.uk

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