

Minutes

Thursday 4th September 2003
at The Lecture Hall, Mere
Commencing at 4.30pm

**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 Mrs S A Willan – Chairman

Councillor Mrs J Green – Vice-Chairman

Councillors A J A Brown-Hovelt, J A Cole-Morgan, T F Couper, E R Draper, P D Edge,
J B Hooper and Mrs C A Spencer

Apologies: G E Jeans

Parish Representatives

J B Blanchard (Donhead St Mary), Mr Follett (Berwick St John), Mr Lockyer (Dinton),
Mr Medley (Tisbury), Mrs Morland (Wilton), J R Pendrill (Donhead St Mary),
Mr Porter-Wright (Swallowcliffe) and Mr Wright (Sutton Mandeville)

MINUTES NOT REQUIRING COUNCIL APPROVAL

The Area Committee stood in silence in tribute to the recent sad death of Mary Thomas, a longstanding employee of the District Council.

70. PUBLIC STATEMENT/QUESTION TIME

There were no statements or questions from the public.

71. COUNCILLOR STATEMENT/QUESTION TIME

There were no statements or questions from the Councillors.

72. MINUTES

RESOLVED – That subject to the following amendment being made to minute 51,
Bullet point 4 – “Staff are appreciative of the need for a change, now that they have
been assured...”

Then the minutes of the last ordinary meeting held on 7th August 2003 be approved as correct record and signed by the Chairman

73. DECLARATIONS OF INTEREST

Councillor Cole-Morgan declared personal and prejudicial interests in Agenda Item 11, Agenda Item 12 and Exempt Agenda Item 16 since he was a friend of the applicant and withdrew from the meeting during consideration thereof.

Councillor Draper declared a personal interest in planning application S/2003/1400 since he could see the wall of the property from his own residence, but was still able to speak and vote on the matter since this was only a person interest.

Councillor Edge declared a personal and prejudicial interest in planning application S/2003/975 and withdrew from the meeting during consideration thereof.

Councillor Mrs Spencer declared a personal interest in Agenda Item 9 since she farmed nearby land, but since this was only a personal interest was still able to speak and vote on the matter.

Councillor Mrs Willan declared a personal and prejudicial interest in planning application S/2003/975 since the applicant managed a property that belonged to the Councillor and withdrew from the meeting during consideration thereof.

74. CHAIRMAN'S ANNOUNCEMENTS

The Chairman informed the Committee that in order to ensure effective and time efficient meetings, the format of Western Area Committees would alter from now on, with planning issues being considered first and then community matters. The Chairman emphasised however, that it was important that the public did not feel excluded from participating in community issues and if there was any evidence of exclusion then the running order for agenda items would be reconsidered.

75. PLANNING APPLICATION S/2003/975: CHANGE OF USE -FROM OFFICES TO RESIDENTIAL (SINGLE DWELLING), 4 NORTH STREET, WILTON SALISBURY – FOR JEREMY & JOANNA BROAD

Mr Broad, the applicant spoke in support of the above application.

Mrs Morland on behalf of Wilton Town Council informed the Committee that the Town Council supported the application. The shop was a very small one and was probably better suited to residential use.

Following the receipt of the above statement the committee considered the previously circulated report of the Head of Development Services, together with the schedule of late correspondence circulated at the meeting.

RESOLVED – That in light of the Planning Inspector's decision in relation to the appeal for 41-45 North Street, Members felt that they could not defend a refusal on the grounds of policy E16 and resolved that subject to all persons concerned entering into a section 106 agreement under the provisions of the Town and Country Planning Act 1990 (as amended) for the provision of R2 funds then the above application be approved subject to the following condition:-

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

76. PLANNING APPLICATION S/2003/1646: LISTED BLDG (WKS) -FORMATION OF BEDROOM AND BATHROOM IN ROOF SPACE WITH ADDITION OF ROOF LIGHTS AND GROUND FLOOR GLAZED SCREEN, 29 THE RINGS FONTHILL BISHOP SALISBURY — FOR MR & MRS G TAYLOR

Mr Taylor, the applicant spoke in support of the above application.

Following the receipt of the above statement, the Committee considered the previously circulated report of the Head of Development Services.

RESOLVED –

- (1) Members considered that the application would not have a detrimental effect on either the Conservation Area or the listed building and resolved that the above application be approved subject to the following conditions:-
 1. The development for which permission is hereby granted must be commenced not later than the expiration of 5 years beginning with the date of this permission.
- (2) That the applicant be informed that this permission has been taken in accordance with the following policy/policies of the Adopted Salisbury District Local Plan: CN3 & CN8.

77. PLANNING APPLICATION S/2003/794 – FULL APPLICATION -ERECT DWELLING AND ACCESS, PART GARDEN OF CRANBORNE LODGE, BERWICK ST. JOHN SHAFTESBURY – FOR MRS D THOMAS C/O MR R JONES

Mr Thoroughgood, a nearby resident spoke in objection to the above application.

Mr Follett of Berwick St John Parish Council informed the Committee that the Parish Council objected to the application on the grounds that it would not enhance the look of the site and would result in extra traffic

Following the receipt of the above statement and further to the site visit held earlier that day, the Committee considered the previously circulated report of the Head of Development Services, together with the schedule of late correspondence circulated at the meeting.

RESOLVED –

- (1) That subject to:-
 - (a) the receipt of satisfactory plans to show trees to be retained, trees to be felled and a 45 degree splayed access 4.5m back from the carriageway edge (as Cranborne Lodge itself);
 - (b) All persons concerned entering 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. This development shall be in accordance with the following drawing[s] 2945 2, deposited with the Local Planning Authority on 16th May 2003, as amended by the drawing[s] 295/Drawing 1/Rev A received on 19th September 2003, unless otherwise agreed in writing by the Local Planning Authority.
3. 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 walls and roofs 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.
4. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.
5. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development.
6. 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').
7. No retained trees shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the written approval of the Local Planning Authority. Any topping or lopping's shall be carried out in accordance with British Standard (3998 tree work).

If any retained tree is removed, uprooted or dies, another tree shall be planted at the same place and that tree shall be of such size and

species, and shall be planted at such time, as may be specified in writing by the Local Planning authority.

8. Notwithstanding the provisions of Class[es] A, B, C, D and 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.
 9. The finished floor level[s] of the proposed building[s] shall be in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced.
 10. A recessed entrance having a minimum width of 3.00m shall be constructed 4.5m from the carriageway edge and its sides be splayed outward at an angle of 45 degrees toward the carriageway edge. The area between the entrance and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall have to be submitted to and approved in writing by the Local Planning Authority.
 11. Any entrance gates erected shall be hung open away from the highway only and shall be set back a minimum distance of 4.5m from the carriageway.
 12. The gradient of the access way shall not at any point be steeper than 1 in 15 for a distance of 4.5m metres from its junction with the public highway.
 13. Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall be submitted to and approved in writing by the Local Planning Authority.
 14. All details of rainwater goods, cills and windows shall be submitted to and approved in writing by the Local Planning Authority.
- (2) That if the applicant does not comply with (1) above the application is delegated to the Head of Development Services to refuse the proposal on non-compliance with Policy R2.
 - (3) That the applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan H19, G1, G2, CN8, CN11.

78. PLANNING APPLICATION S/2003/1075 – O/L APPLICATION -OUTLINE FOR ONE DWELLING & ACCESS RENEWAL OF S/1998/1106, 12 AUGUST 1998, SITE ADJOINING FARTHINGS BRATCH LANE DINTON SALISBURY -- FOR MR H R WILLEY

Mr Lockyer of Dinton Parish Council informed the Committee that the Parish Council supported the application.

Following receipt of this statement, the Committee considered the previously circulated report of the Head of Development Services.

RESOLVED –

(1) That the above application be approved subject to the following conditions:-

1. Approval of the details of the siting, design and external appearance of the building[s], the means of access thereto and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.
2. Plans and particulars of the reserved matters referred to in condition above, relating to the siting, design and external appearance of any buildings to be erected, the means of access to the site and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.
3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
4. The development hereby permitted shall be begun either before the expiration of five years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.
5. 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.
6. No development shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the occupation of the building[s].
7. Before development commences, a scheme for the discharge of surface water from the building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved.
8. No development shall take place until details of provision for recreational open space in accordance with policy R2 of the SDLP have been submitted to and agreed in writing by the Local Planning Authority.

(2) That the applicant be informed as follows:-

(a) Policy

This permission has been taken in accordance with the following policy/policies of the Adopted Salisbury District Local Plan: G2, H16, H23, R2, C4, C5, C12

(b) Future applications

This is an exceptional case in light of the site history and short time period between adoption of the Local Plan and expiry of the previous consent. A future outline housing application on this site under the Adopted Local Plan (June 2003) would be considered contrary to the relevant Housing Policies.

(c) R2

The applicant is advised to contact the Local Planning Authority prior to any submission of details so that compliance with Policy R2 can be discussed.

(d) Wessex Water

It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of foul flows generated by the proposal

According to records there is a sewer main crossing the site. There maybe private pipes on the site, records of which we are not required to maintain. Their extent would need to be established by private site survey.

Wessex Water normally requires a minimum easement width of three metres on either side of its apparatus for purposes of access for maintenance and repair. No buildings are normally permitted within easement width. Diversion of the sewer main, provided it is practical and technically feasible, could be carried out at the developers expense. The developer must agree in writing prior to the commencement of works on site, any arrangements for the protection of Wessex Water Infrastructure crossing the site.

It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure.

79. PLANNING APPLICATION S/2003/1316 – CHANGE OF USE - FROM POST OFFICE TO RESIDENTIAL ACCOMODATION, WREN HOUSE THE STREET, EAST KNOYLE SALISBURY – FOR M W ATTRILL

The Committee did not consider this application since it had been withdrawn by the applicant.

80. PLANNING APPLICATION S/2003/1343 – CHANGE OF USE -OF REDUNDANT BUILDING INTO OFFICES, KNOWLE FARM, BOWER CHALKE SALISBURY – FOR D MANN & SON

The Committee considered the previously circulated report of the Head of Development Services.

RESOLVED –

- (1) That the above application be approved subject to the following conditions:-
 1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
 2. The development shall be carried out in strict accordance with the drawing[s] hereby approved, or with such other details as may subsequently be submitted to and approved in writing by the Local Planning Authority.
 3. The building subject to this change of use permission shall not be occupied until the access and visibility improvements detailed in drawing 0073-2 Rev A (accompanying application S/2000/1283) have been carried out in complete accordance with the requirements of WCC Highways Department, unless otherwise agreed in writing with the Local Planning Authority. Forward of the visibility line, identified on the drawing 0073-2 RevA, shall be maintained in perpetuity, free of any obstruction exceeding 1metre in height above the carriageway level.
 4. Prior to the commencement of the use hereby permitted, bat entry and exit points shall be installed around the building and retained in perpetuity, unless otherwise agreed in writing with the Local Planning Authority. Prior to the introduction of the bat entry and exit points, details shall be submitted to and approved in writing by the Local Planning Authority.
 5. Prior to the commencement of the use hereby permitted, car parking spaces shall be marked and laid out in accordance with a scheme to be agreed with the Local Planning Authority
- (2) That the applicant be informed that this permission has been taken in accordance with the following policy/policies of the Adopted Salisbury District Local Plan C21, C22, E20 and CN8.

81. PLANNING APPLICATION S/2003/1400 - FULL APPLICATION -BRICK & FLINT WALL 4' HIGH, CLOISTERS 20 THE CROFT BISHOPSTONE SALISBURY – FOR MR J W NORTH

Further to the site visit earlier that day, the Committee considered the previously circulated report of the Head of Development Services.

RESOLVED –

- (1) that the above application be approved subject to the following condition:-
 1. The materials to be used in the construction of the external surfaces of the walling hereby permitted shall match those used in the existing walling already constructed.

- (2) That 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, C4, C5, H16

82. PLANNING APPLICATION S/2003/1425 - FULL APPLICATION -CONVERSION OF GARAGE TO LIVING ROOM ACCOMMODATION, PLOT 8 2 RIVERSIDE TISBURY SALISBURY - FOR BRENLE PROPERTIES LTD –

Mr Medley on behalf of Tisbury Parish Council informed the Committee that the Parish Council objected to the application. The Parish Council was of the view that these changes should have been considered when the plans were first considered. The proposal would result in the loss of a garage and would put further pressure on the limited parking spaces available in Tisbury.

Following receipt of this statement, the Committee considered the previously circulated report of the Head of Development Services, together with the schedule of late correspondence circulated at the meeting.

RESOLVED –

- (1) That the above application be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The materials and finishes of the external walls of the proposed development hereby permitted shall match in colour and texture those of the existing building[s].

- (2) That 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, C4, C5, CN3, CN8

83. PLANNING APPLICATION S/2003/1426 – LISTED BLDG (WKS) -REMOVE EXISTING GARAGE DOOR REPLACE WITH STONE FACED WALL AND 2 NO TIMBER WINDOWS IN OPENING USING GARAGE FOR DINING PURPOSES, 2 RIVERSIDE THE OLD BREWERY CHURCH STREET TISBURY SALISBURY – FOR BRENLE PROPERTIES LTD

The committee considered the previously circulated report of the Head of Development Services.

RESOLVED

- (1) That the above application be approved subject to the following conditions:-

1. The development for which permission is hereby granted must be commenced not later than the expiration of 5 years beginning with the date of this permission.
2. The materials and finishes of the external walls of the proposed development hereby permitted shall match in colour and texture those of the existing building[s].

- (2) That 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, CN3

84. PLANNING APPLICATION S/2003/1466 – FULL APPLICATION -TWO STOREY SIDE EXTENSION INCLUDING INTEGRAL GARAGE, GABLE COTTAGE PECKONS HILL LUDWELL SHAFTESBURY – FOR MR P MAIDMENT

Mr Maidment, the applicant spoke in support of the above proposal.

Mr Pendrill, Parish Clerk to Donhead St Mary, speaking on behalf of Mr Blanchard, the Chairman of the Parish Council, informed the Committee that the Parish Council objected to the application. The view of the Parish Council was that the application would double the size of the original building. Furthermore, the application falls within an Area of Outstanding Natural Beauty and would be seen from Win Green. In addition Peckons Hill is a dangerous lane coming out onto the A30.

Following the receipt of these statements, the Committee considered the previously circulated report of the Head of Development Services.

RESOLVED – that the above application be deferred for a site visit.

85. PLANNING APPLICATION S/2003/1554 – FULL APPLICATION - CONSERVATORY AND BEDROOM ANNEX, GREEN BANK CHURCH STREET BOWER CHALKE SALISBURY – FOR MR P L LEE

The Committee considered the previously circulated report of the Head of Development Services.

RESOLVED

- (1) That the above application be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. The materials to be used in the construction of the external surfaces of the extension(s) hereby permitted shall match those used in the existing building.
3. Screen walls and fences of a type, height and in a position on the eastern boundary to be agreed in writing with the Local Planning Authority shall be erected prior to the occupation of the extension hereby permitted.
4. Notwithstanding the provisions of classes A,B,C and E of schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development Order) 1995 (or any order revoking or re-enacting the order with or without modifications) there shall be no extensions or alterations to the building nor the erection of any structures within the curtilage of the dwelling unless otherwise agreed in writing by the Local Planning Authority upon the submission of a planning application in that behalf.

- (2) That 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 C5 C6 & CN8.

86. CO-ORDINATION BETWEEN BUILDING CONTROL AND DEVELOPMENT CONTROL/ENFORCEMENT:

The Committee considered the previously circulated report of the Head of Development Services. The report was welcomed as it would help to co-ordinate and improve services to the local population.

RESOLVED –

- (1) That a letter be sent to the Parishes reminding them that they are the “eyes and ears” within their local communities and should alert the Planning Department of any discrepancies or doubts they may have in relation to developments within their area..
- (2) That the role of the Parish Council in the development process be one of the topics covered in the Parish seminar arranged for early 2004.
- (3) That the co-ordination between building control and development control/enforcement be monitored over the following months to ascertain its effectiveness.

87. BULLPITS GOLF COURSE, BURTON – CONSULTATION FROM NORTH DORSET DISTRICT COUNCIL:

The Committee considered the previously circulated report of the North-West Team Leader.

RESOLVED –

That the North-West Team Leader write to North Dorset District Council with the following comments:-

- (a) Salisbury District Council objects to the proposals as submitted for the reason that the poor design of the clubhouse would be visually detrimental to the quality of the landscape in which it is located.
- (b) consideration should be given to redesigning the proposed greenhouse, either as a lean-to to the garden wall or by altering and converting the existing clubhouse to a garden building.
- (c) No objection is raised to the conversion of the area to the south east of the garden wall from golf course to formal garden.

88. OCCUPATION OF DWELLING IN BREACH OF AGRICULTURAL OCCUPANCY CONDITION AT MAPPERTON HILL FARM, GILLINGHAM ROAD, MERE:

Mr Cardozo, the occupier of Mapperton Hill Farm spoke against enforcement action being taken and requested that he be given a personal licence to continue his business at the premises.

Following receipt of this statement, 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 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 occupation of the dwelling without compliance with condition number 2 imposed on planning permission reference 73/WO/263/215 dated 18th February 1974 namely the occupation of the dwelling by a person not employed or last employed locally in agriculture or forestry.

Requiring the following steps to be taken:

The occupation of the dwelling in breach of Condition 2 above shall endure for the benefit of the current occupiers (Mr and Mrs D Cardozo) and not for the benefit of the land.

Once their occupation of the dwelling ceases, the dwelling shall not be occupied other than by a person or persons who comply with the requirements of condition number 2 imposed on planning permission 73/WO/263/215 dated 18th February 1974.

Reasons for serving the Notice:

The current occupiers of the dwelling the subject of this Notice do not comply with condition number 2 imposed on planning permission 73/WO/263/215 dated 18th February 1974 as they are not currently solely or mainly employed in the locality in agriculture, nor were they lastly employed in the locality in agriculture or in forestry. It has not been demonstrated that there is no longer a need for such a dwelling on the holding or in the surrounding area and the unrestricted occupation of the dwelling would continue to deny its availability to those who comply with the condition and are in need of such accommodation. It is also considered likely to give rise to pressure for further residential development in future to meet any identified essential need to the serious detriment of the character of the surrounding countryside, which lies within a Special Landscape Area. All the above is contrary to the objectives of policies H23, H27, H28, H29, C2 and C7 of the Replacement Salisbury District Local Plan.

However, in order that any interference in the Human Rights of the occupiers is proportionate, the breach of condition is not required to cease for the duration of their occupation of the dwelling.

Time Period For Compliance:

- (1) One month after the date the Notice takes effect, or the date that Mr and Mrs Cardozo cease to occupy the dwelling, whichever is the later.

89. DEPOSITING OF RUBBLE/SPOIL ON LAND AT COLEMAN'S FARM/HAREdene FARM, SUTTON ROW, LOWER CHICKSGROVE:

Mr Parker on behalf of the applicant informed the Committee that the applicant accepted the recommendations made by the Officer.

Mr Wright of Sutton Mandeville Parish Council informed the Committee that the Parish Council supported the Officer's recommendation as set out in the report.

Following receipt of these statements, 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 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 construction of a track unrelated to the agricultural use of the land.

Requiring the following steps to be taken:

- (i) To remove the rubble and spoil deposited around trees on both sides of the track;
- (ii) To alter the form of the rubble bank adjoining the western side of the track by slackening the gradient to no greater than 1:3;
- (iii) After altering the form of the rubble bank in compliance with step (ii), to introduce topsoil at a depth of at least 150 millimetres over the surface and sides of the track and bank, to completely cover the remaining deposited rubble;
- (iv) After compliance with steps (ii) and (iii), to plant the bank adjoining the western side of the track to its appearance immediately prior to the deposit of the rubble (for the avoidance of doubt the bank shall be top soiled in accordance with step (iii), re-seeded with grass and planted with trees to match the adjoining banks in terms of planting distance and species).

Reasons for serving the Notice:

The site is within open countryside, in the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty where development is strictly limited and is not permitted where there is harm to the natural beauty of the landscape. The track has been constructed without regard to established natural features and by reason of its siting and man-made materials of construction, appears unduly alien and incongruous feature in the otherwise attractive, rural surroundings, being out of sympathy with the landscape of the AONB in general and the locality in particular. The above is contrary to policies C2, C4 and C5 of the Adopted Replacement Salisbury District Local Plan June 2003 and policy C8 of the Wiltshire County Structure Plan 2011.

Time Period For Compliance:

- (1) 3 months
- (2) 3 months.

(3) 6 months.

(4) 6 months.

90. LAND AT STAINERS YARD, SWALLOWCLIFFE:

Mr Parker spoke on behalf of the owner of the land, Mr Maidment, requesting that no further action be taken at this time

Mr Postlethwaite, the next door neighbour spoke in support of the Officer's recommendation.

Mr Porter-Wright of Swallowcliffe Parish Council informed the Committee that the Parish Council supported the Officer's recommendation in relation to enforcement action being taken. The Parish Council was of the view that the site should be run according to the conditions originally laid down.

Following the receipt of these statements, the Committee considered the previously circulated report of the Principal Planning Officer (Enforcement). Part of the discussion of this item took place in exempt business (under Minute 94).

RESOLVED –

- (1) That the Head of Development Services is authorised to issue a Breach of Condition Notice in relation to conditions 9 and 18 of planning permission S/99/772 under delegated powers, requiring the following within 28 days:
 - Ceasing the operational use of the site outside of the days and times specified under condition 9;
 - Removing the diesel tank and pump introduced on the site in breach of condition 18;
- (2) That the site continues to be monitored to ascertain that other conditions attached to planning permission S/99/772 are being complied with and in the event of evidence of a breach of further planning conditions being established, that Breach of Condition Notice(s) is/are issued under delegated powers;
- (3) That a further report be brought to a future Western Area Committee meeting to consider the expediency of any enforcement action in relation to the alleged extended /intensified use of the site as a waste transfer station and waste reclamation station and depot for heavy goods vehicles and the parking and storage of vehicles, plant and equipment ancillary to those uses.

(NOTE: Councillor Brown-Hovelt requested that his dissent in relation to the removal of the diesel tank and pump be recorded).

91. FUTURE FUNDING OF THE RURAL FLORAL ENHANCEMENT SCHEME:

The Committee considered the previously circulated report of the Parks Manager, together with the comments received from Wilton Town Council and Mere and Fovant Parish Councils as circulated at the meeting.

RESOLVED –

- (1) That funding for the Rural Floral Enhancement Scheme in 2004 should no longer be made available to the Parish and Town Councils in the Western Area.
- (2) That a letter be sent to all Parish Councils notifying them of this decision, including details as to where tubs/barrels can be purchased directly.

92. EXTENSION OF MEETING

In compliance with Council Policy, as the Committee could not conclude its business by 9.00 p.m., it resolved to extend the meeting by one hour (during which time the matters recorded under minutes 91,93 and 94 were considered).

93. EXEMPT INFORMATION

RESOLVED - that the press and public be excluded from the meeting during consideration of agenda items 12 (part), 16 and 17 on the grounds that they involve the likely disclosure of exempt information as defined within Part 1 of Schedule 12A inserted into the Local Government Act, 1972, by the Local Government (Access to Information) Act 1985, and more particularly specified below:-

Agenda Items 12 and 16 – Press and Public to be excluded on the ground specified in:-

Paragraph 7 namely: 'Information relating to the financial or business affairs of any particular person (other than the authority).

Agenda Item 17 – Press and Public to be excluded on the ground specified in:-

Paragraph 13 namely: 'Information which, if disclosed to the public would reveal that the authority proposes –

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment

Summary of 'exempt' matters

Agenda Items 12 and 16	In connection with land in Swallowcliffe
Agenda Item 17	In connection with land in Teffont

The meeting concluded at 10.05 p.m.