

## Minutes

Adjourned meeting of the  
Western Area Committee  
18<sup>th</sup> December 2003  
held on Monday 12<sup>th</sup> January 2004  
at The Council House,  
Bourne Hill

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**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 J Green – Vice-Chairman – in the Chair

Councillors J A Cole-Morgan, E R Draper, P D Edge,  
J B Hooper, G E Jeans and Mrs C A Spencer

**Apologies:** A J A Brown-Hovelt, T F Couper and Mrs S A Willan (Chairman)

#### **Parish Representatives**

R M Smith (Quidhampton) and M Sumner (Sutton Mandeville)

### **MINUTES NOT REQUIRING COUNCIL APPROVAL**

#### **173. DECLARATIONS OF INTEREST**

Councillor Cole-Morgan declared personal and prejudicial interests in Agenda Item 9 since he was a friend of the applicant and withdrew from the meeting during consideration thereof.

Councillor Edge declared a personal and prejudicial interest in planning application S/2003/2358 since the applicant was a customer and withdrew from the meeting during consideration thereof.

#### **174. ELECTION OF VICE CHAIRMAN FOR THE MEETING**

**RESOLVED** – That Councillor Mrs Spencer be elected as Vice-Chairman for the meeting.

#### **175. PLANNING APPLICATION S/2003/2201 – FULL APPLICATION – TWO STOREY RESIDENTIAL EXTENSION: THE BRAMBLES, LOWER CHICKSGROVE, TISBURY, SALISBURY – FOR MR R E P ANDREWS**

On behalf of Sutton Mandeville Parish Council, the Chairman read out their objections to the proposal, namely that this was located on a prominent hill top site, was considered to be overbearing and would result in congestion on the site.

Following receipt of this statement and further to the site visit held on 18<sup>th</sup> December, 2003, 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.

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 extension 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.

(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: H19, C1, C2, C4, C5 & D3.

(NOTE: Assurance was given by the Officer that a letter would be sent to Wiltshire County Council's Rights of Way Officer about the possible obstruction of Bridleway 27)

**176. PLANNING APPLICATION S/2003/2258 – OUTLINE APPLICATION – DEMOLITION OF LEESWOOD AND GOODWINS, ERECTION OF 9 X 3 BEDROOM DWELLINGS AND PARKING WITH ACCESS: LEESWOOD AND GOODWINS, LOWER ROAD, QUIDHAMPTON, SALISBURY – FOR MR AND MRS BONSER AND MR AND MRS ANSLOW**

Dr Healey, owner of Albion House, an adjacent property, spoke in opposition to the application on behalf of himself and other neighbours.

Mr Speirs of Ian Speirs Associates, agent for the applicant, spoke in support of the above proposal.

Mr R Smith, Vice-Chairman of Quidhampton Parish Council stated that although the Parish Council supported the need for affordable housing, it did have objections to this application on the grounds of density, lack of open space and associated traffic issues. If the application was approved, the Parish Council would like to be involved in the discussion of further details associated with this development.

Following receipt of these statements and further to the site visit held on 18<sup>th</sup> December 2003, 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 provided no new issues are raised by any response to the statutory advertisement on or before its expiry date, then 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.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995

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.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

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.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995

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.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

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.

Reason: To secure a harmonious form of development.

6. 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.

Reason: To enable the Local Planning Authority to secure a satisfactory standard of design and implementation for the landscaping of the proposed development, in the interests of visual amenity.

7. 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.

Reason: To enable the Local Planning Authority to secure the satisfactory implementation of all approved landscaping works, in the interests of visual amenity.

8. No development shall take place within the area indicated until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the Local Planning Authority.

Reason: To enable the Local Planning Authority to exercise adequate control over any development which would affect the area of archaeological interest.

9. No development shall take place until a scheme for the provision of recreational open space in accordance with policy R2 of the adopted Salisbury District Local Plan has been submitted to and approved in writing by the Local planning Authority.

Reason: To ensure adequate provision of recreational open space in conjunction with the development in accordance with policy R2 of the adopted Salisbury District Local Plan

10. The means of access and site layout shall be in accordance with 'proposed site plan drawing 2' received by the Local Planning Authority as part of the application submission.

Reason: The drawing shows a satisfactory form of development.

11. Notwithstanding the provisions of Schedule 2 to the Town & Country planning ( General Permitted Development) Order 1995 there shall be no windows inserted into the southern elevation of the dwellings sited north of Blenheim, nor the eastern elevation of the two terraces of dwellings adjoining Albion House without the prior express consent of the Local Planning Authority.

Reason: To prevent overlooking of neighbouring dwellings.

12. Screen walls and fences of a type, height and in positions to be agreed in writing with the Local Planning Authority shall be erected prior to the occupation of the dwelling(s) hereby permitted.

- (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: H16, G1, G2, G5, R2

**177. PLANNING APPLICATION S/2003/2306 – FULL APPLICATION – ERECTION OF A FOUR BEDROOM DETACHED HOUSE AND CONSTRUCTION OF NEW ACCESS TO HIGHWAY: LAND ADJOINING GABLE COTTAGE, PECKONS HILL, LUDWELL, SHAFTESBURY – FOR MR AND MRS M BATHO**

Mr Brown, agent for the applicant spoke in support of the above proposal.

Following the receipt of the above statement and further to the site visit held on 18<sup>th</sup> December 2003, 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 provided all persons concerned enter into a section 106 agreement under the provisions of the Town and Country Planning Act 1990 (as amended) for the provision of 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.

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

2. This development shall be in accordance with the amended drawing[s] ref: 6408/1, deposited with the Local Planning Authority on 3<sup>rd</sup> November 2003, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the exact position of the building within the site

3. There shall be no windows on the north western elevation of the dwelling hereby permitted, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure the reasonable privacy for the occupants of neighbouring properties.

4. 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].

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

5. 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.

Reason: To ensure the exact finished floor levels of the building

6. 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

7. 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.

Reason: To ensure a satisfactory implementation for the landscaping of the proposed development, in the interests of visual amenity

8. 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.

Reason: To ensure a satisfactory implementation for the landscaping of the proposed development, in the interests of visual amenity

9. 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.

Reason: To ensure that a satisfactory form of access is provided in the interests of highway safety.

10. The sides of the access shall be splayed at an angle of 45 degrees with the highway boundary from a distance of 4.5 metres from the carriageway edge.

Reason: To ensure that a satisfactory form of access is provided in the interests of highway safety.

11. Visibility shall be provided at the site access with nothing over 1m in height being planted, erected or maintained in front of a line measured 2m back into the centre of the access from the nearest carriageway edge extending northwards, as indicated on the submitted 1/500 Block Plan (drawing no 6408/1) and extending southwards to the southern corner of the site frontage.

Reason: In the interests of highway safety

12. Foul drainage shall be to the main sewer, and shall remain in that state in perpetuity.

Reason: To provide a satisfactory form of foul drainage in accordance with Circular 3/99

13. 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.

Reason: To ensure that the development is provided with a satisfactory means of surface water proposal

14. Notwithstanding the provisions of Class[es] A - 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 alterations nor extensions to the dwelling, (including the insertion of additional windows, 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: to enable the Local Planning Authority to retain control over the development in the interests of the visual amenities of the AONB.

15. The gradient of the access should be at a gradient not steeper than 1 in 15 for the first 4.5 metres of its length.

16. Adequate precautions should be taken in order to prevent the discharge of surface water, loose material etc from the access onto the public highway.

- (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, G5, H15, C4, C5, R2
- (3) 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.

**178. LAND AT SANDYHILLS PARK, OLD DINTON ROAD, TEFFONT**

Mr Parker, a resident of Teffont stated that it appeared that the landowner had failed to rectify the issue on this site and it was time for the Committee to take action.

Following receipt of this statement, the Committee considered the previously circulated report of the Principal Planning Officer (Enforcement).

**RESOLVED –**

- (1) That the contents of the report be noted.
- (2) That a further report be brought to the Western Area Committee within the next six months to inform Members of further progress in this matter. If site works are incomplete, the report should include a detailed programme of works to reinstate the site and estimating costs of direct action to implement such a programme.
- (3) That the owner be informed that the Western Area Committee has deferred the consideration of further enforcement action at this stage, in order to give him a final opportunity for a limited period not exceeding six months, to comply with the Enforcement Notice. He is also advised that, in the event that the Notice is not complied with in that period and direct action is subsequently authorised, the costs of any works undertaken on the Council's behalf would be registered as a Land Charge and recoverable against the current or subsequent landowners.

**179. LAND AT STAINERS YARD, SWALLOWCLIFFE**

Mr Maidment, the Operator on the site spoke in objection to the Officer's recommendation.

Following receipt of this statement, the Committee considered the previously circulated report of the Principal Planning Officer (Enforcement), together with the schedule of late correspondence circulated at the meeting.

**RESOLVED –**

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

Alleging the following breach of planning control: -

1. The material change of use of the site from use as a waste transfer and waste reclamation station to a mixed use as a waste transfer and waste reclamation station and operations centre for heavy goods vehicles including a skip hire business, and;



2. The material change of use of land from use for purposes associated with the storage, maintenance and repair of vehicles, to use for the open storage and parking of heavy goods vehicles, plant and equipment including skips and containers, storage of scrap materials, the repair and maintenance of HGVs and use as offices in conjunction with the mixed use of adjoining land as a waste transfer and waste reclamation station and operations centre for heavy goods vehicles including a skip hire business.
3. The material change of use of land from use for purposes associated with the storage, maintenance and repair of vehicles to use for the open storage, maintenance and repair of circus/ fairground equipment, caravans, machinery plant and vehicles.

Requiring the following steps to be taken: -

1. Cease the use of the site as an operations centre for heavy goods vehicles and a skip hire business;
2. Cease keeping/parking/storing heavy goods vehicles at the site overnight;
3. Cease keeping/ parking/storing heavy goods vehicles at the site at times other than 2 above, other than when they are unloading waste materials at the site in accordance with the use of the site as a waste transfer and waste reclamation station permitted by planning permission S/99/772 dated 9<sup>th</sup> September 1999 or have just unloaded such waste materials;
4. Permanently remove the existing heavy goods vehicles parked/stored at the site;
5. Cease the use of the land hatched in black on the attached plan for the open storage and parking of heavy goods vehicles, plant and equipment including skips and containers and storage of scrap materials and permanently remove the vehicles, plant and equipment from the said land;
6. Cease the use of the land cross-hatched on the attached plan for the open storage, maintenance and repair of circus/ fairground equipment, caravans, machinery plant and vehicles and permanently remove the vehicles, plant and equipment from the said land;

Reasons for serving the Notice: -

1. It appears to the Council that the development has occurred within the last ten years; and
2. The use of the site as an operations centre for heavy goods vehicles and a skip hire business and associated storage and parking of vehicles, plant and equipment including skips, containers and scrap materials, and; the storage maintenance and repair of circus/ fairground equipment, caravans, machinery plant and vehicles; all in addition to the permitted use of the part of the site under planning permission reference S/1999/772 for use as a waste transfer and waste reclamation station, is all seriously detrimental to the standard of amenities previously enjoyed by adjoining residential

property by reason of noise, activity, fumes and general disturbance arising from activities at the site and comings and goings thereto, particularly in the early morning. This is contrary to policy G2 (vi) of the Replacement Salisbury District Local Plan.

Time For Compliance: -

1. Six months.
  2. Six months.
  3. Six months.
  4. Six months.
  5. Six months.
  6. Six months.
- (2) That the applicant be informed that the existing use of buildings within the site for the repair and maintenance of HGVs and use as offices (shown coloured blue on the attached plan) are not affected by the requirements of this Notice.
- (3) This Notice does not affect the operator's ability to store skips within the site permitted by S/1999/772 dated 9<sup>th</sup> September 1999 in conjunction with the use so permitted and subject to the conditions attached to that permission.

The meeting concluded at 12.30pm.