

Minutes

**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, G E Jeans and Mrs C A Spencer

Parish Representatives

Mrs B Belk (Wilton), J Hinnis (Wilton), K Male (Wilton), Mrs N Morland (Wilton),
J Rhind-Tutt and Mrs M Whitworth (Wilton)

MINUTES NOT REQUIRING COUNCIL APPROVAL

222. PUBLIC STATEMENT/QUESTION TIME

There were no statements or questions from the public.

223. COUNCILLOR STATEMENT/QUESTION TIME

There were no statements or questions from Councillors.

224. DECLARATIONS OF INTEREST

Councillor Edge was not present at the meeting during the consideration of Planning Applications S/2003/1016 and S/2003/1017 since he was employed by the applicant and therefore had a personal and prejudicial interest in these items.

**225. PLANNING APPLICATION S/2003/1016 – OUTLINE APPLICATION –
DEMOLITION OF EXISTING BUILDINGS AND THE ERECTION OF 62
DWELLINGS, TWO COMMERCIAL (BI UNITS) AND ONE RETAIL UNIT: E V
NAISH LIMITED, CROW LANE AND 51/53 NORTH STREET, WILTON,
SALISBURY – FOR E V NAISH LTD C/O FPD SAVILLES LTD**

At the Chairman's discretion, objectors and supporters were given ten minutes for each side to make their representations in relation to the above application.

Speaking in objection were :-

Mr Knapman, Chartered Surveyor of Knapman Bayment, agent for F H Coombes & Sons, owners of land in Castle Lane.

Mr Batchelder, a resident of Castle Lane.

Mrs Finney, on behalf of herself and other Castle Lane residents.

Lady Rumbold, a resident of West Street.

Mrs Heseltine, an adjacent resident to the proposed development.

Mr Evans of Charter Architects and Mr Whittingham of MWA Ltd spoke in support of the proposal on behalf of the applicant.

Following receipt of these statements, 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:-

All persons concerned entering into an agreement under S106 of the Town & Country Planning Act 1990 (as amended) for;

1. The provision of a minimum of 16 'affordable' housing units, to be located in two or more areas of the site and to be of a variety of sizes and to be in the first instance for the local needs of Wilton and to be for rent (grant permitting)
2. The provision of a minimum of 4 x1 bed roomed open market 'starter' homes,
3. Provision of recreational open space under policy R2
4. A contribution towards indoor community facilities (if required)
5. A contribution towards public transport facilities in the locality.

Then the above application be approved for the following reasons

The development is in compliance with local plan policy and Government guidance in PPG3.

It will enhance the character of the conservation area and provide an improvement to the habitats of the SSSI.

And subject to the following conditions:

1. Approval of the details of the design and external appearance of the building[s] 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 1 above, relating to the, design and external appearance of any

buildings to be erected and the landscaping of the site, shall generally accord with the approved layout drawing 31 rev P8 and aerial view 25 rev P3, feature buildings and site sections 16 rev P3, location plan 24 PI, and drawing nos 35 (Crow Lane), 17 rev P3, 20A, 21B (apartment Building.), 34 P2 (51 –53 North Street), 36 PI (flats 301 - 303), 37 (flats 401 –403) and , 38 (Castle Lane highways layout only), 39 typical 3 bed house, 40 typical 2 bed house)the amended Architects supporting statement submitted 1/12/03 . Details of windows, eaves, doors shall be supplied at a scale of 1:20 and the designs shall include features to reduce water usage within the site and shall be submitted to and approved in writing by the Local Planning Authority before development commences.

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. and to set the parameters for the development.

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. (A04A)

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. The finished floor levels of the buildings hereby permitted shall be set at the following minimum heights:

1 to 10, 34 to 46 and 401 to 403 to be set at or above 53.8m and 11 to 33, 47, 101 to 108, 201 to 205 and 301 to 303 are to be set at or

above 53.8m and garages shall be set no more than 300mm below these levels. The finished floor levels of each building shall be submitted to and agreed in writing by the Local Planning Authority prior to commencement of development unless otherwise agreed in writing with the Local Planning Authority.

Reason: To ensure the exact finished floor level[s] of the building[s] to reduce flood risk.

7. There shall be no ground raising within the site unless otherwise agreed by the Local Planning Authority by provision of compensatory evacuation.

Reason: To reduce risk of flooding

8. Prior to commencement of development a scheme to provide a buffer zone / maintenance strip shall be submitted and approved in writing by the Local Planning Authority. This scheme shall incorporate a detailed site survey and there shall be no development (other than the provision of hard and soft landscaping) within 4 metres of the north side of the river channels. This strip shall be provided and maintained thereafter in accordance with the approved scheme.

Reason: In the interests of the water environment and SSSI

9. No development shall take place until there has been submitted to and approved by the Local Planning Authority a scheme of hard and soft 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.

10. 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.

11. Before development commences, a scheme for the discharge of surface and foul water from the buildings and hard surfaces hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. Drainage of hard

surfaced areas must include petrol/oil interceptors and anti pollution devices. Foul drainage shall be designed to prevent infiltration by groundwater.

Reason: In the interests of the water environment and to reduce risk of pollution

12. Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any unit hereby permitted is first occupied.

Reason: 0093 In the interests of health and safety for occupants of, or visitors to, the proposed development.

13. If, during construction, contamination not previously identified is found to be present at the site, then no further development (unless otherwise agreed in writing by the Local Planning Authority) shall take place until the developer has obtained the written approval of the Local Planning Authority for an addendum to the method statement which shall detail how this unsuspected contamination shall be dealt with.

Reason: To ensure the development complies with the approved details in the interests of protection of the controlled waters.

14. Before any demolition is commenced, the river channels shall be protected from materials from the demolition hereby permitted falling into the river in accordance with a scheme to be submitted to and approved in writing by the Local Planning authority. The scheme shall incorporate measures for the protection of the water vole habitat and for protection of the river corridor during construction works.

Reason: To protect the river corridor in the interests of protection of the controlled waters.

15. The demolition of existing buildings, structures and foundations, together with the removal of debris resulting therefrom, shall take place only between the following hours: -8.00am to 6.30 pm on Mondays to Fridays; 8.00am to 1.00pm on Saturday; and not at all on Sundays and Public Holidays.

Reason: To avoid the risk of disturbance to nearby dwellings / the amenities of the locality during unsocial hours.

16. No development shall take place within the area of the application site until the applicants, their agents or successors in title have 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.

17. No site works shall take place within the area of the application site until the applicants, their agents or successors in title have secured the implementation of a programme of building recording in accordance with a written brief and specification 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.

18. During the course of the demolition hereby permitted, the developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow him to observe any excavations and record items of interest and finds.

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

19. Prior to the commencement of the demolition of the buildings hereby permitted, a scheme for the methodology of demolition shall be submitted to and approved in writing by the Local Planning Authority and the demolition shall be carried out in accordance with the approved scheme.

Reason: In the interests of the amenity of the locality as the buildings are known to contain asbestos and to prevent pollution of the watercourse on the site.

20. Prior to the construction of any buildings or roadways, pathways or bridges hereby permitted a method statement for their construction including measures to prevent pollution of the watercourses shall be submitted to and approved in writing by the Local planning Authority. Development shall then be carried out in accordance with the method statement thus approved.

Reason: To protect the watercourse and water environment and SSSI & cSAC.

21. No development (including any demolition) shall take place until the works to the bridge at the junction of North St/Castle Lane and the alterations and improvements to Castle Lane shown on drawing no.31 Rev P8 have been carried out to WCC 's specification and surfaced to base coat standard.

Reason: 0052 In the interests of highway safety.

22. No building on plots 1 –14 or the feature apartment building thereby permitted shall be occupied until the improvements to Crow Lane (shown on drawing no. no.31 Rev P8) have been carried out.

Reason: 0052 In the interests of highway safety.

23. Prior to commencement of development, details of all hard surfacing shall be submitted to and approved in writing by the Local Planning Authority. Development shall then be carried out as approved and completed in its entirety before the 56th dwelling is occupied.

Reason: In the interests of the amenity of the development and highway safety.

24. The development shall be carried out in full accordance with the recommendations of the Bat Survey and Assessment by Chalkhill consultants revision 2 – 8/10/03. Further details of replacement bat habitats within the new buildings proposed shall be submitted to and approved in writing by the Local Planning Authority before any development (including demolition) takes place.

Reason: In the interests of nature conservation

25. Before development commences a Conservation Management Plan to cover all proposed works, regarding planting within the river corridor, the protection of habitats and species of flora and fauna, the timing of any works and provision for the future maintenance of the river corridor shall be submitted to and approved in writing by the Local Planning Authority. The plan shall then be carried out as approved.

Reason: In the interests of nature conservation

26. 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.

27. No development shall take place until details of the treatment of boundar[ies] 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 the amenity and the environment of the development.

28. Notwithstanding the provisions of Schedule 2 to the Town & Country Planning (General Permitted Development) Order there shall be no windows inserted into the south west elevation of plot 11 without the prior express consent of the Local Planning Authority.

Reason: To ensure adequate privacy for the occupants of neighbouring premises.

29. There shall be no obstruction to the riverside footpath which shall provide a link through the site from north west to south east.

Reason: To ensure permeability of the site.

30. No dwelling shall be occupied until the footbridge immediately to the north west of the site has safety guardrails (or similar) installed and the footpath has been resurfaced with 'as dug' gravel.

Reason: In the interests of pedestrian safety for users of the footpath originating from the site.

31. Notwithstanding the provisions of Class[es] 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 alterations or extensions to the dwelling(s) nor the erection of any structures within the curtilage nor satellite dishes installed unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: In the interests of the visual amenity of the Conservation Area, the water environment and to reduce the risk of flooding.

32. No development (including demolition) shall take place until the siting of the site office & compound has been submitted to and agreed in writing by the Local Planning Authority. The site compound shall then be sited as agreed and hours of working shall be restricted to -8.00am to 6.30 pm on Mondays to Fridays; 8.00am to 1.00pm on Saturday; and not at all on Sundays and Public Holidays.

Reason: In the interests of the amenities of nearby residential properties.

33. Water voles are known to be present on the bank that is to be developed. The following measures must be taken to ensure that this population is protected:

- a. The new 'soft' bank on the opposite side of the river must be constructed and water vole habitat must be established prior to works commencing on the bank to be developed.
- b. At least 2 weeks prior to the development of the bank, the water vole population must be excluded by the following method:
 - i. Remove all habitat from the bank by strimming as close as possible to bare earth
 - ii. Keep vegetation very short for a week, ensuring that the site as a whole and the burrows are left open to allow water voles to escape to the opposite bank.
 - iii. After one week, all of the bank and burrows should be checked by a suitably experienced consultant ecologist to ensure voles have vacated the site.
 - iv. If there are still signs of vole activity, the area should be enclosed with vole proof fencing and live – trapped for 5 days, or until no voles are caught for 3 days. Any trapped voles should be released into the new habitat on the opposite bank.

Reason: To protect the water vole population.

34. Measures shall be submitted to and approved in writing by the Local Planning Authority, to prevent mud being deposited on the public highway by vehicles leaving the site and must be implemented during the whole of the construction period. No vehicle shall leave the site unless its wheels have been sufficiently cleaned to prevent mud being deposited on the public highway.

Reason: In the interests of highway safety.

35. No development shall commence until a legal agreement has been entered into with Wiltshire County Council for the provision of additional primary school facilities.

Reason: The development will generate a need for additional primary school facilities.

- (2) That the applicant be informed that this decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan
 - D1 design criteria
 - D2 Design criteria
 - H22 redevelopment of brownfield land
 - CN3 setting of Listed Building
 - CN9 Demolition in CA
 - R2 recreational open space
 - E16 reuse of employment land.
- (3) The applicant's attention is drawn to the requirements of Wessex Water
- (4) That the applicant be informed that in relation to Condition 13, the remediation scheme and validation methods must be approved before commencement of work.

- (5) That the applicant's attention be drawn to the recommendations of Wiltshire Fire Brigade.
- (6) The Committee resolved that the following matters also be noted:-
 - (a) The developer is responsible for adoption of the road (onto Castle Street).
 - (b) Wiltshire County Council and Salisbury District Council are requested to work with Wilton Town Council in a proactive manner to resolve the transport and parking issues in the town of Wilton.

226. PLANNING APPLICATION S/2003/1017: CONSERVATION AREA (DEMO) – DEMOLITION OF EXISTING BUILDINGS TO FACILITATE THE ERECTION OF 62 DWELLINGS, TWO COMMERCIAL (B1) UNITS AND ONE RETAIL UNIT: E V NAISH LIMITED, CROW LANE AND 51/53 NORTH STREET, WILTON, SALISBURY – FOR E V NAISH LTD C/O FRED SAVILLES LTD

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 for the following reason:-

The proposal complies with policy CN9 and opportunity will be taken to record items of historic interest.

And subject to the following conditions:

- 1. The building(s) shall not be demolished before a contract for the carrying out of works for the redevelopment of the site has been made, with the relevant particulars notified in writing to the Local Planning Authority.

Reason: In the interests of the visual amenity of the locality, which is within a designated Conservation Area.

- 2. Before any demolition is commenced, the river channels shall be protected from materials from the demolition hereby permitted falling into the river in accordance with a scheme to be submitted to and approved in writing by the Local Planning authority.

Reason: To protect the river corridor.

- 3. The demolition of existing buildings, structures and foundations, together with the removal of debris resulting therefrom, shall take place only between the following hours:-8.00am to 6.30 pm on Mondays to Fridays; 8.00am to 1.00pm on Saturday; and not at all on Sundays and Public Holidays.

Reason: To avoid the risk of disturbance to nearby dwellings / the amenities of the locality during unsocial hours.

4. During the course of the demolition hereby permitted, the developer shall afford access at all reasonable times to any archaeologist nominated by the Local Planning Authority, and shall allow him to observe any excavations and record items of interest and finds.

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

5. Prior to the commencement of the demolition of the buildings hereby permitted, a scheme for the methodology of demolition shall be submitted to and approved in writing by the Local Planning Authority and the demolition shall be carried out in accordance with the approved scheme.

Reason: In the interests of the amenity of the locality as the buildings are known to contain asbestos..

6. A full photographic record of buildings A & B shall be taken and this record shall be handed to the Local Planning Authority for lodging in an appropriate archive, prior to the commencement of the demolition of either of the buildings.

Reason: In the interests of recording the history of the Conservation Area.

7. Materials from the exterior of building A in particular the stone, roof tiles ridge tiles and weather vane, shall be carefully dismantled and stored on site for reuse and shall be reused within the redevelopment of the site in accordance with details to be submitted to and approved by the local planning authority.

Reason: In the interests of the visual amenity of the CA.

8. No demolition shall take place until the works to the bridge in North Street and the widening and realignment of Castle Lane, including the provision of the footpath have been carried out. Access for demolition traffic shall then be via Castle Lane.

Reason: In the interests of the CA to prevent damage to its buildings by heavy vehicles.

- (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 (CN9).

(NOTE: Councillor Hooper requested that his dissent to the above decision be recorded).

227. MATTERS OF URGENCY

Although these items were not on the previously circulated agenda, the Chairman declared that they be considered as matters of urgency since decisions were required before the date of the next Western Area Committee meeting.

A303 Stonehenge Improvement: The Proposed “Parker Route” Alternative

Colonel Parker spoke in relation to this matter and informed the Committee that the issue would be considered in great detail at the public inquiry where the Planning Inspector would

have an opportunity to consider the wider implications for South Wiltshire. At this stage it was too early to form a view of the proposed "Parker Route" Alternative.

Following receipt of this statement, the Committee considered the previously circulated report of the Transportation Officer, circulated under separate cover, letter dated 30th January 2004, together with the correspondence from Councillor Brown-Hovelt, dated 29th February 2004 and circulated in advance of the meeting to Councillors.

RESOLVED – that the view of the Western Area Committee is that Salisbury District Council should not seek to prejudge the public inquiry and should remain neutral in response to the Highways Assessment of the proposed "Parker Route" Alternative.

Planning and Regulatory Panel meeting held on 16th February 2004

Councillor Cole-Morgan moved and Councillor Hooper seconded the following motion:-

"Members of the Western Area Committee are very dissatisfied with the way in which the planning application S/2003/1707 – Full Application: Agricultural Worker's dwelling and formation of access, Lower Wincombe Farm, Donhead St Mary, recommended for approval by this Committee on 29 January 2004, was considered by the Planning and Regulatory Panel of 16 February. We believe that the refusal of this application by the Planning and Regulatory Panel was rendered unsatisfactory for the following reasons:-

- (1) In response to a question by Councillor Ms Mallory regarding the protection afforded the authority by a section 106 agreement preventing the separate market sale of the proposed property, the legal officer present replied correctly that the 106 agreement could be appealed against after five years but did not go on to explain the more stringent criteria applying to the lifting of an agricultural occupancy tie, thus leaving those members with no experience in such matters less than fully informed of relevant facts applying to the case.
- (2) The Panel did not fulfil the wider duty of members to protect the well-being of the local community in that it did not adequately debate or consider the local, social and economic development issues arising from this application before making its decision. We suggest that an application which is integral to the economic development and social environment of an area cannot be considered in the same way and against the same assumptions as a straight domestic dwelling application and calls for much deeper consideration of the consequences of refusal.
- (3) The Panel did not take account of this Council's specified duty as a partner in the Area of Outstanding Natural Beauty to maintain and take positive action to ensure the continuity of the agricultural character of the area."

RESOLVED –

- (1) That the above motion be supported.
- (2) That the Planning and Economic Development Overview and Scrutiny Panel be requested to take the views of the Western Area Committee into account when considering the formation of policies which relate to agricultural issues and agricultural dwellings as part of the Local Development Framework process which is to take greater account of the wishes of the local community.

The meeting concluded at 6.50pm.