

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 C A Spencer – Chairman
Councillor Mrs J Green – Vice-Chairman

Councillors J A Cole-Morgan, T F Couper, E R Draper, P D Edge,
J B Hooper, G E Jeans and Mrs S A Willan

Apology: Councillor A J A Brown-Hovelt

Parish Representatives

Mrs Barnes (Donhead St Mary), M Cullimore (Donhead St Andrew),
R Frankland (Tisbury & District Sports Centre), C Hazzard (Mere), Mrs G Henderson (Tisbury)
and Mr Pendrill (Clerk to Donhead St Mary)

MINUTES NOT REQUIRING COUNCIL APPROVAL

294. PUBLIC STATEMENT/QUESTION TIME

Mr Fricker of Shreen Water Cottages asked the following question:-

“Does Salisbury District Council consult neighbouring authorities or river trusts such as Gillingham’s Three Rivers Partnership where planning matters might increase flood levels downstream of Salisbury District Council’s remit?”

The Chairman replied as follows:-

“The statutory consultee in these cases is the Environment Agency, which has the overview and with whom Salisbury District Council consults.

In some circumstances, where there is a known local problem and where there is a non main river involved, Planning Officers also consult the Council’s Environmental Health Officer, Mr Wells.”

Mr McLelland of Upper High Street, Tisbury, submitted the following statement and question:-

“I live in one of the Georgian houses in upper High Street, Tisbury, opposite and overlooking the large designated parking bay that runs from the Victoria Hall to the turning into Weaveland Road. There are restrictions on the use of this parking bay – one hour only and no return for two hours. But there are no shops requiring turnover of access. This is a residential area. And those of us living here have nowhere else to park. When the restrictions are in force we must try every morning to find somewhere else to put our cars, which is difficult without causing an obstruction. It also means that during the day we cannot entertain friends from out of town and our own children cannot bring their children to visit their grandparents.

With the restrictions in force the quality of life for me and my neighbours is pretty damn miserable. Also, nothing is being achieved. For with the traffic wardens around nobody else uses the parking bay either. This is not only a waste of space. It encourages passing traffic to higher speeds.

Well, we’ve been complaining about this for a couple of years now and earlier this year Tisbury Parish Council responded to our pleas and asked the District Council to remove the restrictions. The Joint Transport Team official responsible said he would have to be convinced that the Parish Council and the local residents spoke with one voice. Helpfully, he came to Tisbury and chaired a public meeting and established to his own satisfaction that there was no need for the restrictions and that the Parish Council did indeed speak for the residents.

So far, so good. The Portfolio Holder, Councillor Brown, suspended enforcement of the restrictions pending a search for the way forward. That’s the situation as it is now and currently we have no problems.

Except, we’ve hit a snag. The Officials say there’s no money in the budget to remove the restrictions. And by not enforcing them they’re breaking the law. Can Tisbury Parish Council put up the money, they ask. Well of course I can’t speak for the Parish Council but I do know, and so do my neighbours, that it wasn’t asked to find the money for imposing the restrictions in the first place. And understandably perhaps on a Parish Council Precept it doesn’t have much contingency money lying around.

We’re talking incidentally, of between £4,000 and £5,000 and a deadline of maybe three months.

So it looks as if the policy made and agreed between the electorate and their representatives is to be frustrated, on a technicality, by those who are paid to execute it. And that is surely not right.

It strikes me as ironic that to the bureaucratic mind it is unthinkable that traffic wardens should be put in the position of breaking a law that by common consent shouldn’t exist but quite OK that the residents – whom the Council seeks to serve – should be fined £40 a time for parking in a parking bay that is already there and serves no other purpose.

This seems a long statement, Chairman and I am sorry. But it seemed necessary to bring the Committee up to speed. In an ideal world, of course, what my neighbours and I would really like is Residents’ Parking but it seems this privilege is reserved for the lucky Council Tax payers of down-town Salisbury. So my question is simply this:-

Given that the policy of derestriction is locally agreed and generally considered desirable, why can the money not be voted into the next annual budget?

And pending that, why can’t the present suspension of restrictions be continued?”

The Chairman invited Councillor Mrs Willan, Deputy Portfolio Holder for Environment and Transport to respond.

Councillor Mrs Willan replied as follows:-

“ I am aware of this problem and know some of the history. The current parking bay regulations were implemented following consultation with Tisbury Parish Council and with their agreement. However full consultation did not take place with residents. Now that the restrictions are in place, they must be enforced.

The intention will be to make the parking bays unrestricted which means going back on what the Parish Council originally requested. The District Council has gone back to the Parish Council to ask if it would be willing to share the associated costs with this change. If the Parish Council was willing to meet some of the costs, the District Council would find the balance and have the parking restrictions removed. “

295. COUNCILLOR STATEMENT/QUESTION TIME

Councillor Hooper made the following statement:-

“In view of the closure of Nadder Middle School at the end of this month, can Salisbury District Council help to ensure that the Tisbury Swimming Club can use the swimming pool on the school site for the coming Summer Holidays?”

The Chairman replied as follows:-

“I have received the following statement from Tom Lindsay, Three Tier Co-Ordinator at Wiltshire County Council:-

The County Council’s Department for Children and Education is working with the Tisbury Swimming Club to keep the pool open for the Summer Holiday Period.

The issue has been finding local people who would be prepared to be trained to operate the pool.

This issue is close to being resolved and the pool should be operational until 31 August 2004.”

Councillor Edge stated that the Committee needed some commitment from Wiltshire County Council about what it planned to do in relation to the Middle School sites in Wilton and Tisbury.

RESOLVED – That a letter be sent to Wiltshire County Council from the Western Area Committee requesting information on future plans for both school sites.

296. MINUTES

RESOLVED – That the minutes of the last ordinary meeting held on 17th June 2004 be approved as a correct record and signed by the Chairman

297. DECLARATIONS OF INTEREST

There were no declarations of interest.

298. CHAIRMAN’S ANNOUNCEMENTS

The Chairman thanked the Members of the Committee for their cards and kind sentiments following her accident.

The Chairman informed Members that she had received a card from Katherine Lawley, from Salisbury Journal informing her that she would now be working on a part time basis and would no longer be attending Western Area Committee meetings. Ms Lawly had thanked Councillors for all their courtesy shown to her over the years and commented on their dedicated commitment to determining planning applications.

Members wished that it be recorded in the minutes that they all appreciated Katherine's work over the past eleven years and the news coverage that she had given the Committee in the Salisbury Journal.

299. PLANNING APPLICATION S/2004/1157 – FULL APPLICATION -CONVERSION OF EXISTING SHOPS ON GROUND FLOOR INTO 3 SELF CONTAINED FLATS. AND CONVERSION OF UPPER FLOORS FROM ONE FLAT TO TWO FLATS: 41-45 NORTH STREET, WILTON SALISBURY – FOR NPE HOLDINGS

The Committee considered the previously circulated report of the Planning Officer on behalf of the Head of Development Services.

RESOLVED –

- (1) That the above application be refused for the following reasons:-
 1. By reason of the unsatisfactory living conditions proposed, lack of amenity space and the risk from flooding, the proposal will result in an over development of the site, detrimental to the potential occupiers of the dwellings and with potential detriment to the conservation area contrary to policies G2 and G4 of the Adopted Salisbury District Local Policy.
 2. The proposed residential development is considered by the Local Planning Authority to be contrary to policy R2 of the adopted Salisbury District Local Plan because appropriate provision towards recreational open space has not been made.
- (2) That the applicant be informed that reason 2 given above relating to Policy R2 of the adopted Local Plan could be overcome if all the relevant parties can agree with a Section 106 Agreement, or, if appropriate by a condition, in accordance with the standard requirement for public recreational open space.

300. PLANNING APPLICATION S/2004/515: FULL APPLICATION -ERECT AGRICULTURAL BARN: PILE OAK LODGE, DONHEAD ST. ANDREW SHAFTESBURY – FOR DR AND MRS G LEWIS

Mrs Maxwell-Arnot, a nearby resident, spoke in objection to the application.

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

Following the receipt of the above statements 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 the above application be refused for the following reasons:-

1. The proposed barn is not related to a nearby holding and is not considered necessary to meet the needs of agriculture. Therefore it is judged to be contrary to policies C20 of the Adopted Salisbury District Local Plan.
2. The proposed barn by reason of its height, size and siting would be detrimental to the visual qualities of the Area of Outstanding Natural Beauty and is therefore judged to be contrary to policies C1, C2 and C5 of the Adopted Salisbury District Local Plan.

301. PLANNING APPLICATION S/2004/847 – OUTLINE APPLICATION - DEVELOP LAND BY THE ERECTION OF 13 DWELLINGS , PROVIDE OPEN SPACE AND PLAY AREA AND CONSTRUCT VEHICULAR AND PEDESTRIAN ACCESS THERETO: LAND OFF: DOWNSIDE CLOSE AND OLD HOLLOW, MERE – FOR 0250 LTD

Mrs Howell of Old Hollow and Shreen Water Residents Association spoke in objection to the above proposal.

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

Mr Hazzard, Chairman of Mere Parish Council informed the Committee that the Parish Council objected to the application for a number of reasons including concerns about increased traffic, noise levels, air pollution, loss of privacy and overlooking, impact on the Conservation Area and Area of Outstanding Natural Beauty, drainage, sewage and overdevelopment of the site.

Following the receipt of the above 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 a section 106 Agreement under the provisions of the Town and Country Planning Act 1990 (as amended) for:-
 - The provision of recreational open space in accordance with policy R2.
 - The provision of a minimum of 4 'affordable housing' units.
 - The provision of a 2m wide buffer landscaping scheme on the western boundary on the site from the northern boundary of the bridleway along the entire remaining length of the boundary and planting on the south and west sides of the acoustic fencing, to be planted prior to the occupation of any dwellings. In both cases a scheme for the ongoing retention and maintenance of the buffer planting and fencing.

Then the above application be approved for the following reason:

The site lies within the housing policy boundary of Mere where housing development is acceptable in principle. The proposal, although in outline, demonstrates an acceptable form of development which pays due regard to

the outlook of nearby properties and the topography in accordance with the policies of adopted Salisbury District Local Plan

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 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. The details of the development, which are required pursuant to condition 1, shall accord with the illustrative drawings 99121-13 REV C and 99121-2 in terms of siting of the dwellings, their floor areas and the location and size of the play area. A detailed site survey showing precise floor levels and more detailed cross sections through the site will be required as part of any submission for the approval of matters reserved.

Reason: The illustrative drawing[s] accompanying the application indicate the form of development which the Local Planning Authority considers appropriate for the site and its slopes but it is essential for the Local Planning Authority to determine the relative levels of the roads and proposed buildings in relation to the surrounding dwellings. And in order to provide a balance of size and type of dwelling in the interests of a balanced community.

6. 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 level[s] of the building[s].

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

Reason: To secure a harmonious form of development.

8. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first use of the development hereby permitted. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (e.g. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (e.g. drainage, power, communications cables, pipelines etc. indicating lines, manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant).

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.

9. Soft landscape works shall include [planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants, noting species, plant sizes and proposed numbers/densities where appropriate; implementation programme].

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 hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the

programme agreed with the Local Planning Authority. 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. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. This shall also include details of the acoustic fencing which should contain a line of planting on the “inside”. Development shall be carried out in accordance with the approved details. The boundary treatment shall be completed before any of the buildings hereby permitted are occupied.

Reason: To enable the Local Planning Authority to secure the satisfactory treatment of the boundaries in the interests of visual amenity/securing adequate standards of privacy for occupants of the proposed dwelling(s) and/or neighbouring premises.

12. The areas defined on the approved plans for public open space, amenity land and play area[s] shall be retained in perpetuity for those uses and shall not be incorporated into private garden land or other uses without the prior consent in writing of the Local Planning Authority.

Reason: To ensure that open space is provided in accordance with policy R2 and that these areas are not fragmented and remain to fulfil their original functions.

13. The development hereby permitted shall not be commenced until vehicular access to the site from Downside Close has been constructed to base coat standard in accordance with the details shown on the applicant's drawing number 99121-13 rev C dated 13/04/04, or with such other details as may be approved by the Local Planning Authority.

Reason: In the interests of highway safety.

14. Before development commences, a detailed scheme for the discharge of surface water from the building(s) hereby permitted and from the land and details of the future maintenance thereof 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 disposal.

15. The noise barrier along the boundary with the A303(T) shall be erected before any of the dwellings hereby permitted are occupied.

Reason: In the interests of amenity of the occupants of the dwelling(s).

16. No dwellings shall be occupied until BR16 & FP 76 have been improved to provide an all weather pedestrian link, with a permeable surface to the centre of Mere and the school in accordance with a scheme to be submitted to and approved by the Local Planning Authority.

Reason: In the interests of highway safety to provide a safe and convenient pedestrian link to the centre of Mere.

17. Off street car parking shall be provided at a ratio of 2 spaces per dwelling unless otherwise agreed by the Local Planning Authority.

Reason: To ensure adequate off street parking.

18. Prior to the submission of the matters reserved, the site shall be surveyed for the presence of protected species by a competent ecologist. The ecologists report shall be submitted with any detailed application/application for approval of matters reserved and if any evidence is found, then the recommendations of that report (including any necessary mitigation measures) shall be incorporated into the detailed design and landscaping of the site.

Reason: In the interests of the ecology of the area.

19. Before development commences, the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and the results shall be provided to the Local Planning Authority. The investigation must include:-

- A full desk top survey of historic data.
- A conceptual model of the site identifying all potential and actual contaminants, receptors and pathways (pollution linkages).
- A risk assessment of any actual and potential pollution linkages identified.
- A remediation programme for any pollution linkages identified. This programme shall incorporate a validation protocol for the remediation work implemented, confirming whether the site is suitable for the consented use.

The remediation programme shall be fully implemented and the validation report shall be forwarded to the Local Planning Authority before the premises are brought into use.

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

20. 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.

21. Notwithstanding the provisions of Class[es] B & C 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 nor alterations to the roofs of the dwelling(s) 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 amenity.

- (2) That the applicant be informed that the above decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

H16- Development within the Housing Policy Boundary
H25- provision of affordable Housing
CN11 Views from Conservation Areas.
R2 Recreational open space
G1 General Development Criteria

- (3) That the applicant be informed that the site is directly affected by route of BR 16 in respect of which all public rights must be safeguarded. In respect of condition 16, a legal agreement for the works &/or a financial contribution towards upgrading may be required. The applicant is advised to contact Wiltshire County Council for further information.
- (4) That the applicant be informed that any street or other lighting shall be designed to minimize light pollution.

302. LOCAL DEVELOPMENT FRAMEWORKS

The Head of Forward Planning and Transportation was in attendance to present the previously circulated report of the Principal Forward Planning Officer.

During the discussion of this item, the following comments were made:-

Mrs Henderson, Chairman of Tisbury Parish Council stated that it would be useful if the policy could be amended to incorporate affordable housing into any development of any size, whether large or small. Furthermore, there is a need for housing in the next price band up from the bottom.

District Councillor comments included the following:-

- (a) Perhaps a running total could be kept of developments within villages to prevent developers taking advantage of the affordable housing loophole.
- (b) Preservation of the vitality of large villages and small towns is essential. Appropriate planning policies are needed to maintain village vitality.
- (c) When dealing with small sites, guidance on an acceptable size for new dwellings would be useful.
- (d) The Western Area Committee welcomes the review to the R2 Policy.
- (e) Concern was expressed in relation to the loss of structure plans and County level involvement in planning. This could make the District Council more vulnerable to regional “bullying” and reduce SDC’s influence at a regional/sub-regional level.
- (f) Efforts should be made to retain local businesses and community facilities. Wilton has lost a number of shops over the past few years, whereas Amesbury has a policy to protect local businesses and facilities. A similar policy should be applied across the whole of Salisbury District.
- (g) It would be useful to have clear and defined policies relating to equestrianism and agriculture.
- (h) Some villages do not have policy areas and this means that no housing development is possible. In time this could lead to the decline of the settlement. Consequently some development in smaller villages needs to be encouraged.
- (i) Concern was expressed in relation to the loss of employment land. Policy should be tightened to prevent the loss of land in the form of shops and pubs. Employment sites, including brown field sites should not be automatically lost to housing development.
- (j) Some settlements, e.g. Mere, rely on the car to maintain their vitality, therefore policies should be developed to allow for adequate car parking.
- (k) Parishes need to be provided with training on the Local Development Frameworks.

The Head of Forward Planning and Transportation noted the points raised by the Members of the Western Area Committee and made the following observations:-

- SDC has been responsible for the identification of suitable housing sites. This practice will continue. The main concern is that the Council will have less say in the actual number of houses being built. The Council will receive an allocation of housing from the regional plan, but it will also be told how the houses should be allocated around the district.

Representations have been made to the region in relation to this point. SDC is particularly concerned that the allocation settlement overall will be less than in the past and this could lead to an inadequate level of housing for local needs, including affordable housing. It is hoped that the Council will receive a reasonable allocation. The revised structure plan for 2016 should be available as from 2005.

- The bulk of development is allocated to larger settlements. Development can be permitted within tightly drawn boundaries, but there is no significant development planned for smaller developments in the foreseeable future. The view held at the regional level is that it is not sustainable to put meaningful levels of growth into smaller development. The Head of Forward Planning and Transportation added that this was perhaps a matter that needed to be looked at creatively in the future.
- LDF's will be produced in a similar way to the Local Plan and the Council will continue to be as inclusive as possible.

RESOLVED –

- (1) That the informative content of the slides attached to the report be noted.
- (2) That Members note sections 4 and 5 of the previously circulated report and agreed that points (a) – (k) above should be treated as priority areas of current Local Plan policy for urgent review.

303. RELEASE OF R2 FINANCIAL CONTRIBUTIONS IN DONHEAD ST MARY FOR NEW RECREATIONAL FACILITIES

The Committee considered the previously circulated report of the Forward Planning Officer.

Mr Pendrill, Clerk to Donhead St Mary Parish Council spoke in support of the R2 requested and commended the Forward Planning Officer on her excellent report.

RESOLVED –

- (1) That up to £13,325 of 'R2' contributions be released by this Council to assist the funding of the recreation scheme outlined in the previously circulated report.
- (2) That the Head of Forward Planning and Transportation be authorised to try and negotiate better terms with the supplier on the Parish Council's behalf. If this proves to be unsuccessful, then the monies should be released in line with Option 3 as set out in the previously circulated report.

The meeting concluded at 8.00 pm.