

## Minutes

Tuesday, 4<sup>th</sup> January 2005  
at the Council Offices, Bourne Hill  
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 C A Spencer – Chairman  
Councillor Mrs J A Green – Vice Chairman

Councillors A J A Brown-Hovelt, J A Cole-Morgan, T F Couper,  
E R Draper, J B Hooper and G E Jeans

Apologies: Mrs S A Willan

**Parish Representatives**

G Medley (Tisbury)

**MINUTES NOT REQUIRING COUNCIL APPROVAL**

**368. PUBLIC QUESTION/STATEMENT TIME**

There were none.

**369. COUNCILLOR QUESTION/STATEMENT TIME**

There were none.

**370. DECLARATIONS OF INTEREST**

There were no declarations of interest.

**371. CHAIRMAN'S ANNOUNCEMENTS**

There were none.

**372. S/2004/2143 – FULL APPLICATION: ERECTION OF 12 DWELLING HOUSES  
AND FORMATION OF ASSOCIATED ACCESS ROAD AND PARKING BAYS :  
ALLOTMENT GARDENS CHURCH STREET, TISBURY SALISBURY – FOR  
ABS DEVELOPMENTS**

Mr Eacott, a resident of Church Street, spoke on behalf of himself and a number of other residents, in objection to the above proposal.

Mr Davison, the architect for the applicant, spoke in support of the above proposal.

Mr Medley, on behalf of Tisbury Parish Council, informed the Committee that the Parish Council did not support the above application.

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

## RESOLVED –

- (1) That subject to (a) 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 by 5<sup>th</sup> January 2005, and (b) the receipt of satisfactory amended plans to address levels in relation to the properties on Church Street,

Then the above application be approved for the following reasons

Although this represents a missed opportunity to achieve the best use of land together with the adjoining site to the north, that is not considered to be a valid reason for refusing the application. The site lies within the housing policy boundary of Tisbury and the Inspectors concerns have been addressed. This is therefore considered to be an acceptable form of development which will not have such detrimental effects upon the locality within which it is located to warrant refusal. It is in accordance with the policies of the adopted Salisbury District Local Plan

And 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 S.91 of the Town and Country Planning Act 1990.

2. Notwithstanding the provisions of 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 dwellings nor alterations to the roofs thereof nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission and determination of a planning application in that regard.

Reason: To enable the Local planning Authority to exercise control over the use of the premises in the interests of regulating operations which could have adverse effects upon the amenities of nearby dwellings.

3. The finished floor levels of the proposed buildings 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 exact finished floor levels of the buildings.

4. Before development is commenced, a schedule of materials and finishes, 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 ensure a harmonious form of development.

5. The access road and parking shall be laid out as detailed in the amended plans 794-200 rev A - received 25<sup>th</sup> November 2004 before the development is occupied.

Reason: To ensure a reasonable standard of development in respect of highway and pedestrian safety.

6. No development shall take place until the following details have been submitted to and approved in writing by the Local Planning Authority:

Further detail of access to Church Street to show a ramped access point

Details of the retaining wall on western side of the access

Details of the surfacing of the access road, which should be a shared surface

The provision of visibility from 2.4 back from the carriageway edge on the northwestern side of the hammerhead.

Reason: In the interests of highway safety.

7. The Gradient of the turning head shall not exceed 1 in 20 and shall be designed to accommodate linking to the land to the north at no steeper a gradient.

Reason: In the interests of highway safety.

8. No dwelling shall be occupied until the street lighting on the adjacent footpath to the east has been improved.

Reason: In the interests of highway safety.

9. 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: In the interests of amenity and the environment.

10. No development shall take place until there has been submitted to and approved by the Local Planning Authority details of the treatment of all hard surfaces.

Reason: In the interests of amenity and the environment.

11. 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 five 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: In the interests of amenity and the environment.

12. 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 in writing and shall be carried out as approved prior to the occupation of any dwelling.

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

13. No development shall be commenced until a scheme for the provision and implementation of surface water run off limitation has been submitted to and approved by the Local Planning authority. The scheme shall be implemented in accordance with the approved programme and details.

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

14. No development shall take place within the area of the application 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.

15. Ungated pedestrian access shall be provided to the footpath to the west before the development is occupied.

Reason: To ensure a reasonable standard of development and to comply with the sustainability policies of the Local Plan.

16. 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. Should contamination be found, 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 [residential] unit hereby permitted is first occupied

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

17. Construction work shall not begin until a scheme for protecting the proposed dwellings from noise from the adjacent public house has been submitted to and approved by the Local Planning Authority; all works which form part of the scheme shall be completed before [any of] the dwellings are occupied.

Reason: In the interests of the amenities of the occupiers of the dwellings.

18. Construction work, including works to form the access 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; in the interests of the amenities of neighboring dwellings

19. No development (including demolition) shall take place until the siting of the site office & compound and the location where any stone cutting is to take place has been submitted to and agreed in writing by the Local Planning Authority . The site compound and stone cutting area 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.

20. No development shall take place until details of the treatment of 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 the amenities of neighboring dwellings

21. 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.

In the interests of highway safety and the amenities of the locality.

It is also suggested that condition 2 be amended to include 'no alterations nor ' before 'extensions'.

- (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:

G1	Sustainable development
G2	General DC criteria
D1	Design
D2	Design
H16	Housing Policy Boundary
CN11	Development in Conservation Areas
CN21	Development in areas of archaeological interest
CN22	Development in areas of archaeological interest
TR12	Linkages to footpaths
TR15	Pedestrian safety
R2	Recreational open space

- (3) That the applicant's attention be drawn to the comments of the Environment Agency.

- (4) That the applicant be informed that the improvements to street lighting required under condition 8 shall be at the applicant's expense.
- (5) That in respect of conditions 9 & 20, the applicant is advised that additional screening is considered necessary along the southern boundary of the site. The applicant is advised to discuss the proposals with the adjoining owners in Church Street before submitting the scheme to the Local Planning Authority for approval.
- (6) That in respect of condition 17 the applicant is advised that the windows facing the public house car park should be double or triple glazed and fixed shut. Houses A should be designed to afford through ventilation without the necessity of opening the rear windows.
- (7) That there is a need to provide protection of or diversion of the public foul sewer to the east of the site. The applicant's attention is drawn to the contents of Wessex Water's letter (and map). Should it become necessary to relocate any of the dwellings to comply with Wessex Water's requirements – a fresh planning application for the revised siting of the relevant plots will be required.
- (8) In respect of condition 20, the applicant is advised that boundary treatment should be designed to afford views from the public footpath to the east through the site. Screen fencing/walling may therefore be necessary within those plots which adjoin the link footpath to achieve privacy to the rear gardens.
- (9) That the applicant be informed that if they do not comply with (1) above, then the application is delegated to the Head of Development Services to refuse the proposal on non-compliance with Policy R2.

The meeting concluded at 6.15pm

Members of the Public: 13