



## Planning and Regulatory Committee

23<sup>rd</sup> November 2004

Author: Steve Llewellyn (Senior Planning Officer)

01722 434659

developmentcontrol@salisbury.gov.uk

# REPORT

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### **PLANNING APPLICATION S/2004/0586: FULL APPLICATION – CHANGE OF USE OF LAND FROM ALLOTMENTS (DISUSED) TO RECREATION AND PUBLIC AMENITY GROUND – PART OF VILLAGE ALLOTMENT SITE OFF ANGEL LANE, HINDON, SALISBURY, SP3 6DW – FOR HINDON RECREATION TRUST**

#### **Report Summary:**

To consider a full application for the change of use of land from allotments (disused) to a recreation and public amenity ground. The application has been brought before the panel because the Western Area Committee's recommendation is considered to be a material departure from the policies in the Local Plan. Further to the site visit held earlier that day, the Western Area Committee considered the previously circulated report of the Head of Development Services, together with the schedule of late correspondence circulated at the meeting on 4<sup>th</sup> November 2004 and the Committee made the following recommendation:

#### **RECOMMENDED TO PLANNING AND REGULATORY PANEL**

(1) That the above application be approved for the following reasons:-

1. Due to a current shortfall in recreation provision in Hindon, there is a need for the proposed additional facilities.
2. The proposal leaves more than sufficient land for allotments.
3. The site is accessible by public footpaths from the village.

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

1. The development to which this permission relates shall be begun not later than the expiration of five years beginning with the date of this permission.

Reason:

By virtue of Section 91 of the Town and Country Planning Act 1990.

2. Notwithstanding the provisions of Parts 2 and 12 of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, there shall be no means of enclosure or structures erected upon this land and no changes to the levels of this land without express planning permission first being obtained from the Local Planning Authority.

Reason -

To enable the Local Planning Authority to retain planning control over the development of the land in the interests of the visual amenity of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

3. There shall be no external lighting of the site, unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

In the interests of the visual amenity of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

4. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the land shall be used as a recreation ground only and for no other use purposes, whatsoever, including any other purpose in Class D2 of the Town and Country Planning (Use Classes) Order 1987 or any subsequent re-enactment, without formal planning permission first being obtained and shall not exceed that area defined by the red line on the plan (Plan Ref: MWA/1) received on 16/03/04 unless otherwise first agreed in writing by the Local Planning Authority.

Reason -

To enable the Local Planning Authority to retain planning control over the use of the land hereby permitted in the interests of the visual amenity of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

5. The use of the road used as a public path (RUPP) (Path No9) by construction vehicles servicing the site in association with the development of the land for use as a recreation ground shall not take place other than between the period of 1<sup>st</sup> April and 31<sup>st</sup> October in any calendar year, unless otherwise first agreed in writing by the Local Planning Authority.

Reason:

To minimise any potential damage caused to the road used as a public path (RUPP) (No9) in the interests of public and highway safety.

6. Prior to the commencement of the use of the land, hereby approved, the surface of the road used as a public path (RUPP) (No9) shall be made good from any damage caused by construction vehicles in accordance with a scheme to be submitted to, and approved in writing by, the Local Planning Authority.

Reason:

In the interests of public and highway safety.

The Western Area Committee considered the following officer's report, as amended to incorporate two letters of representation received as late correspondence, before making its recommendation:-

Please see report of Head of Development Services to Western Area Committee attached at Appendix A.

**Options for consideration:**

- a) Accept the officers' recommendation that permission should be refused
- b) Accept the above proposal, that permission should be granted, subject to conditions.