

# Minutes

**Meeting of:** Western Area Committee

**Meeting held in:** Bishopstone Village Hall, Bishopstone, Salisbury.

**Date:** Thursday, 10 November 2005

**Commencing at:** 4.30pm

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**Present:**

**District Councillors**

Councillor Mrs C A Spencer – **Chairman**  
Councillor Mrs J A 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.

**County Councillors**

Mrs B Wayman and A Deane

**Parish Councillors**

Mrs Barnes (Donhead St Mary), Mr R Frankland (West Tisbury), Mr Fisher (Bowerchalke), Mrs Henderson (Tisbury) and Mr S Wilson (East Knoyle)

**Officers**

D Neudegg (Policy Director), J Crawford (Legal & Property Services), J Howles (Development Control), S Llewellyn (Development Control) and S Draper (Democratic Services).

**500. Public Questions/Statement Time:**

Mr Knight made a statement on the issue of Network Rail's newly published Consultation document on its Route Utilisation Strategy for the South Western Main Line.

The Chairman asked that all members of the Committee, local parish councils, county councillors and both local MPs be sent a copy of the statement. She also asked that members consider the statement and the relevant website, and report any comments to the Salisbury Joint Transportation Team in order that a report can be brought to the December meeting of the Western Area Committee should members so wish.

Note: Following the meeting it became apparent that the officer was already preparing a report on this matter for consideration by the Committee.

**501. Councillor Questions/Statement Time:**

There were none.

**502. Minutes:**



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**Resolved** – that subject to Councillor Mrs Green’s dissent to the decision made under minute number 497 being recorded, that the minutes of the meeting held on 13 October 2005 (previously circulated) be approved as a correct record and signed by the Chairman.

**503. Declarations of Interest:**

- Councillor Edge declared a personal and prejudicial interest in planning application S/2005/1779 as the applicant is a business client and withdrew from the meeting during consideration thereof.
- Councillor Mrs Willan declared a personal but non-prejudicial interest in agenda item 7 as she is a regular user of the Tisbury and District Sports Centre and a voting member of the Tisbury and District Sports Centre Managing Body.
- Councillor Hooper declared a personal but non-prejudicial interest in agenda item 7 as he is a voting member of the Tisbury and District Sports Centre Managing Body.
- Councillor Mrs Green declared a personal but non-prejudicial interest in agenda item 7 as she is a voting member of the Tisbury and District Sports Centre Managing Body.
- Councillor Mrs Green declared a personal and prejudicial interest in planning application number S/2005/1891 as she is a patient of the dental surgery and withdrew from the meeting during consideration thereof.
- Councillor Jeans declared a personal interest in agenda item 7 as he owns land surrounding Mere car park.

**504. Chairman’s Announcements:**

The Chairman informed members that following the last meeting of the Western Area Committee a letter had been sent to the Head of Housing Management requesting that a hardstanding be provided outside 5 Doves Meadow. She further informed members that the Head of Housing Management had given a response and a letter was being sent to the occupier of 5 Doves Meadow accordingly.

**505. Medium Term Financial Strategy**

The Committee received a presentation on the medium term financial strategy from the Policy Director.

The Policy Director informed those present of the following:

- The medium term financial strategy is a document that is produced annually and always covers three years ahead.
- The average funding gap over the last few years has been £350,000 per annum and in previous years this has been funded through efficiencies and fairly minor changes to services.
- Over the next few years the funding gap will increase and the options for making the savings are tougher than previously.
- The reasons for this increase in the funding gap include the increased costs of bringing Five Rivers back in-house (£300,000 approximately) and reduced income from land charges as a result of the housing market slowing down (£100,000 approximately).
- The Council is examining rural sports provision to consider any possible ways of providing the services in a more cost efficient way to either increase revenue considerably or reduce costs considerably. The Council is also looking at a review of premium payments for leisure staff.
- Tisbury Leisure Centre is one of the main focuses for the review as there is no contribution either from Wiltshire County Council or the local schools to the leisure centre. Wiltshire County Council do make a contribution to Durrington Swimming Pool and Fitness Centre for school usage.
- The Cabinet are examining the extent to which local communities are willing to support the services being provided in a new way to achieve savings. For example parish councils precepting a higher amount to provide more local services. The devolution of responsibilities to parish councils is something that will be discussed in more detail at the parish liaison meeting in November. Another alternative being considered is the creation of trusts to run these leisure facilities.

The Chairman informed those present that this strategy was at an early phase of public consultation and Cabinet would be considering all the responses at its meeting on 18<sup>th</sup> January.

Members made the following points in response to the presentation:

- Members asked officers to confirm whether or not the office project had an impact on this financial situation. The officer informed members that the project had always been designed to be cost neutral in terms of council tax and that this was still the case.

- Members asked whether the External Funding Officer had recovered her salary costs by levering in funding. The officer informed members that this would be judged at the end of the financial year as grants take at least six months to process. He noted that there is a performance report being compiled for Cabinet which would include an assessment of this and this would be available to all members. Members also suggested that multi-national companies be approached by the funding officer for sponsorship.
- The view was expressed that increasing government requirements with no extra funding was putting the Council's budget under increasing pressure.
- Many members were opposed to the introduction of car parking charges in rural areas as it was considered that this would be detrimental to rural businesses.
- Members were divided over the issue of 24/7 car parking charges in Salisbury City.
- Individual members offered options for savings including reducing consultancy fees paid by the Council, reducing flower displays and reduced arts grants and reduced staffing levels.
- Members were opposed to the closure of Tisbury Sports Centre although members did acknowledge the need to investigate alternative funding options.

**Resolved** – That all the options suggested by members be forwarded to the Cabinet for its consideration.

**506. Planning Application S/2005/2097 - Remove existing barn and replace with annexe at The Old Dairy Barns, Fonthill Bishop, Salisbury, SP3 5SH. For Neale Gear.**

This application was not considered by the Committee as it had previously been withdrawn by the applicant.

**507. Planning Application S/2005/1779 – Erection of New House – Land at side of Rose Cottage, Church Street, Bowerchalke, Salisbury, SP5 5AY For Roger Hill Architect.**

Mr Martin, a neighbour, spoke in objection to the above application.

Mr P Wilson, the applicant, spoke in support of the above application.

Mr Fisher, on behalf of Bowerchalke Parish Council, informed the Committee that the parish council had some concerns about the application.

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

**Resolved** –

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

1. If carried out the proposed work has the potential to cause significant damage to the root system of a protected ash tree situated in the rear garden of the adjacent Apple Tree Cottage. As such the application fails to respect an existing beneficial landscape and conserve the natural environment of the district and is therefore contrary to policy G1 and G2 of the Adopted SDLP.
2. Insufficient information has been supplied to demonstrate that the proposal will not harm protected species, contrary to policy C12 of the Adopted Salisbury District Local Plan and advice contained within PPG 9.
3. Insufficient information has been submitted to demonstrate that appropriate parking and access arrangements including visibility across the site frontage can be achieved on the site in order to mitigate issues of highway safety. It is therefore contrary to policy G2 of the Adopted SDLP.
4. Notwithstanding that the erection of a dwelling upon the site is acceptable in principle, the dwelling proposed would represent a cramped form of development out of keeping with the locality and would provide insufficient amenity space for the occupiers of the proposed dwelling. It is therefore contrary to policy D2, G2, C4 and C5 of the Adopted SDLP.
5. There are no mains sewers available in the locality and it has not been demonstrated to the satisfaction of the Local Planning Authority that a satisfactory method of foul drainage can be achieved within the site. The proposal is therefore contrary to Policy G5 of the Adopted Salisbury District Local Plan and the advice in circular 3/99.
6. The proposed development makes inadequate provision for recreational open space and as such is contrary to policy R2 of the Adopted Salisbury District Local Plan.

**508. Planning Application S/2005/1959 – Extension and Alterations including new roof and raising of ridge height – At Ridgewood Park, East Knoyle, Salisbury, SP3 6BB. For Ralph Perry – Robinson.**

Mr S Wilson, on behalf of East Knoyle Parish Council, informed the Committee that the Parish Council had no objection to the above application.

Following receipt of this statement the Committee considered the report of the Head of Development Services (previously circulated).

**Resolved –**

1. That it be recommended to the Planning and Regulatory Panel that the above application be approved for the following reasons:

1. The proposed development would result in a building that was of a more appropriate scale, design and of more appropriate materials to the locality and would not harm the landscape of the surrounding Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty, in accordance with Policies D3 (Design) & C5 (Landscape Conservation) 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 three years from the date of this permission.

(2) 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.

(3) This development shall be in accordance with the amended drawing[s] deposited with the Local Planning Authority on 27 October 2005, unless otherwise agreed in writing by the Local Planning Authority.

(4) No development shall commence until a scheme of energy and water efficiency measures to reduce the energy and water consumption of the dwellings hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

Reasons:

(1) To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51(1) of the Planning and Compulsory Purchase Act 2004.

(2) To secure a harmonious form of development.

(3) For the avoidance of doubt.

(4) In the interests of the conservation of energy and water resources.

2. That the applicant be informed that this decision has been taken in accordance with the following policies of the adopted Salisbury District Local Plan:

Policies D3 (Design), H31 (Extensions in the Countryside) & C5 (Landscape Conservation)

**509. Planning Application S/2005/1891 – Construct 2 new apartments within the existing roof space of Dental Surgery. At Tisbury Dental Practice, High Street, Tisbury, Salisbury, SP3 6HD. For Verwood Design Service.**

Mrs Henderson, on behalf of Tisbury Parish Council, informed the Committee that the Parish Council have no objection to the above application.

Following receipt of this statement the Committee considered the report of the Head of Development Services (previously circulated).

**Resolved-**

1. That subject to the receipt of the appropriate R2 contribution, that the application be approved for the following reason:

(1) The proposal is considered to be compatible with the existing dwelling and surrounding area, will avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers and will not prejudice highway safety. Therefore it is considered to conform with Adopted Salisbury District Local Plan H16, G2, CN8, C4, C5 and R2 of the Adopted Salisbury District Local Plan.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by section 51 (1) of the Planning & Compulsory Purchase Act 2004.(0004)

2. The apartments hereby granted consent shall not be occupied until a scheme for the provision of cycle parking and bin storage and the allocation of vehicle parking spaces to be used by the occupiers of the flats has been submitted to, and approved in writing by, the Local Planning Authority and carried out as approved.

Reason. In the interests of amenity and the environment of the development and to apply with policy TR14 of the Adopted Salisbury District Local Plan.

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:

Policy G2 General Development Guidance  
Policy C4 Development within an Area of Outstanding Natural Beauty  
Policy C5 Development within an Area of Outstanding Natural Beauty  
Policy H16 Development within a Housing Policy Boundary  
Policy CN8 Development within a Conservation Area  
Policy R2 Contribution towards Public Open Space Provision  
Policy TR14 Provision of cycle parking

**510. Planning Application S/2005/2056 – Erection of new dwelling. At Land adjacent to Stonehaven, Leigh Lane, East Knoyle, Salisbury, SP3 6AP. For SBH Design Ltd.**

Mr K Gristock, the agent for the applicant spoke in support of the above application.

Mr Wilson, on behalf of East Knoyle Parish Council, informed the Committee that the Parish Council objected to the above application.

Following receipt of these statements 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 the above application be **approved** for the following reasons

The proposal is appropriate to the surrounding area and will avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers. Therefore it is considered to conform with Adopted SDLP G2, D2, C4, C5, R2 and H16.

And subject to the following conditions:

(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

**Reason:** To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

(2) 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.

(3) Notwithstanding the provisions of Classes 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 extensions or alterations to the dwelling nor the addition of any new windows other than those shown on the drawings hereby approved 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 ensure that sufficient space is retained around the dwelling(s) and to reduce the potential for overlooking of neighbouring properties, in the interests of neighbourliness and amenity.

(4) The proposed access shall remain un gated.

**Reason:** In the interests of highway safety.

(5) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority prior to the commencement of development.

**Reason:** In the interests of highway safety.

(6) Prior to the occupation of the dwelling the two parking spaces shall be constructed, surfaced and drained which shall then be retained thereafter unless otherwise agreed in writing by the Local Planning Authority

**Reason:** In the interests of highway safety.

(7) The rooflights in the north elevation of the pitched roof shall be fitted with obscure glazed and fixed shut and shall remain in this state in perpetuity.

**Reason:** 0018 To ensure adequate privacy for the occupants of neighbouring premises.

(8) No development shall commence until a scheme of energy and water efficiency measures to reduce the energy and water consumption of the dwellings hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

Reason - In the interests of the conservation of energy and water resources.

2. That the applicant be informed of the following:

(1) That this decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

Policy G2	General Development Guidance
Policy D2	Infill Development
Policy C4	Development within the AONB
Policy C5	Development within the AONB
Policy H16	Development within a Housing Policy Boundary

(2) It has been pointed out by Wessex Water that a public foul sewer crosses the site. In view of this, it is advised that Wessex Water be contacted prior to the submission of a Building Regulations application so that arrangements may be made to protect the integrity of the pipe.

Wessex Water have also indicated that prior to the commencement of development it will be necessary for the developer to agree a point of connection onto the mains water and foul sewer. Wessex Water can be contacted on (01225) 526000.

#### **511. Extension of the meeting**

In compliance with Council Policy, as the Committee could not conclude its business within 3 hours, it resolved to extend the meeting (during which time the matters recorded under minutes 512 and 513 were

considered).

**512. Planning Application S/2005/1355 – Erect ten dwellings and access road. At Land off Duck Street / Lady Down View, Tisbury, Salisbury, SP3 6LJ. For Downton Village Homes Limited**

Ms B Hugo, on behalf of local residents, spoke in objection to the above application.

Mrs Henderson, on behalf of Tisbury Parish Council, informed the Committee that the Parish Council objected to the above application.

Following receipt of these statements 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 it be recommended to the Planning and Regulatory Panel that subject to all relevant parties entering into a Section 106 Agreement under the requirements of the Town and Country Planning Act 1990 relating to:

1. The provision of 30% affordable housing;
2. The payment of a commuted sum under the requirements of Policy R2 of the Adopted Salisbury Local Plan (June 2003);
3. Any future application for further residential development that creates additional dwellings on the land edged in red and/or the adjacent sites (identified as land edged in blue and land to the rear of Plots 3A-3C) or any part thereof shall be treated as if the application were being made in respect of the whole of the land edged in red and the adjacent sites (identified as land edged in blue and land to the rear of Plots 3A-3C) for the purposes of calculating the required provision of affordable housing and
4. A maintenance programme for the land edged blue.

Then the above application be approved for the following reasons:

1. On balance of the considerations, while the proposed development would result in some additional harm to the character and appearance of the Housing Restraint Area, Tisbury Conservation Area and the AONB by virtue of the intensification of development and general activity within the site, in comparison to the previously approved scheme (S/2004/0113), it is considered that this harm is sufficiently offset, albeit marginally, by the benefits of a better mix of house types and sizes and the provision of an element of affordable housing that are brought forward with this current proposal.
2. In respect of other matters, it is considered that the proposed development would not have a detrimental impact upon the welfare and future survival of the badger group or slow worm population that has been identified to be present on the site or other protected species. The applicant has also proposed an acceptable approach to both waste auditing and management of wastes on site and to the provision for re-cycling within the completed development, while the requisite contribution towards the provision of off-site recreational facilities can be secured via a Section 106 Agreement.
3. As such, it is considered that the proposed development would comply with Policies G1, G2, D1, H19, H25, CN3, CN5, CN8, CN10, CN11, C1, C2, C4, C5, TR11 and R2 of the Adopted Salisbury District Local Plan (June 2003).

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 Section 91 of the Town and Country Planning Act 1990.

- (2) Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority before any on-site works commence 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. The development shall thereafter be carried out in accordance with the approved details.

Reason -

To ensure that the external appearance of the dwellings is satisfactory and preserves or enhances the character and appearance of the Tisbury Conservation Area.

- (3) No development shall take place until details/a plan indicating the positions, design, materials and type of boundary treatment to be erected has been submitted to, and approved in writing by, the Local Planning Authority. The boundary treatment shall be completed prior to the first occupation of the dwellings hereby approved. Development shall be carried out in accordance with the approved details, maintained for a period of five years and thereafter retained.

Reason –

In the interests of neighbouring residential amenity and the environment of the development and to ensure that the proposed development will not harm the habitat of badgers on the site.

- (4) No development shall take place until proposals for the landscaping of the site have been submitted to, and approved in writing by, the Local Planning Authority. The landscaping scheme shall include provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels.

Upon approval:

the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;

all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;

(c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and

(d) the whole scheme shall be subsequently retained.

Reason –

In the interests of visual amenity, to ensure that the approved landscaping scheme is carried out at the proper times and to ensure the establishment and maintenance of all trees and plants.

- (5) An arboricultural method statement providing comprehensive details of construction works in relation to trees being retained on, or adjacent to, the site shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of demolition/development. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following:

(a) a specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2005 and details of the timing for the erection of protective fencing and a plan indicating the alignment of the protective fencing;

(b) a specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005;

(c) a schedule of tree works conforming to BS3998;

(d) details of general arboricultural matters such as the area for storage of materials, site huts, concrete mixing and use of fires;

(e) plans and particulars showing the siting of the service and piping infrastructure;

(f) details of the works requiring arboricultural supervision to be carried out, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and

(g) details of all other activities which have implications for trees on or adjacent to the site.

Reason –

In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

- (6) No development shall take place until details for the hard landscaping of the site, including full details of the surfacing materials and colours of all hard surfaces and kerbing, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

Reason –

In the interests of the amenities of the site and to secure a well planned development.



- (7) No development shall commence until a scheme for the discharge of surface water from the dwellings and areas of hard standing, hereby approved, including a plan showing the alignment and siting of the service and drainage infrastructure and soakaways, has been submitted to, and approved in writing by, the Local Planning Authority. The approved scheme shall subsequently be carried out in its entirety prior to the first occupation of the dwelling and thereafter retained.

Reason –

To ensure a satisfactory means of surface water disposal and to prevent the discharge of surface water onto the public highway given the gradient of the site and to ensure that the proposed development will not harm the habitat of badgers on the site.

- (8) The development shall be carried out in strict accordance with the recommendations and remediation measures detailed in the submitted survey of badger activity prepared by Ecological Planning and Research and dated February 2005, unless otherwise first agreed in writing by the Local Planning Authority to any variation.

Reason –

To ensure the adequate protection of a protected species.

- (9) The finished floor levels shall be as shown on the approved plans unless otherwise agreed by the Local Planning Authority.

Reason-

To establish the floor levels of the buildings in the interests of visual amenity and neighbouring amenity.

- (10) Prior to the commencement of development, full details of the road layout and construction including the access road where it fronts Nos4 and 5 Lady Down View shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include longitudinal sections, typical cross sections including surface materials, street lighting and road drainage. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until that part of the access road which serves it has been constructed up to and including bindercourse (basecourse) surfacing in accordance with the approved details.

Reason -

In the interests of highway and to ensure that an adequate means of access is available when the dwelling(s) are occupied.

- (11) Prior to the commencement of development, full structural details of the proposed highway retaining wall and parapets shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details prior to the first occupation of any of the dwellings hereby approved, unless otherwise first agreed in writing by the Local Planning Authority.

Reason -

In the interests of highway safety.

- (12) Prior to the first occupation of any of the dwellings, hereby approved, the access, turning space and thereafter be retained and kept available for those purposes at all times.

Reason -

In the interests of highway safety.

- (13) Notwithstanding the provisions 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, no further development permitted by Classes A, B, C, D, E and F of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, including the conversion of the garage into living accommodation, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

Reason –

To enable the Local Planning Authority to retain control over the development in the interests of the visual amenity of the site and locality which is located within the Tisbury Conservation Area and within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

- (14) Notwithstanding the provisions 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, no further fences, gates, walls or other means of enclosure as permitted by Class A of Part 2 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 shall be erected, other than those approved by this permission, without formal planning permission first being obtained from the Local Planning Authority.

Reason – To enable the Local Planning Authority to retain control over the development in the interests of the visual amenity of the development and the site which is located within the Tisbury Conservation Area and within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

- (15) No construction work shall take place and no construction related vehicles shall enter or exit the site outside of the hours of 8:00am and 6:00pm on Monday to Friday, outside the hours of 8:00am and 1:00pm on Saturdays and at no time on Sundays or public holidays. This condition shall not apply to the internal fitting out of the dwellings hereby approved.

Reason -

To minimise the disturbance which noise during the construction of the proposed development could otherwise have upon the amenities of nearby dwellings

- (16) Prior to the commencement of development, a method statement detailing the potential risks from pollution during and after construction to the river system shall be submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason –

To prevent damage to the river ecosystem through habitat loss and pollution both during and after construction.

- (17) Prior to the commencement of development (including the removal of herbage or the disturbance of topsoil), the site shall be cleared of all reptiles protected under the Wildlife and Countryside Act 1981 (and, if necessary, elements of their support habitat) in accordance with details of the timing and method of proposed rescue, protection and relocation of protected species and their habitat (including details of the proposed receptor site) to be submitted to, and approved in writing by, the Local Planning Authority. Such works shall be subsequently carried out in strict accordance with the agreed details of methodology and programme.

Reason -

To ensure the protection and rescue of species protected under the Wildlife and Countryside Act 1981, the Habitats Regulations and the Berne Convention.

- (18) The development shall be carried out in strict accordance with the measures detailed in the submitted waste audit and the measures for the provision for recycling facilities within the completed development shall be provided prior to the first occupation of the dwellings hereby approved in accordance with the details outlined in the agent's letter dated 21<sup>st</sup> September 2005 and thereafter retained, unless otherwise first agreed in writing by the Local Planning Authority to any variation.

Reason –

In the interests of sustainable development.

- (19) The courtyard area shown on drawing 0310.34 shall not be sub-divided by any means and shall be kept clear of obstruction at all times.

Reason – In the interests of amenity and to ensure adequate turning facilities.

- (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 vehicles shall leave the site unless wheels have been sufficiently cleaned to prevent mud being deposited on the public highway. The development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety”.

(21) No development shall commence until a scheme of energy and water efficiency measures to reduce the energy and water consumption of the dwellings hereby approved shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

Reason - In the interests of the conservation of energy and water resources.

2. That the applicant be informed of the following:

(1) That this decision has been taken in accordance with the following policies of the Adopted Salisbury District Local Plan (June 2003):

Policy	Purpose
G1	General Principles of Sustainable Development
G2	General Criteria for Development
D1	Extensive Development
H19	Development in the Housing Restraint Area
H25	Affordable Housing
CN3	Development Affecting the Setting of a Listed Building
CN5	Development Within the Curtilage of a Listed Building
CN8	Development in Conservation Areas
CN10	Development Affecting Open Spaces in Conservation Areas
CN11	Development Affecting Views Into and Out of Conservation Areas
C1	Development in the Countryside
C2	Development in the Countryside
C4	Development within the Area of Outstanding Natural Beauty
C5	Development within the Area of Outstanding Natural Beauty
TR11	Provision of Off-Street Parking
R2	Provision of Recreational Facilities

(2) The applicant's attention is drawn to the comments of Wessex Water, a copy of which is attached to this decision notice. In this respect, Wessex Water has advised that there is a public water main crossing the site. Wessex Water normally requires a minimum 3.0metre easement width on either side of its apparatus for the purposes of maintenance and repair and therefore diversion or protection works may need to be agreed. It is also advised that the adjacent site is subject to an adoption agreement under Section 104 of the Water Industry Act 1991 (formerly Section 18 of the Public Health Act 1936). These sewers are currently private and it advised that the applicant contacts the appropriate party in order to obtain further details as the proposals may affect this agreement and permission to connect to these systems should also be obtained where connection is required.

3. In conjunction with Condition No16 above, an example building method statement provided by English Nature is enclosed with this decision notice. The applicant is therefore advised to contact English Nature at Wiltshire Team, Prince Maurice Court, Hambleton Avenue, Devizes, Wiltshire SN10 2RT (Tel:01380 721411) to discuss this matter further.

4. The applicant is advised that this approval of planning permission does not convey any approval for tree works. It is also advised that the site is the subject of a Tree Preservation Order and located within a conservation area so that separate consent(s) will be required to do any works to the trees. Furthermore, the applicant is advised that the trees on and adjacent to the site may provide a habitat for bats that are fully protected under the Wildlife and Countryside Act 1981 (as amended) and that it is an offence to intentionally kill, injure or disturb a bat or its' habitat. If any tree works are therefore proposed in the future, the applicant is advised that no works should be undertaken to trees without seeking specialist advice and in this respect the applicant is advised to contact English Nature at Prince Maurice Court, Hambleton Avenue, Devizes, Wiltshire SN10 2RT (Tel: 01380 726344).

5. In conjunction with Condition No3 above, the applicant is advised that it is expected that the boundary treatments shall be in the form of open fencing, such as post and rail fencing, to enable badgers to cross the site.

3. That the officers ensure adherence to the SPG on sustainability as adopted by Cabinet by making energy and water saving measures a standard condition on all planning applications for new developments or substantial rebuilds.

### **513. Major Development to the East of Shaftesbury**

Mrs Barnes, on behalf of Donhead St Mary Parish Council, informed the Committee that the Parish Council objected to the above development.

Following the receipt of this statement the Committee considered the report of the Head of Development Services (previously circulated).

**Resolved** – that a letter be sent to the Planning Inspectorate including copies of the previous letters sent by the North West Area Team Leader and including the following concerns:-

- Insufficient job opportunities for the occupiers of this number of dwellings. The allocation was for mixed use but this does not appear to have been carried forward in the application documentation, which has some workshops over garages (which could be used for domestic purposes) .
- Inadequate social infrastructure within Shaftesbury and within the proposed development.
- Inadequate public transport both within the settlement and between Shaftesbury and other settlements. In respect of the development site itself the Inspector recommended access via an internal access road. The internal access road is tortuous and unlikely to appeal to bus operators. The frequency of local bus routes shows them not to be a realistic alternative to the private car.
- Inadequate road infrastructure. The width and alignment of the A30 eastwards towards Salisbury was of particular concern as were the narrow network of lanes immediately to the east of the site (within Wiltshire).
- There is concern that the measures proposed do not take sufficient account of the impact of run off upon the River Nadder which is a spate river and SSSI downstream.
- The need for lighting installations to be designed to minimise light pollution. The surrounding area is very rural.
- Concern expressed about the impact upon footpaths and public rights of way into Wiltshire and the need to safeguard the access to those properties in Donhead St Mary parish whose sole vehicular access is via this site.
- Para 5.25 of the design brief identifies greensand stone as the material that provides Shaftesbury with its specific vernacular identity. This is not carried through into para. 4.1 of the masterplan. Urbanisation of the A30 would result from this development- especially from 3 storey development.
- The area to the east of this site is very rural. There is a need to ensure that the development does not adversely impact upon the biodiversity of the area.
- Donhead St Mary Parish Council will be making representations to the Planning Inspectorate. The substance of these was made known to the Western Area Committee which wishes to endorse its concerns.
- Similarly it was noted that the AONB landscape and planning advisor will be making representations.

The meeting closed at 9.20pm

Members of the public present - 19