

Minutes

Meeting of : Western Area Committee
Meeting held in : The Lecture Hall, Mere
Date : Thursday 16 February 2006
Commencing at : 4.30pm

Present:

District Councillors

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

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

Parish Councillors:

Mrs Henderson (Tisbury).

Officers

J Crawford (Legal & Property Services), A Davies (Democratic Services), J Howles (Development Control) and J Meeker (Forward Planning).

- 548. Public Questions/Statement Time:**
There were no public questions or statements.



Awarded in:
Housing Services
Waste and Recycling Services



549. Councillor Questions/Statement Time:

There were no Councillor questions or statements.

550. Minutes:

Resolved – that subject to Councillor Hooper’s dissent being recorded in connection with the SWAG grant awarded to Katy Lee (Minute 542 refers), then the minutes of the meeting held on 19 January 2006 (previously circulated) be approved as a correct record and signed by the Chairman.

551. Declarations of Interest

There were no declarations of interest.

552. Chairman’s Announcements:

The Chairman had no announcements to make.

553. Planning Application S/2004/1485 at the Old Garden House, High Steet, Tisbury:

The Committee considered the previously circulated report of the Planning Officer together with the schedule of late correspondence circulated at the meeting.

Resolved – That Condition 3 of the previous resolution to grant planning permission, which read as follows:-

“No development shall take place until details and samples of the materials to be used for the additional windows have been submitted to and approved, in writing, by the Local Planning Authority, and development undertaken in accordance with the details thereby approved.

Reason: In the interests of the character and appearance of the Conservation Area”

be deleted to reflect the fact that the application is now retrospective.

554. Planning Application S/2005/2616 – Manege: Land adjacent to South Lodge, Ferne Estate, Ferne, Shaftesbury – for Philip W Pollard:

Further to the 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 approved for the following reasons:

The proposal is considered to be compatible with the surrounding area, will avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers and is not considered to detrimentally impact on watercourses and sources. Therefore it is considered to conform with Adopted Salisbury District Local Plan G2, C1, C2, C4, C5 and R1C.

and subject to the following conditions:

1. 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. The use of the manege hereby permitted shall be limited to the period during which Ferne Park is owned by Lord & Lady Rothermere unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf. Within 3 month(s) of the cessation of use, all materials and equipment brought on to the premises in connection with the use shall be removed and the previous use as an agricultural field restored.

Reason: In the interests of amenity, to secure the reinstatement of the premises following cessation of the use temporarily permitted.

3. The manege hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling Ferne Park and not for any trade, business or industrial purposes whatsoever.

Reason: In order that the Local Planning Authority may retain planning control over the use of the premises, in the interests of highway safety and the visual amenity of the AONB.

4. The manege hereby permitted shall be used solely as an ancillary facility to the existing dwelling (known as Ferne Park), and shall not be occupied, sold, leased, rented or otherwise disposed of as a separate unit. Should the land cease to form part of Ferne Park, the Manege shall be removed and the land restored to agricultural use.

Reason: In order that the Local Planning Authority may retain planning control over the use of the premises, in the interests of highway safety and the visual amenity of the AONB.

5. There shall be no floodlighting erected in conjunction with the manege hereby granted consent.

Reason: In the interests of the amenities of neighbouring dwelling[s].

6. There shall be no sound amplification equipment used in conjunction with the manege hereby granted consent.

Reason: In the interests of the amenities of neighbouring dwelling[s].

7. Prior to commencement of work a protected species survey shall be carried out at a suitable time of year to establish the presence of reptiles. The development shall then be carried out in accordance with any mitigation measures contained within the report.

Reason: To Safeguard Protected Species

8. There shall be no vehicular access to the manege, hereby permitted from the adjacent agricultural access during the construction period or thereafter. Access shall be via the South Lodge entrance only

Reason: In the interests of highway safety

9. The existing hedging/trees along the north-western boundary of the site shall be retained and reinforced where necessary. It shall be properly maintained in perpetuity including replacement of any plants/trees which die, are removed or become damaged or diseased, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of visual amenity

- (2) That the above application be approved in accordance with the following policies of the adopted Salisbury District Local Plan:

Policy G2 General Development Guidance
Policy C1 Development within the Rural Environment
Policy C2 Development within the Rural Environment
Policy C4 Development within an AONB
Policy C5 Development within an AONB
Policy R1C Recreational Development

- (3) That the applicant be informed of the following:-

- (a) All surface water drained to the proposed soakaways must be uncontaminated.
- (b) The wax coated sand from the manege and the wax itself must not be allowed to enter surface waters.
- (c) INFORMATIVE - ENGLISH NATURE

Under the Wildlife & Countryside Act 1981, as amended by the Countryside and Rights of Way Act 2000, it is an offence to intentionally kill, injure or take any wild bird; take damage or

destroy the nest of any wild bird whilst in use or being built; and take or destroy the egg of any wild bird. If it becomes necessary for work to be carried out on the mature trees described in the report, work should be timed to avoid the nesting season; usually taken to be between March to August inclusive, but may vary by species and area.

555. Planning Application S/2005/2631 – Development of 14 No. Dwellings together with associated ancillary work and access: The Old Coal Yard, High Street, Tisbury, Salisbury – For Stephens Cox Associates Limited

Mrs Henderson, of Tisbury Parish Council, informed the Committee that the Parish Council supported the above application.

Following receipt of this statement 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) (a) that the decision be delegated to the Head of Development Services to approve subject to any additional/amended conditions in light of English Nature's response to the protected species survey report and
- (b) subject to all those concerned entering into a section 106 agreement under the provisions of the Town and Country Planning Act 1990 (as amended) on or before 24th March 2006 in respect of (i) the provision of two affordable houses for those unable to compete in the local housing market and (ii) the provision of a commuted sum under Policy R2 on commencement of development for the provision of recreational open space;

then the above application be approved for the following reasons:

The proposal constitutes an acceptable form of development within the housing policy boundary with a layout that relates well to the locality in accordance with policy H16 & G2 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.

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 external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes (to include retaining walls and structures) 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.

3. No development shall take place until a scheme for the provision of an all weather pedestrian access via Beckett St has been submitted to and approved in writing by the Local Planning Authority. A bound surface shall be applied to Beckett St in accordance with the scheme so approved before occupation of any of the dwellings hereby permitted.

Reason: To ensure that a satisfactory form of access is provided in the interests of highway safety.

4. Before development is commenced a barrier to prevent vehicular access to the site via Beckett Street shall be provided in accordance with details, which shall have been submitted to an approved in writing by the Local Planning Authority. No development shall commence until the access to the site from Church Street has been provided to base coat standard. Thereafter, all construction traffic, including demolition and

groundworks traffic shall access the site from Church Street and there shall be no vehicular access from Beckett St at any time.

Reason: In the interests of highway safety and the amenities of occupiers in Beckett St.

5. Prior to commencement of development a street lighting scheme along the footpath to the east of the site shall be submitted for the further written approval of the Local Planning Authority and the street lighting scheme shall be implemented in accordance with the approved scheme prior to occupation of any of the development

Reason: In the interests of highway safety.

6. 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: 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.

7. No development shall take place until a schedule of landscape maintenance for a minimum period of 10 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

Reason: To enable the Local Planning Authority to secure the satisfactory implementation of all approved landscaping works, in the interests of visual amenity.

8. 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.

9. No development shall take place until details of the treatment of the eastern, western and southern boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. The rear wall of the existing building on the eastern boundary shall be retained where possible. Any trees, shrubs or hedges thus approved shall be planted/erected in accordance with the landscape maintenance plan approved under condition 7 above and any walls or fences approved shall be erected prior to the occupation of the building to whose curtilage the boundary relates.

Reason: In the interests of visual amenity and the environment of the development.

10. No development shall take place until details of the treatment to all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the details as so approved unless otherwise agreed in writing by the Local Planning Authority.

Reason: In the interests of visual amenity and the environment of the development.

11. The access road to the proposed development shall be constructed to base tarmacadam standard to the satisfaction of the Local Planning Authority before a start is made on any of the buildings.

Reason: In the interests of highway safety.

12. The demolition of existing buildings, structures and foundations, together with the removal of debris resulting therefrom, shall take place only between the following hours:- 07.00 –19.00 on Mondays to Fridays; 07.00 -13.00 on Saturday; and not at all on Sundays and Public Holidays.
- Reason: To avoid the risk of disturbance to neighbouring dwellings/ the amenities of the locality during unsocial hours
13. No construction work shall take place on Sundays or public holidays or outside the hours of 7.00 to 19.00 Monday – Friday , and 07.00 – 13.00 Saturdays. This condition shall not apply to the internal fitting out of the buildings where the activity cannot be heard at the perimeter of the site.
- Reason: To avoid the risk of disturbance to neighbouring dwellings/ the amenities of the locality during unsocial hours.
14. Before development commences, a scheme for the discharge of surface water from the roads and building(s) hereby permitted shall be submitted to and approved by the Local Planning Authority, and shall be carried out as approved. Such scheme shall include provision for future maintenance.
- Reason: To ensure that the development is provided with a satisfactory means of surface water disposal.
15. 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.
16. Before development commences a scheme for the limitation of surface water run off within and from the site shall be submitted and approved by the Local Planning Authority. Such scheme shall include provision for future maintenance and shall be carried out as approved.
- Reason: To prevent pollution of the water environment
17. Notwithstanding the provisions of Class 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 visual amenity.
18. Before the development hereby permitted commences on the site, a soil survey of the site shall be undertaken and the results provided to the Local Planning Authority. The survey shall be taken at such points and to such depth as the Local Planning Authority may stipulate. A scheme for decontamination of the site shall be submitted to and approved by the Local Planning Authority in writing and the scheme as approved shall be fully implemented and completed before any [residential] unit hereby permitted is first occupied.
- Reason: In the interests of health and safety for occupants of, or visitors to, the proposed development.
19. 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.

20. No development shall take place until a method statement to minimise pollution risks during construction has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of the water environment

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.

Reason In the interests of amenity and highway safety.

22. Scrub clearance shall only take place between 1st November –31st March inclusive and shall be conducted under the supervision of a qualified ecologist.

Reason: In the interests of protected species.

23. Prior to any scrub clearance taking place the site shall be surveyed for the presence of reptiles and the findings made available to the local planning authority. Should reptiles be found, translocation of slow worms must be carried out before any machinery is brought onto the site.

Reason: In the interests of protected species

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

G1 Purpose sustainable Development
G2 General development control Criteria
H16 Housing policy Boundaries
D2 Design
H25 & SPG – provision of affordable Housing Policy Boundary
CN11 Views in and out of the conservation area.
CN22 safeguarding of archaeology
TR12 parking standards

- (3) That the applicant be informed of the following:-

- (a) **INFORMATIVE: - ENVIRONMENT AGENCY**
The applicant's attention is drawn to the provisions of the Environment Agency's letter (attached as an appendix to the previously circulated agenda).
The details required in pursuance of condition 18 shall be in accordance with para b) - e) of that letter. There is a possibility of pollution risk from the previous uses of the site and further site investigation is required. Whilst the EA's vulnerability map highlights that the site is on a non aquifer the precise thickness of that strata is not known and is underlain by a more permeable bedrock which may be at greater risk. The site is also in proximity for a number of watercourses for which the risk must be determined.
- (b) **Sustainable construction**
The design and construction of the development should include sustainable construction measures such as those given in the BRE EcoHomes standard or similar.
- (c) **Pollution Prevention**
The applicant's attention is drawn to the final paragraph of the Environment Agency letter (attached as an appendix to the previously circulated agenda) which advises the details necessary to comply with condition 20.

- (d) Protected species

The applicant's attention is drawn to the provisions of the Wildlife & Countryside Act 1981 in relation to any disturbance of protected species.

556. AONB Planning Protocol:

The Committee considered the previously circulated report of the Principal Planning Officer (Forward Planning):

Recommendation to Cabinet:

1. That the AONB Planning Protocol be adopted.
2. That the operation of the protocol be reviewed on an annual basis by the Head of Development Services as a means to improve procedures and to ensure that the determination of planning applications is not delayed.

557. Rural Floral Enhancement:

The Committee considered the previously circulated report of the Park Manager.

Resolved – that funds should not be made available for the Rural Floral Enhancement Scheme in 2006.

*The meeting closed at 5.35 pm
Members of the public present 4*