

Minutes

Meeting of : Western Area Committee
Meeting held in : Nadder Hall, Tisbury
Date : Thursday 23rd November 2006
Commencing at : 4.30 pm

Present:

District Councillors

Councillor E R Draper – **Chairman**

Councillor Mrs J Green – **Vice-Chairman**

Councillors A J A Brown-Hovelt, J A Cole-Morgan, T F Couper, J B Hooper, G E Jeans, Mrs C A Spencer and Mrs S A Willan

Councillor P Brown (Portfolio Holder for Planning and Economic Development) was also in attendance to observe the meeting.

Apologies: Councillor P D Edge and County Councillor A Deane (Chalke and Nadder Valley)

Parish Councillors:

Mr Batt (Barford St Martin), Mr Hazzard (Mere), Mrs Henderson (Tisbury), Mr Medley (Tisbury) and Mr Taylor (Dinton),

Officers

A Bidwell (Development Control), J Crawford (Legal and Property Services), A Davies (Democratic Services), S Hawkins (Development Control), O Marigold (Development Control), and N Styles (Forward Planning)



Awarded in:
Housing Services
Waste and Recycling Services



657. Public Questions/Statement Time:

Mr C Hazzard of Mere Parish Council asked the following question:

“We would like to raise our concerns regarding the penultimate paragraph in Mr Osborne’s letter regarding the Parish Precepts for 2007/2008. The paragraph reads **‘Finally, representatives of the larger parishes will be aware of this Council’s intention to devolve responsibility for some strictly local services to those parish councils. I can confirm that it is still the Council’s intention to transfer the cost of these services starting in 2007/08, those Councils affected will need to plan for this eventuality and precept accordingly.’**”

We are certainly not aware of the District Council’s intention to devolve responsibility for any services starting in 2007/08.

We had a visit from Mr. Neudegg in the summer to discuss the possible devolution of services but we understood that this was simply a tentative exploratory exercise. We indicated that we would welcome much more consultation on this issue and would need a lot more information on any issues relating to the devolution of services before we could give a considered response, particularly with regard to the anticipated expenditure. If Mr. Neudegg’s investigations are being used as the source of your ‘intention’ and as the basis for your assumption that we are aware of this ‘intention’ then I am afraid we have been hoodwinked, misinformed and deceived.

Secondly, the paragraph states that we will need to plan for the eventuality of transferring the cost of these services. We implore with you to enlighten us as to how we can plan for the eventuality when we do not know what services are going to be transferred, nor do we know what they will cost.

Lastly, I would like to refer you to my Council’s letter to Mr. Crook of 21st December 2005 in which the Parish Clerk explained why the Parish Council felt that the current District Council budget/finance structure is disproportionate and inequitable to the residents of Mere and other rural areas. In particular, the last paragraph on Parish/District Costs and the questions that still remain unanswered:

Using figures from your Council Tax leaflet issued in May 2005, the parish band D charge for a resident of Mere at £50.55 compares with £37.71 for a resident of Salisbury. Does a Mere resident feel that it is getting 35% better services or facilities than a Salisbury resident?

Why are Mere residents paying for CCTV in Wilton & Amesbury when we are told that we cannot have CCTV in Mere because it’s too expensive?

Why are Mere residents paying for the maintenance of play areas in Wilton, Zeals, Redlynch and Old Sarum when no-one else helps to pay for the maintenance of the play areas in Mere?

Why are Mere residents paying for the sporting facilities in other areas of the District when no-one else pays for the sporting facilities in Mere?

Why are Mere residents paying for the arts programmes in Salisbury when no-one else pays for the arts programmes in Mere?

If it is the District Council’s policy that larger towns and parishes should take steps to become responsible for its individual services then perhaps these issues should be addressed at the same time.

The Chairman replied that this matter has been raised with the Leader of the Council who has undertaken to reply to Mere Parish Council as soon as possible.

Mr Hazzard raised a second question in relation to “A” frame advertising boards. He informed the Committee that on a recent visit to Marlborough he had observed approximately 40 “A” frame signs in the town and he queried why the law in one part of Wiltshire appeared to be different to others.

The Principal Planning (Enforcement) Officer replied that he had spoken to both Wiltshire County Council and Kennet District Council in relation to this matter. The situation is that both authorities are aware of this issue in Marlborough. Wiltshire County Council has recently carried out a survey and is writing to all traders displaying illegal “A” Boards within the next week. Traders will be advised to remove the “A” Boards within 28 days, with the threat of legal action to follow in the event of non-compliance.

Councillor Brown-Hovelt added that the Planning and Economic Development Overview and Scrutiny Panel had considered this matter at its last meeting on 23rd October 2006 (minute 224 refers) where the suggestion

had been made that a lighter touch be adopted in connection with the enforcement of the use of A-boards for advertising. The current enforcement policy, which has been in place since 1999, is currently under review and will be brought to members for formal comment, following a period of public consultation.

658. Councillor Questions/Statement Time:

There were none.

659. Minutes:

Resolved – that the minutes of the ordinary meeting held on 26th October 2006 (previously circulated) be approved as a correct record and signed by the Chairman.

660. Declarations of Interest

There were none.

661. Chairman's Announcements:

The Chairman informed Members that Wiltshire Police would be in attendance at the next Area Committee meeting to provide members with information about Neighbourhood Policing and the future for South Wiltshire Rural Areas.

The Chairman informed the Committee that he had been very sad to learn of the death of Tristram Sykes who had been the High Sheriff for Wiltshire in 1980's.

662. Planning Application S/2006/1271 – Erection of two storey dwelling: Site adjacent to Farthings, Bratch Lane, Dinton – for R W Wallbridge

Mr Wallbridge, the applicant spoke in support of the above application.

Mr Taylor of Dinton Parish Council informed the Committee that the Parish Council supported the proposal, but expressed concern in relation to access onto Bratch Lane and highway visibility.

Further to the 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.

Recommended to the Planning and Regulatory Panel –

- (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), making provision for recreational open space in accordance with policy R2, then the above application be approved for the following reason:

The proposed dwelling, although outside of the Housing Policy Boundary, is considered acceptable in this instance because of the planning history of the site. It would have an acceptable design and would not harm the character and appearance of the area or AONB, or highway safety, or any other matters of acknowledged importance. It would therefore be acceptable having regard to policies H23, C1, C2, C4, C5, D2 and G2 of the Replacement 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. No development shall take place until samples of the materials to be used in the construction of the external surfaces of the dwelling hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: In the interests of the character and appearance of the area

3. Prior to the commencement of development, details of the proposed window designs shall be submitted to and approved, in writing, by the Local Planning

Authority. Development shall be undertaken in accordance with the details thereby approved.

Reason: In the interests of the character and appearance of the area

4. Notwithstanding the provisions of Classes A to 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 to the dwelling(s) 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: In the interests of the character and appearance of the area

5. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to and approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hardsurfacing materials; other minor artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers/densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to safeguard the visual amenity to be provided by the new landscaping and to ensure satisfactory appearance to the development.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority, a plan indicating the existing hedge or hedges which are to be retained, the minimum heights at which they will be maintained and appropriate trees within the hedge or hedges which shall be retained and allowed to grow on. The Plan shall also show where the hedgerows are to be reinforced with further planting, details of which indicated in a timetable of implementation. The hedges shall thereafter be maintained in accordance with the approved details.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to safeguard the visual amenity to be provided by the new landscaping and to ensure satisfactory appearance to the development.

7. 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 that the above planning permission has been granted having regard to the following policy/policies of the adopted Salisbury District Local Plan:

H23 Dwellings in the open countryside
C1 Development in the countryside
C2 Development in the countryside
C4 Development in the AONB

C5 Development in the AONB
D2 Infill development

- (3) That the applicant be advised that the Local Planning Authority would encourage that the applicant enter into an agreement with the landowner(s) of Bratch Lane, to improve the visibility and safety of the road.
- (4) That the applicant be advised that in the event of the unilateral agreement referred to above (at point (1)) not being provided within three months of the date of the decision of the Planning and Regulatory Panel, that the application be refused on the grounds of non-compliance with policy R2 of the Adopted Salisbury District Local Plan

663. Planning Application S/2006/2166 – Revision of previously approved dwelling to include conservatory: Land between Spring Cottage and Wingmore, Swallowcliffe, Salisbury – for Barrie Taylor Associates

The Committee considered the previously circulated report of the Head of Development Services (previously circulated), together with the schedule of late correspondence circulated at the meeting.

Recommended to Planning and Regulatory Panel -

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

The proposed dwelling differs from the extant scheme approved in 1990 only in that an additional conservatory is proposed. Therefore, although outside of the Housing Policy Boundary, the proposed dwelling and conservatory would not harm the character and appearance of the countryside or AONB beyond the extant scheme to an extent that would warrant refusal. It would not harm the amenities of neighbouring properties or any other matter of acknowledged importance, and would be acceptable having regard to policies H23, H19, C1, C2, C4 and C5 of the Replacement Salisbury District Local Plan

And subject to the following conditions

1. Within one month of the date of this permission, samples of the materials to be used in the construction of the conservatory hereby approved shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the agreed materials.

Reason: In the interests of the character and appearance of the area

2. No alteration to the external materials used in the construction of the dwelling hereby approved shall be made without the prior written consent of the Local Planning Authority.

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

3. Prior to the first occupation of the dwelling hereby approved, the access and visibility splays shown on the drawing hereby approved shall be carried out and maintained in that state in perpetuity. The driveway shall be properly surfaced (not with loose stone or gravel).

Reason: In the interests of highway safety

4. Within one month of the date of this permission, details of the means of surface water drainage to ensure that surface water does not run off onto the highway, shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details prior to the first occupation of the dwelling”.

Reason: In the interests of highway safety

5. Notwithstanding the provisions of Classes A to 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 to the dwelling(s) 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: In the interests of the character and appearance of the area

- (2) That the applicant be informed that this decision has been taken having regard to the following policies of the Replacement Salisbury District Local Plan:

H23	Development outside Housing Policy Boundaries
H19	Development within Housing Restraint Areas
C1, C2	Development in the countryside
C4, C5	Development in the AONB
G2	General Development Criteria

664. Planning Application S/2006/1806 – Construction of 3 x 3 bedroom detached dwellings and new access road: land adjacent to Knapp Cottage, Vicarage Road, West Tisbury, Salisbury – for Lionel Gregory Ltd

Mr Thompson of the Tisbury Natural History Society spoke in objection to the application.

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

Mrs Henderson of Tisbury Parish Council informed the Committee that the Parish Council objected to the application.

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

Recommended to Planning and Regulatory Panel –

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

The proposed development, in that it would be preferable to the development that could be undertaken under an existing permission, would cause no greater harm to the character and appearance of the countryside, AONB, Conservation Area, adjacent listed buildings, highway safety, protected species, the amenities of nearby properties and flooding

And subject to the all persons concerned entering into a section 106 agreement under the provisions of the Town and Country Planning Act 1990 (as amended) requiring that:

within each dwelling, the use of workshop or office shall be used only for uses within classes B1 of the Town and Country Planning (Use Classes) Order 1987 (as amended), and shall be used only by the occupants and/or owners of each respective dwelling. Each respective room shown as a workshop or office on the plans hereby approved shall not be used as a bedroom or for domestic residential accommodation, other than in association with the workshop or office use,

then the above application be approved 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. 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), no above ground structures shall be erected within the floodplain and watercourse as delineated as land below 18.5m to the local datum shown on Plan Number 4477/04E.

Reason: To maintain the flow and storage capacity of the watercourse; to prevent obstruction of access.

3. There shall be no storage of any materials including soil within that part of the site liable to flood as shown as land lying below a level of 18.5m above local datum as shown on drawing No. 4477/04E

Reason: To ensure that there will be no increased risk of flooding to other land/properties due to impedance of flood flows and/or reduction of flood storage capacity.
4. The proposed minimum finished floor level of 19.90m above local datum shown on drawing number 4477/04E shall be implemented unless agreed otherwise in writing by the Local Planning Authority.

Reason: To ensure that the development is subject to minimum risk of flooding.
5. No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by of the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding
6. Prior to the commencement, details of a buffer strip shall be submitted to and approved, in writing, by the Local Planning Authority. The buffer strip shall be at least 5 metres wide, shall be provided adjacent to the Oddford Brook, and shall consist of locally native plant species. This buffer strip shall be measured from the top of the bank and shall be free of structures, hard standing and fences. Development shall be undertaken in accordance with the details thereby approved.

Reason: To maintain the character of the watercourse and provide undisturbed refuges for wildlife using the river corridor including Water voles which is a Protected Species.
7. No development approved by this permission shall be commenced until a landscape plan and a long-term ecological management plan for the site (including the buffer strip) have been submitted to and approved in writing by the Local Planning Authority. The plans shall be implemented as agreed in perpetuity.

Reason: To protect/conservate the natural features and character of the area by promoting the conservation value of the Oddford Brook, the swamp area and the adjacent buffer.
8. No development approved by this permission shall commence until a scheme for water and energy efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

Reason: In the interests of sustainable development. Salisbury District Council's Supplementary Planning Guidance on "Achieving Sustainable Development" promotes the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies
9. The area of private drive extending 5.0m back from the Vicarage Road carriageway edge shall be properly consolidated and surfaced (not loose stone or gravel) for which details 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
10. Prior to the commencement of development, details of the proposed new passing space indicated on the submitted 1:200 scale site plan numbered 4477/04E shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: In the interests of highway safety

11. The development hereby permitted shall not be commenced until the visibility splays shown hatched on the submitted plan numbered 4477/04E have been provided. Nothing over 600mm above the adjoining carriageway level shall be planted, erected or maintained within the splay areas.

Reason: In the interests of highway safety

12. Notwithstanding the provisions of Classes A to 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 to the dwelling(s) 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: In the interests of the character and appearance of the countryside

13. Prior to the commencement of development, details of the bin store (in terms of materials, elevations and uses) shall be submitted to and approved, in writing, by the Local Planning Authority. Development shall be undertaken in accordance with the details thereby approved.

Reason: In the interests of the character and appearance of the area

14. Development shall be undertaken in full accordance with the applicant's ecological report dated August 2006.

Reason: In the interests of protected species

15. 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 walls and roofs of the proposed development shall be submitted to and approved in writing by the Local Planning Authority. These details shall include 1:5 sections and elevations of the windows. Development shall be carried out in accordance with the approved details.

16. No development shall take place, including site clearance or other preparatory work, until full details of both hard and soft landscape works (including tree planting) have been submitted to and approved in writing by the Local Planning Authority, and these works shall be carried out as approved. These details shall include, as appropriate, and in addition to details of existing features to be retained: proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hardsurfacing materials; other minor artefacts and structures, including signs and lighting and functional services above and below ground. Details of soft landscape works shall include plans for planting or establishment by any means and full written specifications and schedules of plants, including species, plant sizes and proposed numbers/densities where appropriate. If within a period of five years from the date of the planting or establishment of any tree, or shrub or plant, that tree, shrub, or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub, or plant of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: In the interests of the character and appearance of the area

17. The development hereby approved shall be undertaken fully in accordance with the applicant's arboricultural impact and appraisal and method statement dated 23rd November 2005

Reason: in the interests of the character and appearance of the area

18. Prior to the commencement of development details of surface materials throughout the site, including where appropriate porous materials, shall be submitted to and

approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the details thereby approved.

Reason: in the interests of the amenities of nearby properties.

19. Prior to the commencement of development, details of the means of securing that vehicles entering and leaving the site do not leave mud and debris on the highway (ie through the washing of lorries' wheels) shall be submitted to and approved, in writing, by the Local Planning Authority.

Reason: in the interests of the character and appearance of the area

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

Domestic gardens shall not be incorporated into the buffer zone to the watercourse. This is in order to avoid problems such as fragmentation of the buffer by fencing; the placing of garden rubbish near the bank; the introduction of non-native species into the buffer; and pressure for inappropriate bank retention works. The buffer should be extended to include the swamp area adjacent to the Oddford Brook, which is of "considerable ecological value" (2) and should be retained. Although the site has become degraded, with proper management the biodiversity interest could be greatly enhanced.

The development should include water efficient appliances, fittings and systems in order to contribute to reduced water demand in the area. These should include, as a minimum, low-flush toilets, water butts, spray taps, low flow showers (3) and kitchen appliances (where installed) with the maximum water efficiency rating. Greywater recycling and rainwater harvesting should be considered. The submitted scheme should consist of a detailed list and description (including capacities, water consumption rates etc. where applicable) of water saving measures to be employed within the development.

Sustainable Construction

We would encourage the design and construction of the development to include sustainable construction measures, such as those given in the Building Research Establishment (BRE) EcoHomes standards or similar. This allows the maximum preservation of natural resources during construction and improves energy efficiency and cost reduction during subsequent use.

Pollution Prevention

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests of the site.

Such safeguards should cover the use of plant and machinery, oils/chemicals and materials; the use and routing of heavy plant and vehicles; the location and form of work and storage areas and compounds and the control and removal of spoil and wastes.

This decision has been taken having full regard to the following policies of the Replacement Salisbury District local Plan:

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

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

H22/H23	Development outside Housing Policy Boundaries
C1, C2	Development in the countryside
C4, C5	Development in AONBs
C12	Impact on protected species
G1, G2	General Development Criteria
D1	Infill Development
CN3	Setting of listed buildings
CN8	Conservation Areas
CN10	Loss of open spaces in Conservation Areas
R2	Recreational Open Space

665. Planning Application S/2006/1886 – Vary Condition 1 of Planning Permission 2002/1169 to allow storage of trailers outside building 385: Westfields Ltd, Westfield Park, Dinton, Salisbury – for Woolley and Wallis

Mr Archer, a nearby resident spoke in objection to the above application.

Mr Taylor of Dinton Parish Council and Mr Batt of Barford St Martin Parish Council both spoke in objection to the proposal.

Following the receipt of these 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 approved for the following reason:

The proposed development accords with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), E16 (Employment), C1 & C2 (The Rural Environment) & C5 (Landscape Conservation) of the adopted Salisbury District Local Plan.

And subject to the following Conditions:-

1. The storage of trailers shall be restricted to the area of hardstanding edged and hatched in blue on the plan(s) hereby approved unless otherwise agreed in writing by the Local Planning Authority Planning Authority.

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

2. There shall be no storage of trailers other than flat-bed trailers with no load attached. There shall be no refrigeration, heating or other apparatus attached to any trailer stored within the trailer parking area hereby approved at any time.

Reason: In the interests of visual amenity and the amenities of nearby neighbouring residents.

3. There shall be no delivery, collection, removal or other movement of trailers outside the hours of 0700 to 1900 Mondays to Fridays, 0700 to 1300 on Saturdays, nor at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenities of nearby neighbouring residents.

4. The proposed tree planting shall be undertaken within the next planting season. If within a period of [five years] from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective,] another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To enable the Local Planning Authority to secure a scheme of tree planting, in the interests of visual amenity.

5. This permission amends the planning permission granted on 16/10/00 under ref. 99/1280 and the variation to conditions of that permission granted 11/10/01 under reference 01/1660 and 24.09.02 under reference 02/1169 in respect of permitting the use of specified areas for storage /loading/unloading of specified goods. All other details of the development shall be as previously approved. This permission should therefore be read together with the previous permission 02/1169 and the other conditions applied thereto shall be equally applicable and binding.

Reason: In order that the Local Planning Authority may retain planning control over the use of the premises in the interests of amenity.

6. The use of Bratch Lane access shall be restricted to emergency vehicles only.

Reason: In the interests of amenity and highway safety.

7. There shall be no floodlighting or other illumination of the trailer parking area unless otherwise agreed in writing by the local planning authority upon the submission of a planning application on that behalf.

Reason: In the interests of the amenities of nearby residential occupiers and visual amenity within the AONB.

(2) That the applicant be informed that the above decision has been taken in accordance with the following policies of the Adopted Salisbury District Local Plan.

G2 (General Criteria for Development), E16 (Employment), C1 & C2 (The Rural Environment) & C5 (Landscape Conservation)

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

You are requested to instruct all site users/drivers calling at the site of the hours of operation of the site (in advance where possible) and require that they do not arrive at the site before it opens and that vehicles associated with operations within the site do not park inappropriately within the village so as to cause congestion or disturbance to residents as waiting vehicles can cause noise and disturbance to the occupiers of the surrounding residential area.

666. Planning Application S/2006/2097 – Erect Conservatory: Fairlawn, High Street, Tisbury, Salisbury – for Mr and Mrs Eddowes

Mr Medley of Tisbury Parish Council informed the Committee that the Parish Council supported the application.

Following the receipt of these statements, the Committee considered the previously circulated report of the Head of Development Services.

Resolved –

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

The proposed development accords with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), 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.

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 materials to be used in the construction of the external surfaces of the plinth walls of the development hereby permitted shall match those used in the existing building.

Reason: To ensure that the proposed development will satisfactorily harmonise with the external appearance of the existing building.

(2) That the applicant be informed that the above decision has been taken in accordance with the following policies of the Adopted Salisbury District Local Plan.

G2 (General Criteria for Development), D3 (Design) & C5 (Landscape Conservation)

667. Planning Application S/2006/2145 – Retention of 4 no. Portable Office Suites and 1 no. Portable W.C Compartment: Westfields Ltd, Westfield Park, Dinton, Salisbury – for Woolley and Wallis

Mr Archer, a nearby resident spoke in objection to the above application.

Mr Taylor of Dinton Parish Council informed the Committee that the Parish Council objected to the application.

Following the receipt of these 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 approved for the following reason:-

The proposed development accords with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), E16 (Employment), C1 & C2 (The Rural Environment) & C5 (Landscape Conservation) of the adopted Salisbury District Local Plan.

And subject to the following conditions:-

1. The portable buildings hereby permitted shall be removed and the land restored to its former condition within three calendar years of the granting of this permission in accordance with a scheme of work submitted to and approved by the Local Planning Authority.

Reason: The portable buildings, by reason of their prefabricated construction and materials, are not considered appropriate structures for permanent retention within the designated Area of Outstanding Natural Beauty.

2. The use of the portable buildings hereby approved shall remain ancillary to authorised storage uses on the Westfields site.

Reason: In order that the Local Planning Authority may retain planning control over the use of the portable buildings.

3. The proposed tree planting shall be undertaken within the next planting season. If within a period of [five years] from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective,] another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.

Reason: To enable the Local Planning Authority to secure a scheme of tree planting, in the interests of visual amenity.

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

G2 (General Criteria for Development), E16 (Employment), C1 & C2 (The Rural Environment) & C5 (Landscape Conservation)

- (3) That the applicant be informed that the conditions attached to previous planning approvals relevant to the Westfields site and operations thereon remain relevant and continue to apply.

668. Westfield Park, Catherine Ford Road, Dinton

Mr Archer spoke in support of enforcement action being taken.

Following the receipt of this statement and further to the site visit held earlier that day, the Committee considered the previously circulated report of the Principal Planning Officer (Enforcement), together with the schedule of late correspondence circulated at the meeting.

Resolved -

- (1) That in respect of the breach of condition identified in the report and subject to the receipt of additional information in respect of the uses of the buildings at the site, the Head of Development Services be authorised to issue a breach of condition notice in respect of any breach of condition 14 attached to planning permission s/99/1280 dated 16th October 2000.

Requiring the following:

1. To submit written details to the Council of all the businesses operating at the site in each building and the number and types of vehicles they generate.
2. To cease the use of any of the buildings at the site which the Council has not approved under 1 above.

Within the following timescale:

1. No more than 28 days from the date the Notice is issued.
 2. No more than 3 months from the date that the Notice is issued.
- (2) That a further report be made to a future western area committee, to update members as to the outcome of any action and/or further investigations undertaken.

669. Draft Development brief for land between Hindon Lane and Weaveland Road

The Committee considered the previously circulated report of the Forward Planning Officer. A copy of the presentation giving by the Forward Planning Officer at the meeting is attached at **Annex A** to these minutes.

Mr Fitz, speaking on behalf of Tisbury Action Group, thanked the officers for their comprehensive report and summary. Mr Fitz then went on to inform Members that the principle issue for consideration was the inappropriate development design for Tisbury, which was high density and represented a fake urban style. Style was a matter of choice and the Tisbury residents wanted to choose the design for themselves. Government guidance on style and design was not mandatory.

Mr Fitz informed the Committee that 126 people were opposed to the development. Tisbury has consistently objected to this proposal and Mr Fitz thought this should be brought to the Cabinet's attention. He also raised concerns in relation to the speed of traffic on Hindon Lane, the traffic assessment which had been carried out by a civilian firm and the location of the proposed bus stop on Hindon Lane.

Mr Dark read out a statement from Mr and Mrs Rushton on behalf of the residents of 2,3, and 4 Alexandra Cottages. He informed the Committee that the dwellings would be overlooked by the two storey industrial unit and would be directly next to its associated car, van and lorry park. Consequently, these residents requested that the industrial building and car parking, two storey houses and gardens were positioned adjacent to Alexandra Cottages.

A resident of Alexandra Cottages added that if the industrial building was located in proposed location, the light to her property would be blocked.

Mrs Ings, a resident of Hindon Lane informed the Committee that traffic on the road is appalling. Residents moving into these new properties would drive everywhere and would probably shop in Shaftesbury rather than Tisbury. Regard should be had to the fact that this was an Area of Outstanding Natural Beauty.

Mr Clarke, a resident of Tisbury for the past 27 years stated that this was an Area of Outstanding Natural Beauty and Tisbury was an unobtrusive village. This proposal would make Tisbury extremely noticeable. Mr Clarke concluded that he was bitterly opposed to the proposal.

Mr Pope, resident of Tisbury informed the Committee that he supported the proposal and drew Members attention to the comments numbered 25 and 78) .

Mr Frankland, a long standing resident of West Tisbury informed the Committee that he supported the Hindon Lane proposal. He felt that the Officer's responses to each of the concerns raised in connection with the brief were exemplary and all had been dealt addressed within the planning framework. With reference to the transport issue and the objections to traffic on Hindon Lane, Mr Frankland informed the Committee that narrow roads were a common problem. Hindon Lane represented the least poor link with the outer parts of Tisbury. This proposal would enable the local economy of Tisbury to survive. Without it, Tisbury would

stagnate. Mr Frankland concluded that the Forward Planning Officer should be praised for this extremely informative brief.

Mr Medley on behalf of Tisbury Parish Council informed the Committee that the traffic calming for Hindon Lane had been recommended by the Planning Inspector himself. However, the Parish Council was extremely concerned that this would be ineffectual as drivers often drive straight over mini roundabouts. Hindon Lane was a very narrow lane and this would cause problems for traffic leaving the site. Mr Medley added that Tisbury is a rural community and it should not be given an urban look. The brief included three storey buildings, which were not in keeping with the local vernacular. Mr Medley concluded that the Parish Council was pleased to hear that alternative community use of the land currently earmarked for a swimming pool would be considered.

Following the receipt of these statements, Members of the Committee then went on to make the following observations/ask the following questions:-

- Members asked for an update on the Station Works site in Tisbury, including details on the negotiations and when these would be made public.

The Forward Planning Team Leader replied that an independent marketing exercise was currently being carried out and the results would be presented to the Cabinet in February 2007.

- Members recognised that the development brief has been worked up in order to eliminate the vagaries of development on the site. Members felt that this was important but felt that regard should also be had to the specific nature of the site.
- Members queried whether the road network would be much altered, more so that is currently recommended in the brief.

The Forward Planning Team Leader replied that the traffic calming proposed within the brief had been recommended by Highways at Wiltshire County Council.

- Members asked if the location of B1 units next to Alexandra cottages could be removed from the brief.
- Members did not favour the introduction of three storey buildings on this very exposed site. The whole village would be altered by this new development; therefore regard should be had to ensure that it fitted in with the rest of Tisbury. Three storey buildings were present on the High Street in Tisbury, but would not be in keeping on the outskirts of the village.
- Tisbury is, in effect a linear town and this brief effectively shifts the weight of the town away from its centre. Members were concerned that this development brief could result in the creation of a new village on the outskirts of Tisbury.
- Consideration should be given to the quality of the build, to ensure that it lasts longer than 20 years.
- Members sought clarification on whether this development brief was solely for the reference purposes of CG Fry.

The Forward Planning Team Leader replied that this development brief represented Supplementary Planning Guidance. The brief was indicative and did not change policy. Any developer could refer to this brief for development purposes.

- Any development should have regard to the fact that Tisbury lies within an Area of Outstanding Natural Beauty

Recommended to Cabinet – That the brief be adopted as Supplementary Planning Guidance to the Local Plan, with the following revisions:

1. The design guidance within the brief is made more explicit with regard to the type of development being appropriate to the specific nature of the site. This should take full account of the prominence of the site and should seek to minimise its visual impact, by careful design and deletion of 3 -storey units, which are characteristic of the village centre but not the more rural

periphery. The guidance should also make it clear that architectural excellence is a pre-requisite, irrespective of style and hence contemporary, modern designs of an appropriate standard would be welcome.

2. The amount of employment provision on the site be reduced to encourage take-up of existing facilities elsewhere within the area and also to reduce the need for three-storey development.
3. The indicative master plan shall be amended to remove the proposed light industrial units from the vicinity of Alexandra Cottages.
4. The brief shall be amended to make it more explicit that if the community decide that the swimming pool is unfeasible then they shall be consulted on alternative community facilities to be delivered in its place.

(NOTE: Councillor Hooper requested that his dissent to the above decision be recorded)

670. Extension of the Meeting

In compliance with Council Policy, as the Council could not conclude its business within 3 hours, it resolved to extend the meeting by two and a half hours (during which time the matters recorded under minutes 666,668 and 669 were considered).

The meeting closed at 10.05pm

Members of the public: 42

Development Brief

Hindon Lane, Tisbury

Western Area Committee

Consultation

23 November 2006



The purpose of the report

- For Members to note the changes to the revised Brief and Sustainability Report and subject to the acceptance that all the raised issues have been satisfactorily addressed, seeks a recommendation from Western Area Committee to Cabinet that the revised Brief be adopted as a Supplementary Planning Document



Why is this development brief being produced?

- Allocated under policies H14 and E14A
- No basis to hold the development brief exercise back
- Potential for application tomorrow
- Brief does not prejudice anything else
- Best way of safeguarding our position
- Gives us additional control over development should it come forward



What is happening at the Station Works site?

- Marketing of the site is continuing
- Independent property surveyor
- Cabinet in February 2007
- Establish the viability once and for all
- It found to be viable, Hindon Lane should be released
- If not a development brief will be prepared on the Station Works site



Consultation

- Public consultation - 7 weeks between 18 August and 28 September 2006
- Leaflets
- Exhibitions
- Hard copies available
- Western Area – 31 August 2006



Consultation

- 127 responses were received
 - 11 supporting
 - 106 objecting
 - 7 neutral
 - 2 supported some aspect and objected to others
 - 1 not duly made
- Representations from the consultation have been used to improve the Brief wherever it is reasonable and appropriate to do so



Key issues and amendments

- Traffic on Hindon Lane
- Provision of land for a new swimming pool
- Sewerage system capacity
- Ecology



Key issues and amendments

- Area of Outstanding Natural Beauty and Design
- Proximity to Alexandra Cottages
- Business units within the development
- Sustainability



Before consultation



After consultation



Late correspondence

- Extent of Transport Assessment
- Indicative layout



Summing Up and Conclusion

- Adoption of a development brief:
 - Safeguards our position
 - Helps to control the impact of development
 - Identifies a shopping list of issues developers will need to address
 - Carries significant weight in the planning process
- It **does not** prejudice consideration of the Station Works site
- With no adopted SPD we are exposed



Recommendation

Members note the changes to the revised Brief and Sustainability Report and recommend the Brief to Cabinet for adoption as a Supplementary Planning Document


