

# Minutes

**Meeting of** : Western Area Committee  
**Meeting held in** : Nadder Hall, Tisbury  
**Date** : Thursday 11 October 2007  
**Commencing at** : 4.30 pm

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**Present:**

**District Councillors**

Councillor Mrs J A Green – Chairman

Councillors JA Cole-Morgan, J Holt, GE Jeans, DO Parker, PD Edge and Mrs CA Spencer

**Apologies**

Councillor MG Fowler, RA Beattie and ER Draper (Vice-Chairman)

**Officers**

Andrew Bidwell, Judith Howles (Development Services) Laura James (Legal and Property Services) Steve Milton and Tom Bray (Democratic Services).

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

There were none.

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

Councillor D O Parker sought clarification about the Council's waste and recycling services. He expressed the need for more information about the Council's recycling facilities and how they are to be used.

**63. Minutes:**

**Resolved:** that the minutes of the ordinary meeting held on 13<sup>th</sup> September 2007 be approved as a correct record and signed by the Chairman.

**64. Declarations of Interest:**

Councillor P Edge declared a personal and prejudicial interest in agenda item 9 (set out in minute 58 below) due to his business relationship with the operators of Westfield Park. He left the meeting for the duration of that item.



Awarded in:  
Housing Services  
Waste and Recycling Services



**65. Chairman's Announcements:**

The Chairman announced that Inspector David McMullin would be attending the next Western Area meeting on Thursday 8<sup>th</sup> November to give an update to the Committee about policing in the Western Area and discuss particular issues raised by Members.

She also announced that she would contact the Primary Care Trust to invite a representative to a future Western Area meeting to inform the Committee about Minor Injury Units and the impact on rural areas.

**66. Area Governance Arrangements under One Council:**

This item was deferred until the next Committee meeting on November 8<sup>th</sup> 2007 due to Councillor P Clegg being unable to attend the meeting.

**67. Northern Area Committee - Review of Community Involvement:**

The Committee considered the previously circulated report of Councillor Mills and Hewitt. A number of points were raised including the following:

- Important stakeholders in the Western Area should be encouraged to attend and/or invited to future meetings. The following stakeholders were mentioned: Defra, The River Project, Agricultural enterprises, Country Land and Business Association, Natural England (AONB), Parish Councils, health organisations, cross-boundary agencies, transport providers, youth clubs, sports centres, representatives from local villages.
- Cross border issues need to be raised due to the close proximity of towns like Shaftesbury and Warminster.
- The Western Area has consistently encouraged community involvement in the past and would like to continue good work in this area.
- Regular press releases would improve the publicity of the Western Area Committee.
- A State of the Area debate might be a good exercise and could improve community involvement.
- There is a need to alert all Parish Councils that they can be more involved in the Committee both in putting possible agenda items forward and participation at the meeting.
- There could be a need to address the seating arrangements to create a better atmosphere for public debate.
- Programming of agenda items and their publicity could be addressed in order to encourage attendance.
- There is a need to maintain the formal structure of the Committee to facilitate discussion and debate.
- It is important that Committees continue to make decisions to maintain people's interest.

**Resolved:** that the proposals set out in the report, together with the issues raised above be adopted.

**68. Enforcement Report: Westfield Park, Catherine Ford Road, Dinton:**

County Councillor Mr Deane addressed the Committee and raised a number of questions. The Chairman provided a response to the question that related to the original planning application on the site. Further to this, 3 local residents, Mr Dunton, Mr Capper and Mrs Rogers, had submitted late representations and spoke at the meeting in favour of the enforcement action. Their views and the response from Development Services were captured in the late correspondence (circulated at the meeting).

The Committee considered the previously circulated report of the Enforcement Officer and the schedule of late correspondence.

**Resolved:** that –

1. The report be noted
2. In the event of the above course of action not promptly remedying the breach or in the event of further breaches of the Breach of Condition Notice, a further report to be brought to members regarding the expediency of further enforcement action to secure continued compliance with conditions 1& 2 attached to planning permission S/02/1169 dated 24<sup>th</sup> September 2002.

3. If, notwithstanding the above recommendations at 1&2 above that Members wished to consider the expediency of further enforcement action to secure compliance with conditions 1 & 2 attached to planning permission S/02/1169 dated 24<sup>th</sup> September 2002, that a further report be brought before the next available Western Area Committee.
4. Additional enforcement reports to Western Area Committee should not delay the service of any future Breach of Condition Notices that the Head of Development Services is delegated to serve if any future/additional breaches come to light.
5. The Committee write to Wiltshire County Council to request that it carries out a traffic survey (with axle count) and origin and destination of all Heavy Goods Vehicles on Catherine Ford Road and B3089.
6. An Environmental Health Officer is invited to the Committee to advise what action can be taken under Environmental Health legislation in respect of noise nuisance and light pollution.
7. A Confidential report by legal services (to be heard in exempt business) to advise how the reduction or curtailing of activities on the site can be best achieved, including the possible discontinuance procedure and its implications.
8. The Enforcement Officer make further investigation of the following and reports the findings back to next WAC:
  - a. Why is there Ministry Of Defence signage displayed to the public?
  - b. Whether retailing from the premises has resumed?
  - c. Obstruction of the emergency access to Bratch Lane?
9. After the outcome of the Breach of Conditions Notice in court is known, to request that the applicant puts the unauthorised outside storage inside the buildings.
10. The operator is asked (by letter) whether he had considered getting the railway lines reinstated and if so, what enquiries had he undertaken.

**69. Planning Application S/2007/1734 - Change Of Use Of Agricultural Land To The Recreational Keeping Of Horses at Rock Cottage, Chilmark, Salisbury SP3 5BW For Nigel Lilley:**

Mr Hewlett, the landowner, spoke in support of the application. Mr P Boyles of Chilmark Parish Council reported that the parish council had no objection to the proposal.

Following receipt of these statements, the Committee considered the previously circulated report of the Planning Officer along with a schedule of late correspondence circulated at the meeting.

**Resolved** – that the above application be approved for the following reason:

The proposed change of use from agriculture to the recreational keeping of horses would not harm the character and appearance of the countryside or AONB, highway safety, the amenities of neighbouring properties or any other material consideration. It would therefore comply with the relevant policies of the Adopted Salisbury District Local Plan.

And subject to the following conditions:-

- (1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (A07B)

**Reason (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) Notwithstanding the provisions of the Town and Country Planning Act 1990 and 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 structures or buildings erected or

placed on the land unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf

**Reason (2):** In the interests of the character and appearance of the countryside and AONB

- (3) The change of use shall not take place until details of the means of access to the site have been submitted to and approved, in writing, by the Local Planning Authority. The equestrian use shall be subsequently undertaken using only that access, unless otherwise agreed in writing by the Local Planning Authority.

**Reason (3):** in the interests of highway safety

- (4) The use hereby approved shall be carried out only in association with and as part of the property known as Rock Cottage and shall not be used separately from it.

**Reason (4):** The LPA would not wish to see the separation of the planning unit as a whole in the interest of the visual quality of the wider countryside and the AONB

#### **INFORMATIVES:**

1. Policy  
This decision has been taken with regards to the following policies of the Adopted Salisbury District Local Plan:  

C1, C2	Development in the countryside
C4, C5	Development in the AONB
R1C	Outdoor recreational facilities
2. The applicant is advised that the means of access approved as part of planning permission S/2007/1735 would be an acceptable means of access in relation to condition 3. [if application S/2007/1734 is approved]

#### **70. Planning Application S/2007/1735 - Erection Of 2 Stables, Hay Store, Garage, And Creation Of New Access at Rock Cottage, Chilmark, Salisbury SP3 5BW For Nigel Lilley:**

Mr Hewlett, the landowner, spoke in support of the application. Mr P Boyles of Chilmark Parish Council reported that the parish council objected to the proposal.

Following receipt of these statements, the Committee considered the previously circulated report of the Planning Officer along with a schedule of late correspondence circulated at the meeting.

**Resolved** – that the above application be approved for the following reason:

The proposed stable, hay store and garage building would not harm the character and appearance of the countryside or AONB, highway safety, the amenities of neighbouring properties, or any other material planning consideration. It would therefore comply with the relevant policies 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. (A07B)

**Reason (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) 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, and the external finish and appearance shall remain as approved in perpetuity (D04A)

**Reason (2)** In the interests of the character and appearance of the open countryside and AONB

- (3) Prior to the commencement of development of the building hereby approved (including demolition) a recessed entrance having a minimum width of 4m shall be constructed 4.5m back from the carriageway edge and its sides shall be splayed outward at an angle of 45 degrees toward the carriageway edge. The area between the entrance and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel), in accordance with details that shall have been submitted to and approved, in writing, by the Local Planning Authority.

**Reason (3)** in the interests of highway safety

- (4) No development shall take place (including the the commencement of the new vehicular access referred to in condition 3 above) until visibility has been provided at the access with nothing over 1m in height above the adjacent carriageway level being planted, erected or maintained in front of a line extending southwards from a point measured 2m back into the centre of the access from the carriageway edge, for a distance of 50 metres measured along the nearest carriageway edge, in accordance with the Wiltshire County Council plan (reference 01) attached to this decision notice. The area shall be maintained in this state in perpetuity.

**Reason (4)** 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.

**Reason (5)** in the interests of highway safety.

- (6) The gradient of the accessway shall not at any point be steeper than 1 in 15 for a distance of 4.5m from its junction with the public highway.

**Reason (6)** in the interests of highway safety

- (7) 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 (7)** in the interests of the character and appearance of the area.

- (8) Development shall be undertaken in full accordance with the protected species surveys submitted with replaement dwelling application S/2006/1848, dated 22nd September 2006 (by the Badger Consultancy) and January 2006 (by ID Wildlife). In particular demolition shall not take place between November and March and the removal of scrub and tree cover shall not take place between March and August.

**Reason (8)** in the interests of protected species

- (9) Prior to the commencement of development, details of the post and rail fencing and of the surfacing material of the parking and turning area 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 (9)** In the interests of the character and appearance of the area

- (10) No development shall take place until the applicant has entered into an agreement with the relevant land owner of the land outside the applicant's ownership to ensure that the visibility requirements set out in conditions 4 and 5 can be secured in perpetuity.

**Reason (10)** : in the interests of highway safety.

- (11) Other than the garage hereby approved, the building and hay store shall be used only for equestrian purposes, in association with and ancillary to the dwelling known as Rock Cottage (either as currently built or as replaced), and shall not be used for domestic accommodation, nor for commercial equestrian purposes.

**Reason (11):** Planning permission has only been granted for the building in accordance with policy R1C of the Adopted Local Plan. Bearing in mind its countryside location, permission would not have been granted for either a domestic building of the size proposed or for a commercial equestrian building. It is also necessary to ensure that the equestrian use is in connection with Rock Cottage, in the interests of that dwelling's amenities.

- (12) The garage part of the building hereby approved shall be used only for the private and domestic use of the occupiers of Rock Cottage and for no other purpose.

**Reason (12):** The local planning authority would not wish to see a non - domestic use occur within the building in the interest of highways safety and general amenity.

- (13) Notwithstanding the provisions of Part 2 Class A of the Town & Country Planning (General Permitted Development) Order 1995, or any order revoking or reenacting that order with or without modification, There shall be no gates erected within the area of the site forming the entrance / access and turning area as illustrated on the Amended Plan received 18/09/07.

**Reason (13):** In the interest of Highway Safety and the general amenity of other road users.

#### **INFORMATIVE**

And in accordance with the following policy/policies of the adopted Salisbury District Local Plan:

C1, C2	Development in the countryside
C4, C5	Development in the AONB
R1C	Outdoor Recreational Facilities in the countryside

#### **71. Planning Application S/2007/1684 - Retrospective Erection Of Slide In New Position & Culverting Drainage Ditch At Dinton Recreation Ground St. Marys Road Dinton Salisbury SP3 5HH For The Trustees Of Dinton Recreation Ground:**

Mr Glover, the applicant, spoke in support of the application. Mr Smith of Dinton Parish Council reported that the parish council objected to the proposal.

Following receipt of these statements, and further to a site visit held earlier that day, the Committee considered the previously circulated report of the Planning Officer along with a schedule of late correspondence circulated at the meeting.

**Resolved** – that the above application be refused for the following reason:

- (1) The slide by reason of its siting and its height, near the edge of the site alongside St Marys Road adjacent to residential property, would result in an unacceptable level of overlooking and loss of privacy to the detriment of the occupiers of the properties.
- (2) The application has failed to provide sufficient detailed information to allow the LPA to be satisfied that the culvert will not cause a risk of flooding to third parties in the event of heavy rainfall.

**72. Planning Application to North Dorset District Council at Land South of A30 and East of Shaftsbury – Develop Land By Erection Of Employment Development Of B1 And B2 Uses With Ancillary B8 Use, All With Associated Infrastructure And Landscaping Including Strategic Landscaping To East And South. Formation Of Vehicular Access From A30**

The Committee considered the previously circulated report of the Planning Officer.

**Resolved** – that:

1. Representations be forwarded to North Dorset District Council reiterating the Western Area Committee's concerns, about the adequacy of the A30 to accommodate additional traffic likely to be generated by the proposed development especially at the pinch points in Ludwell, Fovant and Wilton and with additional comments:
  - A need for a pedestrian crossing across A30 to/from the approved housing site
  - A need for pedestrian measures on A30 to east (In Wiltshire) to facilitate walking & cycling from Ludwell
  - Public transport support for Salisbury- Shaftsbury bus service
  - Concern about light pollution - especially to south in AONB
2. The letter to be copied to Wiltshire County Council Highways to raise their awareness about the development and its impact on south Wiltshire.

*The meeting closed at 8.20 pm  
Members of the public: 26*