

Minutes

Meeting of : Western Area Committee
Meeting held in : Nadder Hall, Tisbury
Date : Thursday 29 May 2008
Commencing at : 4.30 pm

Present:

District Councillors:

Councillor Mrs J A Green – Chairman
Councillor ER Draper – Vice-Chairman

Councillors R A Beattie and P D Edge, M G Fowler, G E Jeans and D O Parker

Apologies: Councillor J A Cole-Morgan, J Holt

Officers:

Andrew Bidwell and Stephen Hawkins (Development Services) Tom Bray (Democratic Services)

151. Public Questions/Statement Time:

There were none.

152. Councillor Questions/Statement Time:

Councillor Fowler once again addressed the Committee to request further information as to when the Committee would be considering the Hindon Village Design Statement. Councillor Green confirmed that the Village Design Statements would be brought before the Committee at the next meeting.

Councillor Fowler also requested an update regarding the proposed play area at Donhead St Mary. The Principal Planning Officer confirmed that the planning application has now been submitted and the case officer is awaiting consultation responses. Councillor Fowler thanked all officers involved in assisting the parish council with its application.

Councillor Beattie drew the Committee's attention to two enforcement matters. He requested an update on the status of the Wookie Hole sign on the A303 as the Committee had resolved to authorise discontinuance action however the sign is still in situ. The Principal Planning Officer confirmed that the served notice would take effect on 19th June 2008 and the applicants have a further two months to submit an appeal. He also highlighted a potential matter for enforcement at a site to the east of Tisbury. The Principal Planning Officer stated that he would refer the case to the case officer for that application and the enforcement officer for them to investigate the issue.



Awarded in:
Housing Services
Waste and Recycling Services



153. Minutes:

Resolved – That the minutes of the ordinary meeting held on 1 May 2008 be approved as a correct record and signed by the Chairman.

154. Declarations of Interest:

Councillor Edge declared a personal and prejudicial interest in planning application S/2008/0408 and agenda item 13 due to his business relationship with the operators of Westfield Park. He spoke on the planning application and then left the meeting for the duration of that item.

155. Chairman's Announcements:

The Chairman reminded members that if they had a specific matter that they wished to raise at the Committee meeting then they could notify the Area Coordinator or relevant officer before the meeting so that the matter could be dealt with more effectively.

The Chairman announced that the new consultation arrangements for the Local Development Framework were being finalised and the Committee would be consulted in August. Councillor Spencer stated that, as Chairman of the Planning and Economic Development Overview and Scrutiny Panel, she would be asking for the new consultation document to come before the Panel before being sent out to all members.

Further to this, the Chairman reminded the Committee that Andrew Reynolds would be attending the next meeting to discuss the issue of Choice Based Letting. She also updated the Committee on business that arose from the last meeting, whereby letters had been written to the Chairman of Salisbury District Council's Environment and Transport Overview and Scrutiny Panel and the Portfolio Holder for Transport at Wiltshire County Council.

156. Release of Discretionary Funds for Secondary Refuse Compactors:

The Committee considered the previously circulated report of the Democratic Services Officer.

Resolved – That

1. The Committee allocates discretionary funding to parishes with a population of less than 1000 (33 of 37 parishes) for a secondary compactor vehicle at the additional cost of £202 per parish
2. The Committee requests that the specific arrangements regarding time and day of visits are amenable in order to maximise the use of the compactor.
3. All qualifying parishes be notified immediately.

157. Planning Enforcement Draft Statement of Service Provision 2008:

The Committee considered the previously circulated report of the Principal Planning Officer (Enforcement) and the Principal Solicitor. The following comments were made by the Committee:

- Members congratulated the officers for producing such a comprehensive, well written report.
- Members discussed the merits of having an accessible leaflet capturing all the useful information regarding enforcement and that this report once finalised should be made available on the Council's website.

Resolved – That the report be noted.

158. Planning Application S/2008/0408 - Erect 6 No. Poles To Provide External Lighting And CCTV Surveillance Of The Site (Part Retrospective) at Westfields Business Park Ltd, Westfield Park, Dinton, Salisbury, SP3 5BT for Mrs S Mellow:

Mrs S Mellows, the agent, spoke in support of the application.

Following receipt of this 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 reasons:

The proposed development is considered to accord with the Policies of the Development Plan, and in particular Policies G2, D3, C2, C5 & C12, and the aims and objectives of PPS 7 and PPS 23, because the proposed external lighting and cctv systems have been shown to be designed so as to mitigate against adverse impacts of light pollution within the countryside of the AONB and the amenity of residents of neighbouring dwellings.

Subject to the following conditions:

1. The elements of the development yet to be undertaken 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 development hereby approved shall be carried out and operated in accordance with the approved scheme and the letter and supplementary information provided by Mrs S Mellow in her letter dated 12th May 2008.

Reason: To secure a harmonious form of development in the interests of the character of the surrounding Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty and the amenity of neighbouring residential occupiers.

3. Notwithstanding the generality of Condition 2, within a period of one month from the date of commencement of use of all the approved lighting/ cctv cameras, the Local Planning Authority shall be informed in writing that such use has commenced. Thereafter the Local Planning Authority shall be afforded the opportunity to inspect the lighting, and to require the adjustment of lighting/cameras in accordance with a written scheme of modification.

Reason: To secure a harmonious form of development, in the interests of the amenity of neighbouring residential occupiers and visual amenity within the wider landscape of the AONB.

159. Planning Application S/2008/0634 - Retain Existing Dwelling (Removal Of Condition 6 To S/2004/2628 Requiring Demolition Of Existing Dwelling Prior To Occupation Of Extended Dwelling) at Sawmill Cottage, Wardour, Tisbury, Salisbury, SP3 6RJ for Robert Paley Associates:

Mr Edwards, the agent, and Mr Hooper, a local resident, spoke in support of the application.

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 reasons:

1. Consent has previously been granted by the Local Planning Authority for a replacement dwelling in the open countryside, based upon sound planning reasons, notably relating to policy H30 of the Salisbury District Local Plan. Since the siting of the proposed dwelling did not overlap the footprint of the one it was to replace, a planning condition was imposed to require the demolition of the original dwelling upon the completion of the replacement.

It is now proposed that this planning condition be removed, so that both the original and its intended replacement remain. This would constitute the creation of an additional dwelling within an isolated rural location and such development would be contrary to the national and local planning policy presumption against development in the countryside, both for the sake of preserving its natural beauty and for the reasons of directing new residential development towards sustainable locations.

The development would therefore be contrary to the aims and objectives of PPS1, PPS3, PPS7, PPG13 and saved policies G1, G2, C2, C4, C5, H23 and H30 of the adopted Salisbury District Local Plan.

2. The proposed residential development is considered by the Local Planning Authority to be contrary to saved policy R2 of the adopted Salisbury District Local Plan because appropriate provision towards public recreational open space has not been made.

INFORMATIVE:

It should be noted that the reason given above relating to Policy R2 of the adopted Local Plan could be overcome if all the relevant parties can agree with a Section 106 Agreement, or, if appropriate by a condition, in accordance with the standard requirement of public recreational open space.

160. Planning Application S/2008/0530 - Detached Outbuilding For Use As Pool Building & Home Office & Construction Of Swimming Pool At Field Cottage Lower Wincombe Lane Donhead St. Mary Shaftesbury SP7 9DB For T F H Reeve:

Mr Reeve, the agent, spoke in support of the application.

Mrs Barnes, Chairman of Donhead St Mary Parish Council, stated that the Parish Council object to the application.

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.

Resolved – That the above application be approved for the following reasons:

Although the site is sensitive in landscape terms, the amended plans are considered to result in an outbuilding that would be of an appropriate scale and design, that would not harm the character of the streetscene or wider AONB landscape. The proposed swimming pool is considered to be well screened and of an appropriate size, so that it too would have limited impact within the AONB. Conditions can be imposed to secure appropriate material finishes and to prevent inappropriate external lighting within the countryside. The development would therefore be generally in accordance with the aims and objectives of the development 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.

Reasons: 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. This development shall be in accordance with the amended drawing[s] ref: CB/1001/R (which reduced the height of the outbuilding to single storey) deposited with the Local Planning Authority on 29/04/08, unless otherwise agreed in writing by the Local Planning Authority.

Reasons: For the avoidance of doubt.

3. 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 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.

Reasons: To secure a harmonious form of development, in the interests of the character of the area.

4. There shall be no lighting of the swimming pool or external lighting of the outbuilding hereby permitted, unless otherwise agreed in writing with the Local Planning Authority.

Reasons: In the interests of controlling light pollution within the AONB.

5. The development hereby approved (in the form of a home office and pool house) shall be ancillary to the residential use of the property known as Field Cottage and shall not be occupied, sold, leased, rented or otherwise disposed of as a separate dwelling unit.

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

6. This permission is subject to the window in the side (north) elevation facing the road being deleted and the side wall being void of any openings whatsoever.

Reason: In the interest of the character and appearance of the building and visual amenity.

7. No development shall take place until details of an indigenous hedgerow to be planted on the southern boundary[ies] of the site have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted /erected prior to the first use of the building.

Reason: To ensure that the works are undertaken in an appropriate manner, in the interests of the health and long-term preservation of the boundary.

8. No further windows, doors, or other openings shall be formed in any part of the building without the express grant of planning permission in that behalf.

Reason: In the interest of visual amenity.

9. 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 buildings fences, gates walls or other structures shall be erected within the curtilage of the dwellinghouse without the written consent of the LPA. Subject to the details of the buildings fences walls and other structures, express planning permission may be required.

Reason: In order to retain the open / rural character of the site, in the interests of the visual amenity of the wider Cranborne Chase & West Wiltshire Downs Area of Outstanding Natural beauty.

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

Policy G1	Sustainable Development
Policy G2	General Development Guidance
Policy D3	Design of extensions and outbuildings
Policy C4	AONB
Policy C5	AONB

NB. Councillors Draper and Parker requested that their dissent to be recorded.

161. Planning Application S/2008/0012 - The Opening And Reglazing Of Windows To Subsidiary Wing at Norrington Manor Norrington Estate, Alvediston, Salisbury, SP5 5LL for T F H Reeve:

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

Resolved – That the above application be approved for the following reasons:

The works would have no adverse impact on the character of the listed building, and should improve the façade of the south west wing and the setting of the principal part of the house.

Subject to the following conditions:

1. The development for which permission is hereby granted must be commenced not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the provisions of Section 18 of the Planning (Listed Buildings and

Conservation Areas) Act 1990 as amended by Section 51 (4) of the Planning and Compulsory Purchase Act 2004.

2. The opening up of the windows hereby approved shall be done carefully using hand tools only, unless otherwise agreed in writing by the local planning authority.

Reason: To safeguard any surviving historic fabric contained within the infill panels.

3. This development shall be in accordance with the amended drawing ref: TRSSPO/02 deposited with the Local Planning Authority on 06/05/08, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt.

4. A comprehensive step-by-step photographic record of the opening up hereby approved shall be made and a copy sent to the local planning authority.

Reason: To ensure adequate recording of the alterations and materials found during the works.

And in accordance with the following policies of the Adopted Salisbury District Local Plan:

CN3 and CN8

INFORMATIVE:

In the event of any features of interest not already described in this application being uncovered, please contact the local planning authority for advice and site inspection.

162. Community Issues/Update:

Councillor Fowler informed Members that he had attended the Compton Abbas Airfield Consultative Forum and has supplied a copy of his notes from the meeting which have been circulated to Members electronically.

Councillor Fowler also drew the Committee's attention to a series of enforcement notices regarding roadside advertisements that had been issued by West Wiltshire District Council to businesses in the Western Area. Councillor Fowler expressed his concern that these signs are vital to ensure that the businesses remain viable. The signs therefore contribute to the local economy and removing them would have negative impact on the area. The following businesses were sent enforcement notices regarding their advertisements: Howard's House, Black Dog at Chilmark, Carriers at Stockton, Farmer Giles Farmstead and The Bell at Wylle.

Resolved: That the Committee writes to West Wiltshire District Council expressing its concern over the proposed enforcement action as outlined above due to the potential negative impact the removal of the advertisements could have on the vitality and viability of the businesses in the Western Area.

163. Exempt Business: Enforcement Report - Dinton

In view of the confidential or sensitive nature of the matters to be considered, the Council excluded the press and public from the meeting during consideration of agenda item 13 on the grounds that they may involve the likely disclosure of 'exempt information' as defined in Part 1 of Schedule 12A inserted into the Local Government Act 1972 by the Local Government (Access to Information) Act 1985 and that the public interest against disclosing the information outweighs the public interest in favour of disclosure as explained below:

Paragraph 5 namely: 'information in respect of which a claim to legal professional privilege could be maintained in legal proceedings'

Paragraph 6 namely: 'Information which reveals that the authority proposes to make an order or direction under any enactment'

Although the Committee discussed this matter in closed session it was resolved that a version of this minute would be made available to the public in the form of the resolution below:

1. The Committee noted the report; and
2. The Committee accepted the Officer's recommendation that action, including formal enforcement action, should be taken under delegated powers in the event of future breaches of planning control at the site.

***Summary of Exempt Matter
Enforcement Report***

*The meeting closed at 7:44 pm
Members of the public: 8*