

Minutes

**THESE MINUTES SHOULD BE KEPT FOR USE BY DISTRICT COUNCILLORS
AT THE NEXT COUNCIL MEETING**

P R E S E N T

District Councillors

Councillor Mrs S A Willan – Chairman

Councillor Mrs J Green – Vice-Chairman

Councillors J A Cole-Morgan, T F Couper, E R Draper, P D Edge,
J B Hooper, G E Jeans and Mrs C A Spencer

Apology – Councillor A J A Brown-Hovelt

Parish Representatives

Dr Dalton (Tisbury), Miss Davies (Hindon), Mr Drake (Sedgehill and Semley),
Mrs Henderson (Tisbury) and Mrs Morland (Wilton)

MINUTES NOT REQUIRING COUNCIL APPROVAL

96. PUBLIC STATEMENT/QUESTION TIME

There were no statements or questions from the public.

97. COUNCILLOR STATEMENT/QUESTION TIME

There were no statements or questions from the councillors.

98. MINUTES

RESOLVED – That the minutes of the last ordinary meeting held on 4th September 2003 be approved as a correct record and signed by the Chairman

99. DECLARATIONS OF INTEREST

Councillor Mrs Spencer declared a personal and prejudicial interest in planning application S/2003/1793 since she used to own the tree on the site and withdrew from the meeting during consideration thereof.

Councillor Mrs Spencer declared a personal and prejudicial interest in SWAG Application W010 – Kilmington Cricket Club since her husband was a member of the club and withdrew from the meeting during consideration thereof.

100. CHAIRMAN'S ANNOUNCEMENTS

AONB Draft Management Plan

The Chairman informed the Committee that the Draft Management Plan for the Area of Outstanding Natural Beauty had recently been circulated to Members, together with a memo from the Head of Community Initiatives requesting Councillors' comments by 22nd October. The Chairman informed Members that Councillor Draper, Deputy Portfolio Holder for the Environment & Transport and Councillor Hooper, as a member of the AONB Working Group would be meeting with relevant officers in order to request an extension to the consultation period. As a result this matter would be included as an agenda item for the next Western Area Committee on 30th October. Parishes were invited to submit their comments at this meeting.

101. PLANNING APPLICATION S/2003/1531 – FULL APPLICATION: EXTENSION ON TWO STOREYS, INTERNAL ALTERATIONS – LOWER LEIGH COTTAGE, LEIGH LANE, EAST KNOYLE – FOR ANDREW AND KANNY LEDGER

The Committee considered the previously circulated report of the Planning Officer on behalf of the Head of Development Services, together with the schedule of late correspondence circulated at the meeting.

RESOLVED –

- (1) That the above application, including the amended plans be refused for the following reason:-
 1. The proposed extension due to its large scale, massing and proposed design, on the basis of the information submitted, is not considered compatible with the character of the existing property and landscape setting and as such is contrary to policies G2, D3, H31 and C24 of the Salisbury District Council Adopted Local Plan.
- (2) That the applicant be informed that this decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G2, D3, H31, C24.
- (3) That a letter be sent to Members from the Head of Development Services clarifying the Fastrack procedure and specifying which Members can call in planning applications e.g. just the ward member or any member.

(NOTE: If a further application is submitted and comes before the Western Area Committee for consideration, Members have requested a site visit.)

102. PLANNING APPLICATION S/2003/762: FULL APPLICATION – EXTEND HEIGHT OF EXISTING 02 LTD 17.5M LATTICE TOWER TO 22.5M IN ORDER TO ACCOMMODATE THREE AIRWAVE SIGMA ANTENNAS AT A BASE HEIGHT OF 22.5M EXISTING THREE 02 ANTENNAS TO BE RELOCATED AT A BASE HEIGHT OF 17.8M: EXISTING 02 LTD BASE STATION, STREET LANE, SEDGEHILL, SHAFTESBURY – AIRWAVE MM02 LIMITED

Mr Drake, Vice-Chairman of Sedgehill and Semley Parish Council informed the Committee that the Parish Council objected to the original mast since it was considered to be an eyesore and to extend it further would make the situation worse.

Following the receipt of the above statement the committee considered the previously circulated report of the Head of Development Services.

RESOLVED –

- (1) That the above application be approved for the following reasons:-
 1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
 2. The development hereby permitted shall be dismantled and removed from the land, the use shall cease, and the land shall be reinstated to its former condition, on or before 23/01/2013, unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.
 3. The telecommunications mast extension hereby permitted shall be painted a colour to be agreed by the Local Planning Authority, and thereafter shall remain this colour, unless otherwise agreed in writing by the Local Planning Authority.
 4. Notwithstanding the provisions of Class A of Schedule 2 (Part 24) to the Town & Country Planning (General Permitted Development) Order 2001, (or any Order revoking and re-enacting that Order), there shall be no installation, alteration or replacement of any telecommunications apparatus unless otherwise agreed in writing by the Local Planning Authority upon submission of a Planning Application in that behalf.
 5. Prior to the first operational use of the telecommunications mast and equipment hereby permitted, the mast and associated equipment approved under planning permission S/02/2539 (at Hays Farm, Sedgehill) shall be dismantled and removed from the site and the land at the site shall be reinstated to its former condition, unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.
- (2) That the applicant be informed that this permission has been taken in accordance with the following policies of the adopted Replacement Salisbury District Local Plan C6 and PS7.
- (3) That the Planning Officer be requested to arrange a future presentation at the Committee to update Members on telecommunications technology and considerations e.g. colour/height/mast sharing/disguised masts e.g. tree masts.

103. PLANNING APPLICATION S/2003/1309: ADVERT APPLICATION - NON ILLUMINATED DIRECTIONAL SIGN: COMMON LAND OFF A350, SEDGEHILL, SHAFTESBURY – FOR J C M DUTHIE

Mr Drake, Vice-Chairman of Sedgehill and Semley Parish Council informed the Committee that since WCC Highways had now withdrawn their objection to the application, the Parish Council supported the proposal.

Following receipt of the above statement, 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, subject to the following conditions:-
 1. Prior to the erection of the sign hereby permitted its precise positioning shall be agreed in writing with the Local Planning Authority. No part of the sign shall be closer than 11 metres to the edge of the carriageway of the A350 or 9 metres to the edge of the carriageway of the A308, unless otherwise agreed in writing by the Local Planning Authority.
 2. No part of the sign shall overhang any part of the public highway, including any part of the verge.
 3. The sign hereby permitted, shall not be erected until the existing directional sign has been removed.
- (2) That the applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G11

**104. PLANNING APPLICATION S/2003/1384 – FULL APPLICATION –
CONVERSION OF EXISTING SHOPS AND FLAT INTO 3 DWELLING
HOUSES: 41-45 NORTH STREET, WILTON, SALISBURY – FOR N P E
HOLDINGS**

Mr Rhind-Tutt, in his capacity as a member of the public, spoke in objection to the above application.

Mrs Morland on behalf of Wilton Town Council informed the Committee that the Town Council objected to the application. Shops such as these were essential for the vitality of the Town.

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

RESOLVED –

- (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) to pay a commuted sum towards the provision of recreational open space in accordance with policy R2 of the adopted Salisbury District Local Plan, then the above application be approved subject to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
 2. The development shall be carried out in strict accordance with the drawing[s] hereby approved, or with such other details as may subsequently be submitted to and approved in writing by the Local Planning Authority.
 3. The materials and finishes of the external walls and roof of the proposed development hereby permitted shall match in colour and texture those of the existing building[s].
 4. Notwithstanding the provisions 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 or any other form of development within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.
- (2) That the applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G2, H16, CN8, E16, TR11, R2 and PS3.
- (3) That the applicant be informed that they should agree with Wessex Water, prior to the commencement of any works on site, a connection point onto Wessex Water infrastructure.

As there are no existing public surface water sewers in the vicinity of the site, it is advised that the developer investigates alternative methods for the satisfactory disposal of surface water from the site (e.g. soakaways). Surface water should not be discharged to a foul sewer. If it is proposed to discharge surface water to a watercourse, the developer should contact the Environment Agency first.

- (4) The site lies within the flood plain of the River Avon, a main river under Environment Agency control. However, the site is protected from flooding, to a degree, by a flood bank or wall that is maintained by the Environment Agency. As the site is below flood level, the applicant should be aware of the risk of flooding due to failure or overtopping of the defence by a more severe event than designed for, or maintained against.

In view of the flooding history of the River Avon, it is recommended that floor levels be set at least 600mm above the surrounding ground level. However, if this is not practical due to restrictive ceiling heights or other restraints, the applicant should submit details of an alternative means of protecting the existing building from ingress and damage by floodwater. This requirement is based on the precautionary principle as identified in PPG 25. Malcolm Brushett at the Environment Agency will be happy to advise further on such measures (telephone 01258-456080).

- (5) That the applicant be informed that if the section 106 agreement as detailed in (1) above is not entered into within one month, the application will be

delegated to the Head of Development Services for refusal on the grounds of failure to comply with Policy R2 of the adopted Salisbury District Local Plan.

- (6) That the Forward Planning Unit be requested to investigate policy protection for retailing in Wilton as part of the Local Plan Review.
- (7) That the Area Co-Ordinator write a letter to Robert Key, M.P. for Salisbury and Andrew Murrison, M.P. for Westbury stressing the importance of retaining shops in villages and small towns to ensure their vitality.

105. PLANNING APPLICATION S/2003/1466 – FULL APPLICATION – TWO STOREY SIDE EXTENSION INCLUDING INTEGRAL GARAGE: GABLE COTTAGE, PECKONS HILL, LUDWELL, SHAFTESBURY – FOR MR P MAIDMENT

Councillor Cole-Morgan on behalf of Donhead St Mary Parish Council informed the Committee that the Parish Council regarded this application as overdevelopment of this site.

Following receipt of this statement and further to the site visit held earlier that day, the Committee considered the previously circulated report of the Head of Development Services.

RESOLVED –

- (1) That the above application be approved subject to the following conditions:-
 - 1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
 - 2. The walls of the west and south elevations of the extension hereby permitted shall be constructed in natural Greensand stone to match the existing dwelling. The render on the east elevation of the extension hereby permitted shall match in colour and texture the render on the existing east elevation. The clay plain tiles of the roof of the extension hereby permitted shall match those used on the existing roof.
 - 3. This development shall be in accordance with the amended drawing deposited with the Local Planning Authority on 20th August 2003, unless otherwise agreed in writing by the Local Planning Authority.
 - 4. The development hereby permitted shall not be brought into use until the visibility splay coloured green on the attached plan has been provided with no obstruction to visibility at or above a height of 1.0m above the nearside carriageway level. The visibility splay shall thereafter be maintained free of obstruction at all times.
 - 5. Before the development hereby approved is first brought into use, a properly consolidated and surfaced access (not loose stone or gravel) shall be constructed, details of which shall have been submitted to and approved in writing by the Local Planning Authority.
 - 6. Foul drainage shall be to the mains sewer.

- (2) That the applicant be informed that this permission has been taken in accordance with the following policy/policies of the Adopted Salisbury District Local Plan: G2, G5, H16, C4, C5, D3.

106. PLANNING APPLICATION S/2003/1562 – FULL APPLICATION – WALL/FENCE 1.8 M HIGH REPLACING ORIGINAL WALL/FENCE 1,2M HIGH: HILLVIEW, THE DENE, HINDON, SALISBURY – FOR MR & MRS S K BARTLETT

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

Miss Davies on behalf of Hindon Parish Council informed the Committee that the Parish Council objected to the application. The proposed wall and fence would not be in keeping with the nearby properties in the Dene and would not preserve or enhance the existing character of the Conservation Area.

Following 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 subject to the following conditions:-
1. The wall/fence hereby permitted shall be painted/stained in colours to be agreed in writing with the Local Planning Authority and such painting/staining shall be completed within 3 months of the date of completion of the development. The colours so agreed shall thereafter be retained in perpetuity unless the Local Planning Authority gives written approval to any variation.
- (2) That the applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G2, C4, C5, H16, CN8

107. PLANNING APPLICATION S/2003/1771 – CHANGE OF USE – TO RESIDENTIAL: MOOCHERS ROOST, WINCOMBE LANE, DONHEAD ST MARY, SHAFTESBURY – FOR N A SHEARING

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 subject to (a) the receipt of outstanding consultations and (b) all persons concerned entering into a section 106 agreement under the provisions of the Town and Country Planning Act 1990 (as amended) to:-
- i. pay a commuted sum under policy R2 of the Salisbury District Local Plan;
 - ii. prevent the workshop being sold or let separately from the residential accommodation;
 - iii. prevent the area defined as workshop being used for any other purpose without the prior express written permission of the local planning authority;

Then, the above application be approved subject to the following conditions:-

1. The occupancy of the residential unit hereby permitted shall be restricted to a person/persons employed at the adjoining workshop and to any resident dependants.
 2. The parking spaces shown on the plan received shall be retained in perpetuity and shall not be used other than for the parking of vehicles in connection with the development hereby permitted.
 3. Notwithstanding the provisions of Classes B and D 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 consisting of an addition or alteration to its roof or erection or construction of a porch unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.
- (2) That if the above Section 106 Agreement is not completed within three months following the date of the Committee, that the Head of Development Services be authorised to refuse the application under delegated powers, for the following reasons:
- (a) The development is contrary to policy R2 of the adopted Salisbury District Local Plan in that it makes no provision for recreational open space.
 - (b) The development is contrary to policy G2 (iv) of the adopted Salisbury District Local Plan in that without a legal restriction on the sale of the workshop separately from the residential element, future occupiers of the residence would suffer detriment to their amenities by reason of noise and disturbance.
 - (c) The application would be contrary to policy E16 of the adopted Salisbury District Local Plan in that without a legal restriction on the use of the workshop, it would lead to a loss of employment without any corresponding environmental or conservation benefit.
- (3) That the applicant be informed that this decision has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G1, G2, C22, E16, C4 /C5

108. PLANNING APPLICATION S/2003/1793 – TREES WITH TREE PRESERVATION ORDER – HEIGHT REDUCTION AND BOUGH SHORTENING IN VETERAN OAK: OAK HOUSE, PORTNELLS LANE, ZEALS, WARMINSTER – FOR R J WIGG

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 subject to the following conditions:-
 1. The scope of works shall be agreed on site prior to commencement.
 2. The works hereby approved shall be carried out in accordance with British Standard BS 3998:1989 'Tree Work'.
- (2) That the applicant be informed that this permission has been taken in accordance with the following policy/policies of the adopted Salisbury District Local Plan: G1, C1

109. FLOOD WORKING GROUP UPDATE

The Committee considered the previously circulated report of the Head of Environmental Services and received a presentation from Rick Wells, Senior Environmental Health Officer and District Councillor Hewitt, Chairman of the Flood Working Group.

The following points were raised during consideration of this item:-

- Mrs Cully of Tisbury Row informed Members that her property was seriously flooded in 2000 and it cost her £15,000 to repair the resulting damage. Mrs Cully had been in correspondence with the Environment Agency in Blandford for the past four years and had been informed that a gully would be installed in the access road in April 2004. Mrs Cully emphasised how important the need for this gully was together with an embankment and bunding.

Rick Wells replied that this work was likely to be undertaken in the next 2-3 years. The Environment Agency (EA) was looking at a solution and although the District Council does not have control over this particular issue, it will work with the EA to ensure something will be done to address the problems experienced by Mrs Cully and other residents in Tisbury Row.

- Mr Rhind-Tutt of Wilton drew Members's attention to the problems experienced at Wyllye Lodge – notably the inability to use the toilets when flooding occurs and the issue of raw sewage going into the River Wyllye.

Rick Wells replied that Wessex Water had informed him that equipment had been installed to alleviate this problem. He added that in worse case scenarios it was necessary to pump water into rivers and for this reason it is always assumed that flood water is contaminated.

Councillor Hewitt informed Members that he had a meeting with Wessex Water and he would inform them of the problems experienced at Wyllye Lodge.

- Mr Rhind-Tutt asked if it would be possible to link the sewage pipe in Wilton to the main pipe for Salisbury.
- Mrs Henderson, Tisbury Parish Council emphasised the problem experienced by Mrs Cully and also drew Members' attention to the flooding which occurs under the Three Arch Bridge in Tisbury.

Rick Wells replied that all these points would be fed back to Wessex Water and the Environment Agency.

- Councillor Cole-Morgan identified three areas within his ward that are prone to flooding:-
 - (a) Ludwell Village
 - (b) Berwick St John – The Talbot Inn
 - (c) Small property in Charlton – the owner has had to install their own pump

Rick Wells replied that the issue at Berwick St John had been resolved, a culvert had been replaced and no further flooding problems had occurred.

In terms of Ludwell, Mr Wells replied that he was aware of the flooding issues here and the occasional flooding of the road.

In relation to the property in Charlton, Councillor Cole- Morgan agreed to supply Mr Wells with further details.

- Councillor Cole-Morgan also raised the issue of increased insurance premiums for those people who lived in a post code area associated with flooding, even if the exact location of the property was not at risk of flooding.

Mr Wells replied that the EA did publish a flood risk map that is currently being refined to reflect these differences and is available from the EA website.

- Councillor Edge asked what the views of the EA were in relation to retaining river levels that in turn help avoid flash flooding.

Mr Wells replied that river levels had been low this year and added that this was a difficult balancing act. He emphasised that what could be done was being done.

- Councillor Jeans referred to the flooding issues experienced on the north of the A303 and Lower Zeals.
- Discussion then focussed on the cultivation of maize and how this can be ploughed to help avoid flooding. Councillor Mrs Willan added that this had been a contributory factor to the flooding that occurred in Teffont in 1999. Since then work in Teffont has alleviated the flooding issue and all the landowners have undertaken work to help excess water get away.

At the end of the discussion Councillor Hewitt reminded Members of the importance of their local knowledge and added that it was essential that Officers were kept informed of local concerns and experiences.

RESOLVED

- (1) That the current and planned future work programme as set out in the previously circulated report be noted.
- (2) That the Members of the Flood Working Group and Officers be thanked for their work on this matter.

110. RELEASE OF R2 CONTRIBUTIONS FOR NEW SKATEBOARD FACILITY AT DINTON RECREATION GROUND

Mr Lockyer, Dinton Parish Council informed the Committee that a lot of local people were excited by the prospect of this new skateboard facility in the recreation ground.

Following receipt of this statement, the Committee considered the previously circulated report of the Forward Planning Officer.

RESOLVED - That £5,634 plus any interest accrued of the "R2" contributions be released by this Council to assist the funding of the recreation scheme as outlined in the previously circulated report, and that the release of the monies be made following the receipt of invoices for the works undertaken.

111. SOUTH WILTSHIRE AREA GRANTS SCHEME

The Committee considered the previously circulated report of the Western Area coordinator.

RESOLVED – That grants be approved as follows:-

No.	Applicant	Decision
W006	Kilmington Youth Club	Refused with comments as set out in the previously circulated report
W007	Dinton Recreation Ground Management Committee	Grant of £2,500
W009	Compton Chamberlayne Village Hall	£500
W010	Kilmington Cricket Club	£2,500
W011	Fovant Village Hall	That a grant of £2,500 be approved subject to any necessary planning permission

(NOTE: These grants totalling £8,000 to be funded from the SWAG budget, leaving a balance of £15,350 available for distribution in the third tranche.)

112. FORMAT OF WESTERN AREA COMMITTEE MEETINGS

Members considered the recent change in the format of the Committee, moving planning matters to the beginning of the agenda and community issues to the second part of the agenda.

Miss Davies of Hindon Parish Council informed Members that her preference was for planning issues to be considered first. She also added that she sometimes had difficulty in hearing the Councillors' discussion and requested that Members speak to the audience rather than away to speak to the Chairman.

Katherine Lawley, Council Tax Payer and Journalist from Salisbury Journal informed the Committee that she applauded the concept of Area Committees and the opportunity they give members of the public to participate. However, Ms Lawley did express her concerns in relation to the duration of the meetings, many of which finished between 10pm and 11pm.

The Chairman drew Members' attention to the letter received from Mr Adcock, Chairman of Compton Chamberlayne Parish Meeting, circulated at the meeting. Mr Adcock's main point was that he preferred to see Community Issues as the first item for consideration on the agenda.

RESOLVED – That the new format, i.e. Planning issues first, community issues second continue until the new year, when the matter will be reviewed.

113. EXTENSION OF MEETING

In compliance with Council Policy, as the Committee could not conclude its business by 9.00 p.m., it resolved to extend the meeting by half an hour (during which time the matters recorded under minutes 114, 115 and 116 were considered).

114. URGENT EXEMPT BUSINESS

Although this matter was not on the previously circulated agenda, the Chairman declared that it be considered as a matter of urgency since the matter needed to be determined before the next meeting of the Area Committee.

Summary of 'exempt' matters – in connection with land in Ludwell.

115. EXEMPT INFORMATION

RESOLVED - that the press and public be excluded from the meeting during consideration of agenda items 12 on the grounds that it involves the likely disclosure of exempt information as defined within Part 1 of Schedule 12A inserted into the Local Government Act, 1972, by the Local Government (Access to Information) Act 1985, and more particularly specified below:-

Agenda Item 12 – Press and Public to be excluded on the ground specified in :-

Paragraph 12 namely: 'Any instructions to counsel and any opinion of counsel (whether or not in connection with any proceeds) and any advice received, information obtained or action to be taken in connection with:

- (a) any legal proceedings by or against the authority, or;
- (b) the determination of any matter affecting the authority;

and Paragraph 13 namely: 'Information which, if disclosed to the public would reveal that the authority proposes –

- (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
- (b) to make an order or direction under any enactment

Summary of 'exempt' matters

Agenda Items 12

In connection with land in Ludwell

The meeting concluded at 9.15 p.m.