

# AGENDA SUPPLEMENT (2)

Meeting: Southern Area Planning Committee  
Place: The Guildhall, Market Place, Salisbury  
Date: Thursday 24 June 2021  
Time: 3.00 pm

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The Agenda for the above meeting was published on Tuesday 15 June 2021. Additional documents are now available and are attached to this Agenda Supplement.

Please direct any enquiries on this Agenda to Lisa Moore, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01722) 434560 or email [lisa.moore@wiltshire.gov.uk](mailto:lisa.moore@wiltshire.gov.uk)

Press enquiries to Communications on direct lines (01225)713114/713115.

This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

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- 7a            **20/11232/FUL - Lime Yard Adjacent To, Grimstead Road, West Grimstead, SP5 3RQ**  
                 **Additional Comments** *(Pages 3 - 4)*
- 7b            **PL/2021/03958 - 29 & 29A Brown Street, Salisbury, SP1 2AS**  
                 **Public Protection Response** - *(Pages 5 - 6)*

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| DATE OF PUBLICATION: 23 June 2021 |
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## Additional comments for Item 7(a) – Lime Yard, West Grimstead

Additional comments from previous objector to specific points in the committee report:-

- The current site is an agricultural use and the proposed use is not an agricultural enterprise
- Considers that the fall back position from the existing use is limited due to the scaled back nature of the current use there. The previous appeal decision looked at this issue too.
- Considers that the use of the site has not been operational for 22 months therefore Condition 1 of 19/10383/VAR should come into play – ie the site be restored.
- The applicants' current operation in New Milton is part of a larger sand and gravel quarry, so not comparable with the proposed site.
- The New Milton site is about 30 miles away and therefore there will be an environmental impact of the increased traffic between the two sites.
- Suggests that vehicles frequently ignore weight restrictions
- What is there to stop the level of lorry movements to and from the site increasing once the consent is granted?
- No mention of other sorts of vehicles using the site, other than the HGVs
- The Planning committee and Inspector disagreed with the highways officer on the previous application and those comments still apply
- The working hours are unacceptable in such a quiet area, but agrees that being able to add restrictions such as hours of operation to the site is beneficial.
- Still considers that the operation of the site will be noisy and will have an impact on the surrounding area
- There are significant numbers of bats in the area which will be affected by the development, especially by any lighting.
- The current chalk heaps can be seen through the trees from the west
- New employees will have to arrive at the site by car, which is not sustainable
- The dust management proposals are of concern
- The development does not comply with para 83b of the NPPF or all of the points of policy E19

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**From:** Morse, Trish <[Trish.Morse@wiltshire.gov.uk](mailto:Trish.Morse@wiltshire.gov.uk)>  
**Sent:** 23 June 2021 10:15  
**To:** Mitchell, Julie <[Julie.Mitchell@wiltshire.gov.uk](mailto:Julie.Mitchell@wiltshire.gov.uk)>  
**Subject:** FW: PL/2021/03958 - 29 Brown Street, Salisbury

Dear Julie,

I write further to my earlier response regarding the above application and note that the application has been called into committee for consideration.

The use of the land will be for a hospitality area, used in conjunction with the existing hospitality uses at the adjoining Vestry and Chapel Nightclub. The applicant wishes to use this space between the hours of 11am and midnight and has advised it would be managed as an extension to the existing licenced premises. The applicant further stated '*We do not intend that the Brown Street Garden area will become a nightclub extension*' and '*We intend that this is a relaxed social outdoor area which is planned to operate 11am to 11pm with a pop up food offer*'.

When considering this application we took into account the Live Music Act 2012 which allows for live unamplified music to be played anywhere without the need for a licence, and with no audience limit, between 8am to 11pm. It also allows for live amplified music to be played in areas classed as workplaces (areas where staff have access for work) between 8:00am – 11:00pm, with an audience limit of 500.

As far as I have been able to ascertain, the application site has no residential properties immediately bordering it. The nearest noise sensitive property is likely to be the bedrooms associated with the Red Lion Hotel. Night time hours are considered to be between 2300hrs and 0700hrs and we therefore initially made a recommendation that the use of the land is controlled by the applying the following conditions to any approval of the application:

- The use hereby permitted shall only take place between the hours of 11am and midnight daily.
- Amplified music will not be played on the development site after 2300hrs.

Since submitting our response, I note a significant number of representations have been made in respect of this application, specifically regarding concern that loud amplified music will be played on the application site which will cause a disturbance to residents in the locality, and nearby residents will also be disturbed by loud voices of patrons using/ leaving the site, anti-social behaviour & litter.

If the committee were to approve this application they may wish to consider tighter controls on the use of the space as follows:

- The use hereby permitted shall only take place between the hours of:  
11am and 10pm Monday – Wednesday,  
11am – 11pm Thursday  
11am – midnight on Friday and Saturday, and  
11am – 9pm on Sunday and Public/ Bank Holidays.

My understanding from the applicant is that music will only be played at background sound levels on the application site. To avoid patrons needing to raise their voices to compete with any background music levels, the committee may wish to also apply the following condition to any approval of this application:

- Amplified music (live or recorded) played on the application site will not be above 70dB LAeq, 1min in listener areas at any time.
- Amplified music will not be played on the development site after 2300hrs.

For the information of the committee, this department has not received any noise complaints regarding the application site or the Vestry. The last recorded noise complaint in respect of the Chapel night-club was in 2017 and related to amplified music played inside the premise.

If this application were to be approved, with the above recommended conditions, and this department subsequently received noise complaints regarding music played at this site, in the first instance we support our Planning Enforcement team to ascertain whether any planning conditions have been breached, and/or carry out an investigation under the Environmental Protection Act 1991 to ascertain whether noise from music amounted to a statutory noise nuisance or not.

If you have any queries regarding this, please do not hesitate to contact me.

Kind regards

Trish Morse  
Public Protection Officer (Environmental Control & Protection)