

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 14 NOVEMBER 2019 AT ALAMEIN SUITE, CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Richard Britton (Vice-Chairman), Cllr Brian Dalton, Cllr Christopher Devine, Cllr Jose Green, Cllr Mike Hewitt, Cllr Leo Randall, Cllr Sven Hocking and Cllr John Smale

Also Present:

Cllr Mary Douglas, Cllr Robert Yuill

44 **Apologies**

Apologies had been received from:

- Cllr Ian McLennan
- Cllr George Jeans

45 **Minutes of the Previous Meeting**

The minutes of the meeting held on 19th September 2019 were presented.

Resolved:

To approve as a correct record and sign the minutes.

46 **Declarations of Interest**

There were none.

47 **Chairman's Announcements**

The Chairman explained the meeting procedure to the members of the public.

48 **Public Participation**

The committee noted the rules on public participation.

49 **Planning Appeals and Updates**

The committee received details of the appeal decisions for the period of 06/09/2019 to 01/11/2019, as detailed in the agenda.

Resolved:

To note the Appeals Report for the period of 06/09/2019 to 01/11/2019.

50 **Planning Applications**

51 **19/04863/FUL - Land at Ringwood Avenue, Amesbury, SP4 7PZ**

Public Participation

Russ Champ spoke in objection to the application

Adam Pitt spoke in objection to the application

Nikki Cook spoke in objection to the application

Adam Bennett (Agent) spoke in support of the application

The Senior Planning Officer Georgina Wright presented the application for the erection of 19 affordable dwellings, creation of access, landscaping, parking and associated works on land at Ringwood Avenue, Amesbury. The application was recommended for approval subject to conditions, as set out in the report.

The Officer advised that Amesbury Town Council now supported the application.

The scheme proposals included mixed units on the site, with the main vehicular access via Ringwood Road.

Previous planning history was also detailed on page 31 of the report, however the last decision pre-dated the Core Strategy and Planning Policy Framework guidance. Page 32 provided the previous reasons for refusal. Members have to assess whether previous reason for refusal has been addressed.

Officers recommend that it has. The proposed number of units had reduced from 20 to 19. Large areas of hard standing had been reduced, and parking spaces now generally in between the properties they serve. Bungalows proposed in the western part of the site. 10 metre back gardens are identified

S106 funds would be secured from this development. There was a mixture of semi and detached properties, in brick and render.

The Committee was then able to ask technical questions of the Officer, where it was clarified that there was no density threshold set out in policy but 20 dwellings (38 dwellings per hectare) had previously been accepted by the last inspector on this site. The garages at the entrance to the site were part owned by the applicant and part were in private ownership. The applicant had

confirmed that they could secure a pedestrian link through the garage blocks, despite not having control over all of them.

The housing estate was former MoD land which had been sold off. Policy required 6 units to be affordable housing, the proposals were for all 19 units to be affordable housing.

If the application was approved and the applicant later came back to request a reduction in affordable housing units on the site, the application would be assessed on its own merits at that time. But the current scheme is for 100% affordable units and this would be secured by the subsequent S106.

The width of the vehicular access was marginally narrower than had originally been requested by Highways, however the proposal had been accepted by Highways (requested 7m width and accepted 6.5m width). It is also the same as was accepted by the inspector previously.

Each of the properties surrounding the perimeter of the site, had a back gate into the field. But the field is privately owned. Village green status had been applied for in the past, this had not been successful. The site was not Council owned, and not in the Open Space Strategy, therefore must be considered as a private site.

The residents had been using the land, however there was no obligation to maintain that use.

Members of the Public were then given the opportunity to present their views as indicated above.

Some main points raised included that one of the garage owners stated he had deeds from 1990 showing that access via the garages was restricted to garage owners and the utility provider only.

It was reported that the centre of the field regularly turned into a bog, which it was suggested was due to a failing sewage system underground.

The Ecological survey was questioned as being out of date, as it did not reflect the vast amount of wildlife said to be living in the vicinity.

If the development went ahead, the rear access to the existing surrounding properties would be restricted.

Access to the site would not accommodate two vehicles passing without one mounting the pavement, thus impacting on pedestrian safety.

The Agent confirmed that the Town Council was now supportive of the proposal. There had been no other objections from statutory consultees.

The scheme had been subject to a number of changes since the previous application, with many of the concerns previously raised, now resolved by the applicant.

There was no lawful use or right for local residents to use the land as a public amenity space.

The Division Member Cllr Robert Yuill then spoke in objection to the application, noting that the proposed development of the land into housing had been going on for quite some time.

Cllr Yuill supported the local residents who did not feel the land should be developed, noting that each of the houses around the boundary to the site had been designed with a gate to access the open space.

The proposed design consisted of a several brick dwellings, rather than render, whereas all of the existing houses in the surrounding area were of render, which he felt was a unique design.

He noted that the garage blocks were not all owned by local residents. Moving the access point, as previously requested by the Police had resulted in a significantly narrower entrance, of 4.5m which would cause conflict. The footpath was 1.8m wide and had the potential to be overrun by vehicles.

There would also be conflict with people coming in and out of the garages as there was a tight bend with limited visibility. The proposed access was not suitable.

Deeds of a garage owner showed that access was only permissible by the garage owners and for the electricity provider to access the substation at the end, yet it was stated that the owner had access rights, so this was a conflict.

The long grass on the site was hiding wildlife and ecology, not detailed in the report.

Cllr Westmoreland then moved the motion of refusal against Officer recommendation, citing CP57, on the grounds of design, layout and local amenity, and in addition the appearance of the actual buildings. This was seconded by Cllr Hewitt.

Cllr Westmoreland noted that development of the site had been fought over since 2001 and that there had been a previous application for 20 dwellings. He felt that affordable houses should be built to a standard of any housing on the open market and members should consider it as they would market housing. Only one building had been removed from the original number. The plot was not suited to the proposed number of dwellings.

A debate followed where the key points raised included that it was likely the land would be built on at some point, however access and number of dwellings

would need to be considered, with consideration of the correct provision of a path for wheelchair users.

There was a lack of rental properties and this scheme was inside an existing housing estate, so the design was irrelevant as contained, and not visible outside of the development.

The level of affordable housing was good, however the number of dwellings on this site was still high. There were aspects of this site which were sub-standard.

Would Highways have objected if this had been a market development rather than an affordable housing scheme?

The elderly accessible units had been put at the bottom of the hill, to the back of the development. The access and sightlines presented issues with restrictions on visibility.

The Committee then voted on the motion of refusal against Officer recommendations.

Resolved:

That application 19/04863/FUL be refused for the reasons;

- 1. The development by reason of its design, layout, appearance and density is considered to be a cramped form of development that is out of keeping with surrounding properties and results in an overdevelopment of the site thereby detracting from the visual amenities of properties in Lyndhurst Road. The proposals are therefore considered to be contrary to the National Planning Policy Framework and Wiltshire Core Strategy CP57 (Ensuring High Quality Design and Place Shaping)**
- 2. The proposed development fails to make provision for contributions towards off site public open space provision; primary and secondary school improvements; and waste management across the site, or to secure all of the proposed dwellings as affordable rented tenure. It is therefore considered that the proposals are contrary to Wiltshire Core Strategy policies CP3 (Infrastructure Requirements), CP43 (Providing Affordable Housing) and CP45 (Meeting Wiltshire's Housing Needs); Saved Salisbury District Local Plan policy R2 (Recreational Open Space); and the Council's Waste Storage and Collection: Guidance for Developers Supplementary Planning Document**

52 **19/00211/FUL - 124 Wilton Road, Salisbury, SP2 7JZ**

Public Participation

Benji Goehl spoke in objection to the application

The Senior Planning Officer Lucy Minting presented the application for the demolition of an existing unused building and the erection of 5 residential dwellings with associated access, parking and amenity, at 124 Wilton Road Salisbury.

The building was owned by Wiltshire Council, and was previously in use as a youth centre. The surrounding area included a mix of uses and dwellings.

The scheme included four 3 bed and two 2 bed semis with a total of 8 parking spaces. Each with front garden and garden to rear.

The proposals also included a landscaping strip along the Wilton Road side, to protect a mining bee habitat in the bank. There had also be a revision to the boundary acoustic fencing, it was now in keeping with the character of the area.

The application was recommended for approval subject to conditions, as set out in the report.

The Officer drew attention to late correspondence circulated at the meeting which detailed questions from a third party.

The Committee was then able to ask technical questions of the Officer, where it was clarified that there would be a condition to protect the bank with the mining bees.

The fence along Wilton Road was proposed to be 2.5m from the ground.

Members of the Public were then given the opportunity to present their views as indicated above. The main points were on the impacts of Climate Change and whether this scheme should be setting an example to others by including things such as electrical charging points and solar panels, as it was a Wiltshire council application and in an Air Quality monitoring zone.

The Division Member Cllr John Walsh was not in attendance.

Cllr Devine then moved the motion of approval in line with Officer recommendation. This was seconded by Cllr Westmoreland.

Cllr Devine felt the scheme was not over cramped, and although there was no visitor parking space, there were options for parking along the road. The mining bees were important and would be protected during construction. He felt this was a good use of the land and fits in well.

A debate followed where the key points raised included that the Council's declaration of a climate emergency, should see its applications taking the lead, however it was noted that the Core Strategy would be including aspects to support climate change initiatives. The Committee requested an informative on the inclusion of solar panels.

It was felt that the duty of the Committee was to consider applications as they were presented, it could not say what it would like to see instead. Decisions need to be made on planning terms.

The height level of the fence would be quite intense, above the bank.

The Committee then voted on the motion of approval in line with Officer recommendations.

Resolved:

That application 19/00211/FUL be approved with 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 the Planning and Compulsory Purchase Act 2004.

(2) The development hereby permitted shall be carried out in accordance with the following approved plans:

Plan Reference: 5832-P091 Rev A Site Location Plan dated 22/01/2019, received by this office 07/02/2019

Plan Reference: 5832-P-11 Demolition Plan dated 19/10/2019, received by this office 07/02/2019

Plan Reference: 5832-P-30 Rev C Proposed Site Section dated 22/01/2019, received by this office 07/02/2019

Plan Reference: 5832-P-20 Rev C Proposed Floor Plans Plots 1, 2 & 3 dated 30/05/2019, received by this office 11/09/2019

Plan Reference: 5832-P-21 Rev C Proposed Floor Plans 4 & 5 dated 30/05/2019, received by this office 11/09/2019

Plan Reference: 5832-P-83 Rev D Street Scene B-B C-C dated 30/09/2019, received by this office 30/09/2019

Plan Reference: 5832-P-70 Rev C Proposed Elevations Plots 1, 2, & 3 dated 30/05/2019, received by this office 17/06/2019

Plan Reference: 5382-P-12 Rev G Proposed Site Layout dated 22/08/2019, received by this office 17/06/2019

Plan Reference: 5382-P-71 Rev C Proposed Elevations Plots 4 & 5 dated 30/05/2019, received by this office 17/06/2019

Plan Reference: 5382-P-82 Rev F Indicative Street Scene A-A dated 12/06/2019, received by this office 17/06/2019

Environmental Noise Impact Assessment (Reference IMP4922-4), received by this office 18/04/2019

REASON: For the avoidance of doubt and in the interests of proper planning.

(3) No development shall commence on site above ground floor slab level until the exact details and samples of the materials and finishes to be

used for the external walls (including boundary walls) and roofs 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

(4) No development shall commence on site until large scale details of all window frames (1:5 scale elevations and 1:2 scale sections) including vertical and horizontal cross-sections through openings to show the positions of window frames within openings (the depth of reveal) 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: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

(5) No development shall commence on site until large scale details (1:5 scale elevations and 1:2 scale sections) of proposed boundary treatments (to include details of railings and brickwork cappings to piers, oversailing coping to plinth walls and a timber top rail to the vertical close boarded fence) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details prior to the first occupation of the dwellings hereby permitted and shall be maintained in perpetuity.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area and to ensure the creation and retention of an environment free from intrusive levels of traffic noise; commercial premises and activity, in the interests of the amenities of future occupiers.

(6) There shall be no occupation of the dwellings hereby approved until the development has been completed in accordance with the agreed scheme of works for noise attenuation to include:

- Noise attenuation measures, including the installation of glazing and a Mechanical Ventilation with Heat Recovery (MVHR) Ventilation System as detailed in Section 9 of the Impact Acoustic Environmental Noise Impact Assessment (ref IMP4922-4) received by this office 18/04/2019
 - Noise attenuation measures for external amenity space as detailed in Section 10.2 of Impact Acoustic Environmental Noise Impact Assessment (ref IMP4922-4) received by this office 18/04/2019
- The approved attenuation works shall be maintained in accordance with the approved details at all times thereafter.

REASON: To ensure internal noise levels are acceptable to British Standard 8233:2014 and in order to ensure the creation and retention of an environment free from intrusive levels of traffic noise; commercial premises and activity, in the interests of the amenities of future occupiers.

(7) No development shall commence on site until a construction management plan has been submitted to and approved in writing by the local planning authority. The plan shall include details of the measures that will be taken to reduce and manage the emission of noise, vibration and dust during the demolition and/or construction phase of the development. It shall include details of the following:

- i. The movement of construction vehicles;
 - ii. The cutting or other processing of building materials on site;
 - iii. Wheel washing and vehicle wash down facilities;
 - iv. The transportation and storage of waste and building materials;
 - v. The recycling of waste materials (if any)
 - vi. The loading and unloading of equipment and materials
 - vii. The location and use of generators and temporary site accommodation
 - viii. Pile driving (If it is to be within 200m of residential properties)
- The construction/demolition phase of the development will be carried out fully in accordance with the construction management plan at all times.

(8) No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.

Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment should be carried out in

accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.

Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.

(9) No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- full details of the extent of the Mining Bee bank to Wilton Road to be retained undisturbed, together with measures for its protection in the course of development (to include works of demolition);
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities; and
- all hard and soft surfacing materials;

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and in the interests of retaining the bank to Wilton Road undisturbed for continued use by Mining bees and other invertebrates.

(10) The development including works of demolition shall be completed in accordance with the agreed details for the protection of the Mining Bee bank to Wilton Road to be submitted pursuant to condition no 9.

All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the dwelling or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

Following completion of the development hereby approved and soft landscaping in accordance with the details agreed under condition 9, there shall be no works of development to the Mining Bee bank to Wilton Road (the extent of which having been agreed under condition 9) which shall remain undisturbed other than for maintenance, unless otherwise agreed in writing upon submission of a planning application.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features and in the interests of retaining the bank to Wilton Road undisturbed for continued use by Mining bees and other invertebrates.

(11) No development shall commence on site until details of secured covered cycle parking on the site have been submitted to and approved in writing by the local planning authority. These facilities shall be provided in accordance with the approved details and made available for use prior to the first occupation of the dwellings hereby permitted and shall be retained for use at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

(12) The development hereby permitted shall not be occupied until the area between the nearside carriageway edge and a line drawn 2.0 metres parallel thereto over the entire New Zealand Road site frontage has been cleared of any obstruction to visibility at and above a height of 600mm above the nearside carriageway level (other than the details of the boundary walls agreed under condition 5). That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

(13) No dwelling hereby permitted shall be occupied until the parking spaces together with the access thereto, have been provided in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety and the amenity of future occupants.

(14) The dwellings shall not be occupied until the Building Regulations Optional requirement of a maximum water use of 110 litres per day has been complied with.

REASON: To avoid any adverse effects upon the integrity of the River Avon Special Area of Conservation (SAC).

(15) No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

REASON: To protect the amenity of nearby residents.

(16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

(17) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, or other forms of openings shall be inserted above first floor level in the roofslopes or elevations of all plots; or above ground floor level to the gable elevations of plots 1, 3 and 4 of the development hereby permitted.

REASON: In the interests of residential amenity and privacy and visual amenity to maintain the character and appearance of the development.

*INFORMATIVE TO APPLICANT: Community Infrastructure Levy
The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website
www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy.*

*INFORMATIVE: Private Property/Access Rights
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any*

work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

The applicant is advised to consider the third party comments re private rights and the developers should satisfy themselves/resolve matters before development commences.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

INFORMATIVE TO APPLICANT: Material Samples

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

To be acceptable to the local planning authority it is considered that 'slate roof tiles' will need to be of slate and not incongruous concrete roof tiles and Oatmeal coloured render not a stark white render in this setting.

INFORMATIVE TO APPLICANT: Wessex Water

The applicant has indicated that foul sewerage will be disposed of via the main sewer.

Rainwater running off new driveways and roofs will require consideration so as not to increase the risk of flooding. The applicant has indicated in the current application that rainwater (also referred to as "surface water") will be disposed of via the main sewer.

Applying for new drainage and water supply connections

If your proposals require new connections to the public foul sewer and public water mains, notes and application forms can be found here.

Are existing public sewers or water mains affected by the proposals?

According to our records there are no recorded public sewers or water mains within the red line boundary of the development site. Please refer to the notes on the attached map for advice on what to do if an uncharted pipe is located.

Is the surface water strategy acceptable to Wessex Water?

One of our main priorities in considering a surface water strategy is to ensure that surface water flows, generated by new impermeable areas, are not connected to the foul water network which will increase the risk of sewer flooding and pollution.

You have indicated that surface water will be disposed of via the main sewer.

The strategy is currently acceptable to Wessex Water. We will support measures, such as permeable paving and rain butts, which reduce surface water run off into the existing surface water sewer, to improve water quality and reduce flood risk. Detailed application must prove a minimum 30% reduction in total flow from site to account for climate change.

INFORMATIVE TO APPLICANT: Bats

There is a very small risk that bats may occur at the development site. The council considers it would be unreasonable to require the applicant to submit a bat survey because this could be considered disproportionate to the scale of development. Furthermore, given the particular proposals for the site, the council considers that if bats were found, mitigation would probably not require further planning permission and a Natural England Licence would be forthcoming. Nevertheless, anyone undertaking this development should be aware that bats and their roosting places are protected at all times by the Conservation of Habitats and Species Regulations 2010. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. Consideration should be given to engage a professional ecologist to provide a watching brief during the demolition works. If bats or evidence of bats is found at any stage of development, the applicant is advised to follow the advice of a professional ecologist or to contact Natural England's Batline through the internet.

INFORMATIVE TO APPLICANT: Swifts

The applicant's attention is drawn to the letter from Salisbury and Wilton Swifts (SAWS) dated 24/02/2019 regarding at least two pairs of swifts nesting within 200m of the site and urging the developer to install swift bricks into the fabric of the new building during the construction phase of the development in the interests of biodiversity enhancement.

INFORMATIVE TO APPLICANT: Air Quality

The development is below the threshold for which an Air Quality Assessment or Screening Assessment is required, however the Council is keen to promote contributions towards reducing vehicle emissions across Wiltshire in keeping with our current Air Quality Strategy and Core Policy 55. In this regard we are keen to see the uptake of Ultra Low Energy Vehicle (ULEV) Infrastructure and to this end would ask that the applicant consider what ULEV infrastructure could be incorporated at this development e.g. Electric Vehicle Charging. This is being done at other developments currently and should serve to enhance their environmental image and marketability.

INFORMATIVE TO APPLICANT: Sustainable Construction

The applicant is encouraged to consider the incorporation of sustainable construction details into the scheme in order to achieve high energy performance standards (including the consideration of the use of solar technology, Passivhaus standards and insulation measures)

INFORMATIVE TO APPLICANT: Environmental Protection Act 1990

The applicant should be aware that Councils must investigate complaints about issues that could be a 'statutory nuisance' (a nuisance covered by the Environmental Protection Act 1990). If a complaint of statutory nuisance is justified an Abatement Notice can be served upon the person responsible, occupier or owner of the premises requiring that the nuisance be abated. In light of this legislation, the Public Protection team recommend the following:

- *No burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.*
- *Measures should be taken to reduce and manage the emission of dust during the demolition and/or construction phase of the development.*

53 **19/06176/FUL - 34 Park Lane Salisbury**

Public Participation

Mr Weaver spoke in objection to the application

Darryl Howell spoke in support of the application

Rodney Job spoke in support of the application

The Planning Team Leader Richard Hughes presented the application to demolish the existing bungalow and erection of 3 townhouses with a detached triple garage, associated parking and vehicular access (resubmission of 18/06402/FUL), at 34 Park Lane, Salisbury, as detailed in the report.

The Officer clarified that a response from Highways had been received, they had agreed the amended layout of parking, and requested a condition be applied.

The application was recommended for approval subject to conditions, as set out in the report.

It was noted that part of Park Lane had already been developed to the south.

The site had previously been given planning permission for the development of 2 bungalows with a garage. The application for consideration only related to the front of the site.

Issues raised with neighbouring amenity, relating to concerns over reduced daylight as a result of the development. The plan showed the proposed scheme would be positioned forward from the neighbouring property, with an element of single story at the rear.

There was already a block of flats adjacent to the site.

An outline plan had previously been approved on the site. This scheme included a total of 9 parking spaces.

The Committee was then able to ask technical questions of the Officer, where it was clarified that the approximate height of the proposed development was relatively the same as what had been approved in the outline application.

There was not a full list of proposed materials on the application, if desired by the Committee this could be included on the conditions.

The existing flats position sat slightly in front of the proposed development, with the neighbouring house sat slightly further back in a stepped style along the row.

Members of the Public were then given the opportunity to present their views as indicated above. The main points raised included that the development would impact on the levels of light received by neighbouring house and would there would be an element of overlooking.

The previously approved Outline consent had not indicated the height of the previous scheme. The new scheme was considered to be overdevelopment for the size of this site, as the footprint was 20% larger.

The development would provide three family homes which would be highly sustainable and have access to local amenity. The Outline permission was for a block of 4 flats. The style of the new scheme had a Georgian influence and would complement other properties in Park Lane.

The scheme had the support of the Tree Officer.

The overlooking from the townhouses would be minimised by the use of oblique glass in the windows.

This scheme was superior in design than the previous outline application.

The Division Member Cllr Mary Douglas then spoke on the application noting that she had called the application in to enable a full debate at Committee.

The number of beds in the outline application was much lower than the new scheme. When I tried to compare the footprint it was difficult to make a clear judgement on what the differences were, due to the quality of the plans.

Yes we need more housing and yes this is sustainable, but if you look at Park Lane, when you go from Stratford Road there was a higher density of housing at one end. Did we want to increase the density of housing in this area also?

It was hard to see how this development would not change the character of this part of Park Lane.

Cllr Douglas did not ask the Committee to vote in one way or the other, but asked for it to be debated.

The Committee agreed that the poor quality of the plans provided were difficult to decipher. The Chairman asked the Planning Officer to clarify some of the details from the plans shown on the slides at the meeting.

Cllr Westmoreland then moved the motion of approval in line with Officer recommendation. This was seconded by Cllr Hewitt.

A debate followed where the key points raised included that Outline planning permission had already been granted for a block of four flats. The new scheme was more favourable.

The scheme was of a classic Victorian design so in-keeping with the properties in the area. The trees were also protected.

The Committee then voted on the motion of approval in line with Officer recommendations.

Resolved:

That application 19/06176/FUL be approved with conditions:

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 the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs 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 visual amenity and the character and appearance of the area

- 3 No railings, fences, gates, walls, bollards and other means of enclosure development shall be erected in connection with the development hereby permitted until details of their design, external appearance and decorative finish have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied / brought into use.**

REASON: In the interests of visual amenity and the character and appearance of the area.

- 4 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:**

**location and current canopy spread of all existing trees and hedgerows on the land;
full details of any to be retained, together with measures for their protection in the course of development;
a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
finished levels and contours;**

means of enclosure;
car park layouts;

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 5** No demolition, site clearance or development shall commence on site, and; no equipment, machinery or materials shall be brought on to site for the purpose of development, until a Tree Protection Plan showing the exact position of each tree/s and their protective fencing in accordance with British Standard 5837: 2012: "Trees in Relation to Design, Demolition and Construction -Recommendations"; has been submitted to and approved in writing by the Local Planning Authority, and;

The protective fencing shall be erected in accordance with the approved details. The protective fencing shall remain in place for the entire development phase and until all equipment, machinery and surplus materials have been removed from the site. Such fencing shall not be removed or breached during construction operations.

No retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 "Tree Work - Recommendations" or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

REASON: In the interests of visual amenity

- 6** No part of the development hereby permitted shall be brought into use/occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 7** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-H shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

- 8** Before the development hereby permitted is first occupied/brought into use the roof window(s) in the east elevation(s) of the accommodation hereby permitted shall be glazed with obscure glass only [to an obscurity level of no less than level 5] and the windows shall be maintained with obscure glazing in perpetuity. No other windows, other than those hereby approved, shall be inserted in the east facing elevation of the accommodation hereby permitted.

REASON: In the interests of residential amenity and privacy.

- 9** The development hereby permitted shall be carried out in accordance with the following approved plans:

Site works layout - drawing SW3 REV A
Street scene drawing SS1 REV A
Revised garage detail drawing GD3
Revised elevations drawing SK6

REASON: For the avoidance of doubt and in the interests of proper planning.

- 10** The demolition and construction works hereby permitted shall only take place between the hours of 0800 hrs and 1800hrs from Mondays to Fridays and between 0800hrs and 1300 hrs on Saturdays. There shall be no construction works at any time on Sundays and Bank or Public Holidays, except for the internal fitting out works.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

11 No development shall commence on site with respect to this planning permission (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors;**
- b) loading and unloading of plant and materials;**
- c) storage of plant and materials used in constructing the development;**
- d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;**
- e) wheel washing facilities;**
- f) measures to control the emission of dust and dirt during construction;**
- g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and**
- h) measures for the protection of the natural environment.**
- i) hours of construction, including deliveries;**

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be complied with in full throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase

54 Urgent Items

There were no urgent items

(Duration of meeting: 3.00 - 5.21 pm)

The Officer who has produced these minutes is Lisa Moore of Democratic Services, direct line (01722) 434560, e-mail lisa.moore@wiltshire.gov.uk

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