

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 18 FEBRUARY 2010 AT ALAMEIN SUITE, CITY HALL, SALISBURY.

Present:

Cllr Brian Dalton, Cllr Tony Deane, Cllr Christopher Devine, Cllr Mary Douglas, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian West and Cllr Fred Westmoreland (Chairman)

12. Apologies for Absence

Apologies were received from Councillor Graham Wright.

13. Minutes

The minutes of the meeting held on 28 January were confirmed as a correct record and signed by the Chairman subject to the following amendment:

Minute no. 8.5/8.6 should read

Public Participation:

Mr P Proctor (agent) spoke in support of the application
Mr R Cordle spoke in support of the application
Mr D Vigors spoke in support of the application

14. Declarations of Interest

Councillor Devine declared a personal interest in application no. S/2008/2065 as his son works one day a week at the Homebase store which is located on the site.

Councillor Douglas declared a personal interest in application no. S/2008/2065 as she is a member of the Salisbury Vision Board.

Councillor Dalton declared a personal interest in application no. S/2008/2065 as he is a member of the City Council but not a member of the planning committee.

Councillor Deane declared a personal interest in application no. S/2009/1934 as he is acquainted with the applicant.

15. **Chairman's Announcements**

The chairman made no announcements.

16. **Public Participation**

The committee noted the rules on public participation and the manner in which the meeting would proceed.

17. **Planning Appeals**

The committee received details of the following appeals:-

Decision

S/2009/1137 - New Bower, Hindon Road, Dinton – dismissed – delegated decision.

S/2009/0943 - Hillstreet Cottage, Hindon Lane, Tisbury – allowed – delegated decision.

New Appeal

2009/1314 – Mobile Catering Van – layby, A338 West Gomeldon – delegated.

Resolved:

That the report be noted

18. **Planning Applications**

18.1 S/2009/0900 - Hazeldene Giles Lane Landford

Public participation:

Mr M Hayward spoke in support of the application

Mrs M Hayward spoke in support of the application

Ms S Ambrose spoke in support of the application

Cllr T Reynolds (Landford Parish Council) spoke against the application.

Resolved:

That planning permission be **GRANTED** for the following reasons:

Due to the small scale of the proposal and the minimal visual, neighbour, and highway impacts resulting from the development, and given the fact that the site had been excluded from the New Forest designation and is located adjacent to a large industrial operation, the limited impact of the proposal outweighs the aims of current New Forest Heritage Area policies and would be in accordance with other Local Plan tourism and farm diversification policies and the aims of PPS4 and PPS7.

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.

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 take place until details of the treatment of the boundaries 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 occupation of the building[s].

REASON In the interests of the amenity and the environment of the development.

POLICY G2, C2 and C6 general and countryside policies

3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to 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 external alterations.

POLICY- C2 and C6 protection of the Special Landscape Area

4 Notwithstanding the Town and Country Planning (Use Classes) Order 1987 and the Use Classes (Amendment) Order 2005 (or any Order revoking and re-enacting those Orders, with or without modification), the accommodation/cabins hereby permitted shall be used for holiday accommodation only and for no other purpose.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning

policies pertaining to the area, would not permit permanent residential accommodation.

POLICY C2 and C6 Countryside policies, H23 Housing policy boundaries, C21 Farm diversification

5 No person shall occupy the holiday accommodation hereby permitted for a continuous period of more than 21 days in any calendar year and it shall not be reoccupied by the same person/s within 28 days following the end of that period.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY: C2 and C6 countryside policies, H23 Housing policy boundaries, C21 Farm diversification

6 The owners/ operators of the site shall maintain an up -to -date register of the names of all owners/occupiers of individual cabins on the site, and of their main home addresses, and shall make this information available at all reasonable times to the Local Planning Authority.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY C2 and C6 countryside policies, H23 Housing policy boundaries, C21 Farm diversification

7 The holiday accommodation/cabins hereby permitted shall not be occupied as a persons' sole or main place or residence.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

POLICY C2 and C6 countryside policies, H23 Housing policy boundaries, C21 Farm diversification.

8 No external security lighting shall be used to illuminate the development hereby approved, unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

REASON In order to restrict the impact of light pollution on the surrounding open countryside and the New Forest National Park

POLICY: HA1 and C6 Protection of Special Landscape Area and New Forest Heritage Area

INFORMATIVE 1

DOCUMENT/PLANS SUBMITTED WITH THE APPLICATION

This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Block plan, site for cabins and store received on 24 June 2009

Location plan and elevations of two cabins and store received on 24 June 2009.

Additional plan revising location of holiday cabins received on 2 November 2009

Amended plan revising design of cabins received on 27 January 2010

18.2 S/2008/2065 - Southampton Road Retail Park And Dolphin Industrial Estate Southampton Road

Public participation:

Mr M McFarland (Agent) spoke in support of the application

Mr A Smith – spoke in support of the application.

Resolved:

That planning permission be **REFUSED** for the following reasons:

1. The proposal envisages the creation of a retail park, which includes retail, leisure, and restaurant uses. PPS4 defines The guidance in PPS4 (policy EC17) states that where planning applications for main town centre uses that are not in accordance with an up to date development plan should be refused planning permission where the applicant has not demonstrated compliance with the requirements of the sequential approach, or there is clear evidence that the proposal is likely to lead to significant adverse impacts Based on the information provided, it is considered that the current proposals fails to comply with the sequential approach (PPS4: EC15) and would potential have an adverse impact on the vitality and viability of Salisbury city centre (PPS4: EC16). As a result, it is also considered that the proposal would not adequately address the aims of the Council's shopping policies, particularly policies S1, S2, S3 and S6 & R1B, the emerging Core Strategy policy 7, project 10 of the Salisbury Vision, in that it would be likely to resulting in the relocation and loss of town centre uses and investment to a less accessible out of centre site.

2. Based on the information submitted to date, and notwithstanding the discussions between the applicants and the Highways Agency, the Agency's Direction of Non Approval remains in place, and it is understood that the applicants have not yet satisfactorily met all of the Agency's requirements. As a result, and in the absence of any mitigation measures being agreed, it is therefore considered that as currently proposed, the scheme would be likely to result in additional car borne traffic using the road systems around the site, thus exacerbating existing congestion problems on the Strategic Road Network, contrary to the sustainable transport and accessibility aims of policies G2 and TR12 of the Salisbury District Local Plan, and PPS4 & PPG13.

3. The existing buildings on the application site are of a poor visual quality, and the removal of some of those buildings is welcomed. However, due to a combination of the generally poor quality layout and visual appearance of the proposed scheme, the proposal as submitted is considered to be a missed opportunity to improve in any significant manner the overall visual quality of the area, or to provide a layout which is accessible by pedestrians, particularly those with mobility issues/disabilities. The proposal is therefore considered to be contrary to Salisbury District Local Plan design policy D1 and the guidance contained within the Council SPG "Creating Places", and contrary to the aims of the emerging Core Strategy and Salisbury Vision in relation to the enhancement of the Eastern Gateway area, and the aims of South Wiltshire Structure Plan policy DP1, and policies EC 8 & EC10 of PPS4, and PPG13.

18.3 S/2009/1903 -The Corn Mill Croucheston Bishopstone

Public participation:

Dr O Chapple spoke in objection to the application

Ms Alexandra Munday (Agent) spoke in support of the application.

Resolved:

That planning permission be **REFUSED** for the following reasons:

The proposal involves a property of significant scale, located in a prominent position adjacent a public right of way and existing dwellings, within the countryside outside any housing policy boundary and therefore where residential development is not normally permitted. Furthermore the site lies within the designated Cranborne chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

It is considered that the scale and design of the proposal would not be sympathetic to the character of the landscape of the designated area in general nor be in scale and character with other dwellings within the locality, and would not be of such a sufficiently high quality design as to outweigh the harm that would result in from its impact upon the character and scenic quality of the designated landscape.

As a result, the proposed development fails to accord with the aims of saved policy C5 (Landscape Conservation) of the adopted Salisbury District Local Plan, and the criteria set out within PPS7, whereby very occasionally, the exceptional quality and innovative design of a new house may provide special justification for granting planning permission.

18.4 S/2009/1934 - Land Adjacent Rose Cottage The Street Teffont

Public participation:

Mr H Homan spoke in support of the application

Mr T Allen (Agent) spoke in support of the application

Mrs G Green spoke in support of the application

Cllr R Willan (Teffont Magna Parish Council) spoke in support of the application.

Resolved:

That subject to the applicant entering into a legal agreement under s106 of the Town and Country planning Act 1990, to secure the provision of adequate escape access and egress in the event of flooding in perpetuity, permission be **GRANTED** for the following reasons:

The proposed dwelling, by reason of its acceptable design, materials and positioning would preserve the character and appearance of the Teffont Conservation Area, Housing Restraint Area and Area of Outstanding Natural Beauty. The development would not harm the living conditions of nearby properties (including Rose Cottage), highway safety, protected species or any other material planning consideration, or be at unacceptable risk of flooding. It would therefore comply with saved policies G1, G2 (General Development Criteria), C4, C5 (Development in the AONB), D2 (Infill Development), C12 (Protected Species), H19 (Development in Housing Restraint Areas), CN8, CN10 (Development within Conservation Areas) and R2 Public Recreational Open Space) of the Adopted Salisbury District Local Plan.

And subject to the following conditions:

Time Limit and Plan numbers

(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:

08.27-E101;
08.27-E102;
08.27-P101A;
08.27-P102A;
08.27-P111A;
08.27-P112A;
08.27-P121A

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

Materials

(3) The external materials to be used in the development hereby approved shall be those specified in the application forms.

REASON: in the interests of the character and appearance of the Conservation Area.

POLICY: H19, CN8, D2

Highways

(4) The vegetation attached to and around the lower part of the two trees fronting the property adjacent to the site shall be maintained clear of vegetation (ivy etc) for the first 2.0m of their height measured from the adjacent carriageway level

REASON: In the interests of highway safety

POLICY: G2

(5) Visibility shall be provided at the site access with nothing over 1.0m in height above the adjoining carriageway being planted, erected or maintained in front of a line measured 2.0m back from the carriageway edge extending across the whole site frontage (site and blue land) in the form of a parallel strip.

REASON: In the interests of highway safety

POLICY: G2

(6) The access shall remain un-gated and shall not be brought into use until the first 5.0m of the access, measured from the carriageway edge has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety

POLICY: G2

(7) The gradient of the access shall not at any point be steeper than 1 in 15 for a distance of 5 metres from its junction with the public highway

REASON: In the interests of highway safety

POLICY: G2

(8) No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/ driveway) incorporating sustainable drainage details, has been submitted and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with approved scheme

REASON: In the interests of highway safety

POLICY: G2

(9) A vehicle turning area shall be provided and maintained for that purpose only within the site.

REASON: In the interests of highway safety

POLICY: G2

Environment Agency Conditions

(10) The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (ref: Laurence Waterhouse Consulting Ltd - Rose Cottage ver. 4 s A10) and the following mitigation measure detailed within the FRA: Finished floor levels are set no lower than 21.30m above Ordnance Datum (AOD).

REASON: To reduce the risk of flooding to the proposed development and future occupants.

POLICY: Planning Policy Statement 25

(11) Development shall not begin until a surface water drainage scheme for the site, based on sustainable drainage principles has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site.

POLICY: Planning Policy Statement 25

(12) No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details.

REASON: In the interests of sustainable development and prudent use of natural resources.

POLICY: Planning Policy Statement 25

Protected Species and Trees

(13) The development hereby approved shall be undertaken in accordance with the Arboricultural Method Statement dated 18th August 2009 and the recommendations of the Protected Species Assessment dated 1st July 2009.

REASON: in the interests of the character and appearance of the area and ecological interests.

POLICY: G2, CN8, C12

Residential Amenity

(14) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the northern elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

POLICY: G2

(15) The bathroom windows in the north elevation of the dwelling hereby approved shall be glazed with obscure glass only and fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted, and shall be permanently maintained as such at all times thereafter.

REASON: In the interests of residential amenity and privacy.

POLICY: G2

(16) No construction work shall take place outside of the following hours:
Mondays to Fridays 08:00 to 19:00, Saturdays 08:00 to 13:00. No construction
work shall take place on Sundays or Bank Holidays.

REASON: in the interests of the amenity of nearby properties

POLICY: G2

19. **Urgent Items**

There were no urgent items

(Duration of meeting: 6:00 pm – 9:15 pm)

The Officer who has produced these minutes is Pam Denton, Senior Democratic
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