

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 8 SEPTEMBER 2011 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Richard Britton, Cllr Christopher Devine, Cllr Mary Douglas, Cllr Jose Green (Vice Chairman), Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Paul Sample, Cllr Ian West and Cllr Fred Westmoreland (Chairman)

Also Present:

Cllr Ricky Rogers and Cllr John Thomson

107. Apologies for Absence

There were no apologies

108. Minutes

The minutes of the meeting held on 18 August 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes.

109. Declarations of Interest

There were no declarations of interest

110. Chairman's Announcements

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

111. Public Participation and Councillors' Questions

The committee noted the rules on public participation.

Councillor Ian West requested an update report on application S/2011/0476 - Wylie Maintenance Depot to be brought to the next meeting.

112. Planning application no. S/2011/708/FULL - Hillbilly Acre, Southampton Road, Clarendon, Salisbury, SP5 3DG

The committee received a report from the Area Development Manager which had been requested at a previous meeting. The report sought to clarify site selection criteria based on current policy against which applications for gypsy sites are assessed, including the Hillbilly Acre application.

Members requested clarification on several issues including the relationship between sites and listed buildings.

RESOLVED

To note the report

113. Planning Appeals

The committee received details of the following appeal decisions, it was noted that for applications S/2010/1233 and S/2010/1235 the word 'delegated' should replace 'hearing':

S/2010/1350 - 29 Holders Road, Amesbury delegated – dismissed

S/2011/0102 - 29 Holders Road, Amesbury delegated – dismissed

S/2010/1233 - Old Manor Hospital, Wilton Road, Salisbury- delegated - part allow/ dismissed

S/2010/1235 – Old Manor Hospital, Wilton Road, Salisbury- delegated - dismissed

S/2010/1903 - 8 The Poplars, Barford St Martin – delegated – dismissed

S/2011/0218 - 57 New Canal, Salisbury - delegated – dismissed

S/2011/0015 - Hampton Inn, Bishopdown, Salisbury – delegated – allowed

S/2011/0527 - 19 Southbourne Way, Porton – delegated - allowed

114. Planning Applications

114a. S/2011/1046 - Former Pembroke Park School, Penruddock Close, SP2 9HH

Public participation:

Mr D Ezard spoke in objection to the application

Mr N Rogers, on behalf of the contractor, spoke in support of the application

Ms J O'Brien, on behalf of Wiltshire Council, spoke in support of the application

Councillor J Thomson, Deputy Leader and Cabinet member for Adult Care, Communities and Housing, spoke in support of the application.

Councillor J Rooney, representing Salisbury City Council, expressed some concerns regarding the application.

Councillor R Rogers, local member, addressed 3 issues of concern regarding the application.

The Planning Officer introduced the application which had been deferred for a site visit. A debate ensued during which the issues of the access road, the re-positioning of plots 4-7 and 28-43 and the removal of the trees were discussed.

RESOLVED:

- 1. That the Planning Committee's disappointment that this is a retrospective application be recorded. The Planning Committee considers that Wiltshire Council, which has a significant interest in this application, should be setting an example to other developers and not contravening planning regulations by carrying out development without first gaining planning permission.**
- 2. That planning permission be GRANTED for the following reasons:**

It is considered that the proposed changes to the positioning of the new units are acceptable in planning terms. It is not considered that there will be overlooking from units 4-7 sufficient to warrant refusal of planning permission and it is considered that the movement of units 28-43 away from properties in Jubilee Close will be a positive improvement to neighbours in these properties. The introduction of solar panels to the roofs of properties will enable achievement of code level four for sustainable homes. As such it is considered that the proposal complies with policies G1 and G2 of the saved policies of the adopted local plan.

The use of Penruddock Close as an access to the site is considered acceptable on a temporary basis subject to it being closed off for emergency use and cyclists and pedestrians when the rest of the site is completed as such it is considered that the proposal complies with policy

G2 (i) of the saved policies of the adopted local plan.

and subject to an additional condition relating to the access as follows:

21) None of the dwellings shall be occupied until satisfactory arrangements have been agreed in writing with the local planning authority to ensure that if the Penruddock Close access should need to be used permanently for the benefit of the affordable dwellings hereby approved it shall be constructed and maintained to adoptable standards to the satisfaction of the local planning authority.

Reason: In the interests of highway safety

and subject to the following conditions:

1) Details and samples of all external facing and roofing materials to be used shall be submitted to, and approved in writing by, the Local Planning Authority prior to the commencement of the open market dwellings and where so required by the Local Planning Authority sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details. The affordable housing shall be completed in accordance with details already agreed.

REASON: To secure a harmonious form of development.

2) Prior to first occupation of the development details/a plan indicating the positions, design, height, materials and type of boundary treatments to be erected shall be submitted to, and approved in writing by, the Local Planning Authority in respect of the open market housing. The development shall be carried out in accordance with the approved details and the boundary treatments shall be erected prior to the first occupation of the dwellings hereby approved and shall thereafter be maintained for a period of five years and thereafter retained. The affordable housing shall be completed in accordance with the details already agreed.

REASON: In the interests of neighbouring residential amenity and the environment of the development.

POLICY G2

3) The approved details of the ecological management plan shall be implemented in accordance with the timescale set out in the approved plan.

REASON: In the interests of protecting wildlife on the site

POLICY G2

4) The development approved shall be carried out in accordance with the details approved in the badger protection plan.

REASON: In the interests of protecting wildlife on the site.

POLICY G2

5) The development approved shall be carried out in accordance with the details in the reptile protection plan.

REASON: In the interests of protecting wildlife on the site.

POLICY G2

6) Prior to commencement of development any works shall be carried out in accordance with the details in the tree protection report submitted and approved.

REASON: In the interests of protecting wildlife on the site.

7) The proposals for the landscaping of the site, as shown on the approved plans (including provision for landscape planting, the retention and protection of existing trees and other site features, walls, fencing and other means of enclosure and any changes in levels) shall be carried out as follows:

a) the approved scheme shall be fully implemented with new planting carried out in the planting season October to March inclusive following occupation of the building(s) or the completion of the development whichever is the sooner, or in accordance with a timetable to be agreed in writing with the Local Planning Authority;

b) all planting shall be carried out in accordance with British Standards, including regard for plant storage and ground conditions at the time of planting;

c) the scheme shall be properly maintained for a period of 5 years and any plants (including those retained as part of the scheme) which die, are removed or become damaged or diseased within this period shall be replaced in the next planting season with others of a similar size and the same species, unless the Local Planning Authority gives written consent to any variation; and

d) the whole scheme shall be subsequently retained.

REASON: In the interests of visual amenity and the environment of the development and to ensure that the approved landscaping scheme is carried out at the proper times.

POLICY G2

8) Prior to commencement details for the hard landscaping of the open market part of the site, including full details of the surfacing materials and colours of all hard surfaces and kerbing, have been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details, unless otherwise first agreed in writing by the Local Planning Authority.

REASON: In the interests of the amenities of the site and to secure a well planned development.

9) Prior to the commencement of development on the open market housing full details of the road layout and construction shall be submitted to, and approved in writing by, the Local Planning Authority. These details shall include longitudinal sections, typical cross sections including surface materials, street lighting and road drainage. The development shall thereafter be carried out in accordance with the approved details and no dwelling shall be occupied until that part of the access road which serves it has been constructed up to and including bindercourse (basecourse) surfacing in accordance with the approved details.

REASON: In the interests of highway safety and to ensure that an adequate means of access is available when the dwellings are occupied.

POLICY G2

10) Prior to the first occupation of any of the dwellings, hereby approved, the garaging/parking, cycle parking and turning space indicated on the approved plan shall be constructed, laid out and made available for use and shall thereafter be retained and kept available for those purposes at all times.

REASON: In the interests of highway safety and to ensure an adequate level of parking provision to serve the development.

POLICY G2

11) No development shall commence on the open market dwellings until a scheme of water efficiency measures to reduce the water consumption of the dwellings, hereby approved, shall be submitted to, and approved in writing by, the Local Planning Authority. The approved measures shall subsequently be implemented and brought into operation prior to the first occupation of the dwellings and shall thereafter be retained, unless otherwise first agreed in writing by the Local Planning Authority.

REASON: In the interests of the conservation of water resources and to protect the Hampshire Avon River and its habitats.

POLICY G3

12) No development shall take place on the open market part of the site until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, 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. The scheme shall also include details of how the scheme is to be maintained and managed after completion.

REASON: To prevent the increased risk of flooding to improve and protect water quality and to ensure the future maintenance of the surface water drainage system.

13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 and the Town and Country Planning Act 1990 or any subsequent re-enactment thereof, no further development permitted by Classes A, B, D and E of Part 1 of Schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995, shall be carried out without express planning permission first being obtained from the Local Planning Authority.

REASON: To enable the Local Planning Authority to retain control over the development in the interests of the visual amenity.

14) The development hereby approved shall be undertaken in full accordance with the following approved plans:

3360-P-12D Proposed Site Layout
3360-P-13 Site extract- Reposition
3360-P-14 Site Overlay and Extract
3360-W-10B Proposed site Layout Extract Parking
Location Plan dwg no 0064 -0_101
Topographical survey plan 011-D1 –A
Topographical survey plan 011-D2 – A
Topographical survey plan 011-D3 – A
Affordable housing plan 0064 -2-203
Slab levels and drainage plan 0064-2-206
Street lighting plan 0064 – 5-531
Site sections 0064-2-208-A
Materials Plan 0064-2-300
Street scene elevations 0064-2-301-B
House type A – rev A
House Type B – rev A
House Type C – rev A
House Type D – rev A
House Type E – rev B
House Type F – rev B
House Type F1 – rev A

House Type G
House Type H –rev A
House Type H1 – rev A
House Type H2
House Type J – rev B
House Type J1
House Type K – rev A
Landscape Proposals dwg no 0064-3001 –rev A

REASON: For the avoidance of doubt.

15) Construction works shall not take place except between the hours of 07.30hrs to 1800hrs on Mondays to Friday and 08:00 to 13:00hrs on Saturday No work on Sundays and Public Holidays.

This condition does not apply to the internal fitting out of the buildings

REASON: In order to limit the noise and disruption to adjacent neighbours during antisocial hours.

16) Before development commences on the open market housing, further details of the emergency link to Penruddock Close shall be submitted and approved in writing by the Local Planning Authority. Such details shall show a 3m width of maintainable public highway for use for pedestrians and cyclists, with suitable measures to prevent access by vehicular traffic other than emergency vehicles.

REASON: In order to limit the use of the northern access by non emergency vehicles in order to reduce the level of traffic using the access to an acceptable level in the interests of amenity.

POLICY G2

17) The road link to Penruddock close hereby approved shall only be used until such time as the first occupation of the open market housing or the construction of the vehicular access to Pembroke Road, whichever is the sooner. Upon the opening of the vehicular access to Pembroke road the Penruddock entrance to the site shall be closed and used only for emergency vehicles and pedestrian and cyclists traffic in accordance with the submitted scheme the subject of condition 16 of this planning permission

REASON: In the interests of highway safety

18) The internal access road shall be constructed in accordance with full details which shall be submitted for further approval and shall thereafter be constructed in accordance with the full details before full occupation of the development and in any event shall be constructed to base course level (binder course) before occupation of each dwelling between, and

including, the dwelling frontage and the access point to where the development meets the existing access leading from Penruddock Close.

REASON: In the interests of Highway safety Local plan policy G2.

19) Before first occupation of the development, the former school access leading from Penruddock Close to the development shall be improved in accordance with a scheme which shall be submitted to and approved by the LPA.

REASON: In the interests of highway safety.

POLICY G2

20) Notwithstanding the landscaping details shown on plans hereby approved, a scheme showing retained and proposed planting along the Western boundary adjacent houses in Jubilee Close shall be agreed with the local planning authority prior to first occupation of the development hereby approved. Such a scheme as is agreed shall be implemented, and retained thereafter for a period of at least five years and should any tree or plant die during this period it shall be replaced with a suitable alternative of a size and type to match the original planting.

REASON: In order to ensure adequate future screening of those properties in Jubilee Close which presently have screening along the boundary with Pembroke Park.

POLICY G2

Informatives:

1) Wiltshire Council as owners of the application site will require prospective purchasers to enter into a legal agreement to secure 4 affordable housing units and the remaining obligations as set out in the Resolution dated 18th November 2010.

2) The applicant's attention is drawn to the comments of Wessex Water, a copy of which is attached to this decision notice. In this respect, Wessex Water has advised that there is a public foul sewer crossing the site. Wessex Water normally requires a minimum 3.0 metre easement width on either side of its apparatus for the purposes of maintenance and repair and therefore diversion or protection works may need to be agreed.

3) In conjunction with Condition No's 13 and 14 above, the applicant's attention is drawn to the comments of the Environment Agency, a copy of which is attached to this decision notice. For any further advice regarding any of the issues covered by these conditions the applicant is advised to contact the Environment Agency, RiversHouse, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, Dorset, DT11 8ST. Tel: 01258 483390 / Fax: 01258 455998.

115. **Urgent Items**

116. **Exclusion of the Press and Public**

Resolved:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in minute no. 117 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

117. **The Old Coach House, East Grimstead**

The Head of Legal Services introduced a report which updated the committee on enforcement at the site.

RESOLVED:

To note the report.

(Duration of meeting: 6.00 - 8.25 pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line (01225) 718371, e-mail pam.denton@wiltshire.gov.uk

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