

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 10 FEBRUARY 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 (Reserve), Cllr Ian West and Cllr Fred Westmoreland (Chairman)

Also Present:

Cllr Tony Deane, Cllr John Noeken and Cllr John Smale

11. **Apologies for Absence**

Apologies were received from Cllr Dalton, who was substituted by Cllr Sample.

12. **Minutes**

The minutes of the meeting held on 13 January 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes.

13. **Declarations of Interest**

S/2010/1247 - Brockhurst, White Road, Mere

Cllr Britton wished it to be noted in the minutes for the avoidance of doubt that he had arranged funding (which was not taken up) for two houses opposite Brockhurst, the site of S/2010/1247, approximately 3 years ago. He was advised there was no personal or prejudicial interest.

14. **Chairman's Announcements**

The Chairman introduced the new Area Development Manager (South), Mr Andrew Guest.

The Committee noted with sadness the death of Mr Mike Fowler, an ex-Salisbury District Councillor who had given many years service to South Wiltshire, including on the planning committees.

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

15. **Public Participation**

The Committee noted the rules on public participation.

16. **Full Planning Application S/2008/0572 Revised Application to S/2007/1865 Demolition of all Buildings & Redevelopment to Form A Class A1 Foodstore with Associated Parking & Landscaping & Alterations to Access Installation of Wind Turbine at 140 London Road Amesbury SP4 7EQ. Application Determined by Inquiry.**

The planning officer presented a report which sought the Committee's decision regarding two options for operation of a bus service to be provided by Tesco in Amesbury.

Members were asked to consider the route previously agreed as part of the section 106 agreement for the original application, and a newly proposed route which would require formal authorisation to amend the s106 agreement.

Officers answered questions on the advantages and disadvantages of each route, and clarified that a bus had already been purchased to operate on the route chosen.

A debate followed, during which the following points were raised:

- Moving from a service in perpetuity, but potentially subject to a review if the service was not being used adequately, to a situation where Tesco would provide £500,000 as a commuted sum for a bus service that was estimated to be funded for approximately 7 years.
- The revised service served an additional residential estate, as well as the business park at Solstice Park; thus offering viable public transport for residents of Amesbury who worked at the park or wished to visit
- It was clarified that as the section 106 agreement stood, Tesco had the ability to withdraw the service if the bus was not "well-used"
- The service provides a connection for Antrobus Road which was previously withdrawn and sorely missed.
- The service will be provided by ComTrans South Wiltshire and as such the Council will have an increased ability to control and monitor it.

Cllr Douglas wished it to be noted that distribution of leaflets about the bus service operation, by the operators, made it appear as if a decision had already been taken: this was highly unwelcome and bad practice.

Resolved:

To follow option one, as set out in the officer's report: to change the provisions previously secured in the s.106 agreement and to agree the changes to allow the new route, timetable and payment, as summarised below:

- **A circular bus route to be run between the hours of 7.30am and 18:00.**
- **A sum of £500,000 to buy a bus and run a service.**
- **A circular route to include Solstice Park and Archers Gate.**

17. **Consultation by Dorset County Council: Planning application for gypsy and traveller site on land to the south/east of the Dorset County A30 Depot site, Salisbury Road, Shaftesbury.**

Public Participation:

Councillor Tony Deane, the local member, spoke objecting to the application and on behalf of Donhead St. Mary Parish Council.

The Enforcement Team Leader presented his report, which sought the committee's comments on a proposal by Dorset County Council to build a gypsy and traveller site on land to the south/east of the Dorset County A30 Depot site, Salisbury Road, Shaftesbury, which was close to the county boundary.

It was made clear that the application was for 10-year permission only, as the site lay on the corridor for a planned A350 Shaftesbury Bypass, which was in hiatus.

Technical questions were asked about the potential for the site to increase in size, the possibility of conditioning light control, and the process for identifying unmet need when considering gypsy and traveller sites. It was explained that there was no proposal to enlarge the site at this time, and that light control could be added to the list of proposed conditions for the site. The estimates of need rely on Gypsy and Traveller accommodation assessments.

A discussion ensued and key points mentioned were as follows:

- This application seizes upon an existing site, which is under-utilised
- The site has a positive impact on Wiltshire Council provision
- The possibility of conditioning tenancies to included a register of occupants, who have produced identification, to establish who is in-situ on the site
- That officers and members should be aware of the broader need for such provision when considering such sites, and co-operate with neighbouring authorities accordingly

Resolved

That NO OBJECTION is raised to the proposals subject to appropriate conditions as described below being imposed:

In the event that planning permission is granted for the development, conditions should be imposed, including: limiting the duration of the permission for 10 years; requiring removal of any contamination prior to

occupation; requiring the carrying out of the screening/ noise attenuation works prior to occupation; restricting occupancy to individual/s who meet the definition of a gypsy or traveller; restricting the extent commercial activities, securing the implementation of the landscape planting proposed; exercising control over external lighting and use of a suitably coloured palisade fence (not galvanised).

18. **Planning Appeals**

The Committee received details of the following appeal decisions:

S/2010/0628 - 32 Winchester Street, Salisbury – Delegated – Allowed

S/2010/1137 - Mobile Catering Unit – land adjacent The Packway, Larkhill - Delegated – Dismissed

S/2010/1025 - Land adj. 18 Folkestone Road, Salisbury - Delegated – Dismissed

S/2010/1318 - Waters Edge, Hackthorne Road, Durrington - Delegated – Dismissed

S/2010/1062 - Castle Road Salisbury - Delegated – Allowed

S/2010/1016 - Old School High Street Maiden Bradley - Delegated – Dismissed

And forthcoming appeals as follows:

S/2010/0893 - Golden Cottage Mead End Bowerchalke

S/2009/1943 - Land North, West And South Of Bishopdown Farm

19. **Planning Applications**

A schedule of additional correspondence (attached) was circulated for the members' information.

19a **S/2010/1285N - Open Site Behind Antrobus Hotel, Kings Arms Inn And Lloyds Bank Salisbury Street Amesbury**

This item was taken as the first application to be considered, at the request of the Chairman.

The Chairman suggested that a site visit should be made prior to consideration of this item and on being put to the vote it was

Resolved:

That a site visit should be undertaken, in advance of any decision being made by the Committee, given the nature of the application site.

19b **S/2010/1247 - Brockhurst, White Road, Mere**

Public Participation:

Mr Martin Leahy spoke in objection

Mr Malcolm Hobbs spoke to object to the application

Mr Roy Haydon spoke in support of the application

Cllr George Jeans, the local member spoke to relay concerns by the local Town Council about overdevelopment of the site and inadequate access to it.

Cllr Green, Cllr Westmoreland, Cllr Britton, Cllr West, Cllr Jeans and Cllr Douglas had attended a site visit earlier in the day.

The Planning officer outlined his report and drew members attention to additional comments received on the list of late correspondence. A discussion followed and the key points raised were as follows:

- A lack of suitable parking provision, and the associated possibility of neighbour conflict
- Emergency Access
- Overdevelopment and the feeling that the development was out of context with its surroundings.

Resolved:

That the application be refused, for the following reasons:

- 1) **The proposed dwelling would result in an overdevelopment of the site, leading to a poor living environment for the occupants of existing and proposed dwellings, and which would be out of keeping with the character of the surrounding area by virtue of the cramped and excessive density of development. The proposal would therefore be contrary to the aims and objectives of the development plan and Government guidance, having particular regard to saved Local Plan policies G2, D2, H16 and PPS1, PPS3.**
- 2) **In the absence of a suitable commuted payment being made towards off site open space provision, the proposal is contrary to saved policy R2 of the Salisbury District Local Plan.**

19c **S/2010/1719 - Long Crags, Church Street, Bowerchalke**

Public Participation:

Mr Mike Lyons, Architect spoke in support of the application
Mr Michael Blyth, Applicant spoke in support of the application
Mr John Jenkins, spoke in support of the application

Cllr Green, Cllr Westmoreland, Cllr Britton, Cllr West and Cllr Jeans had attended a site visit earlier in the day.

The Planning Officer summarised the content of his report, and made clear that there was no specific policy to limit roof heights in villages, other than normal planning precepts.

Members considered the uniqueness of the site, how the applicants had addressed problems with overlooking, and subsequently it was

Resolved:

That planning permission is GRANTED for the following reasons:

It is considered that the proposal is appropriate to the existing building and surrounding area (designated an AONB) and will avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers. Therefore it is considered to conform with Adopted Salisbury District Local Plan saved policies G2, D3 and C5.

And 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) Development shall be carried out in accordance with the following plans:

380/P.02 Submitted on 12/11/10

380/P.04 Submitted on 12/11/10

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.

REASON: For the avoidance of doubt

(3) Before the development hereby permitted is first occupied the bathroom window in the south elevation shall be glazed with obscure glass only and the window shall be permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

POLICY-- G2 (General Design Guidance)

(4) No development shall commence on site until details of the external materials to be used on the walls and roof of the development 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.

POLICY- D3 (General Design Guidance), C5 (Development within an AONB)

(5) No construction work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. This condition shall not apply to the internal fitting out of the development.

Reason: To minimise the disturbance which noise during the construction of the proposed development could otherwise have upon the amenities of nearby dwellings.

Policy: G2 (General Development Guidance)

19d S/2010/1750 - Site next to Rose & Crown, High Street, Bulford

Public Participation:

Mr Robin Clarke, DPM – Rose & Crown Pub spoke in objection to the application

Mrs Verity Alsop spoke in objection to the application

Mr Patrick Oetiker, spoke in support of the application

Mr John Clee, representing Bulford Parish Council, spoke in objection to the application

Cllr Smale, the local member, spoke in objection to the application, on the basis of the size of the site and the application's proximity to neighbouring properties when built, and supporting the Parish Council and local objections.

The Planning Officer outlined his report and drew members attention to additional comments received on the list of late correspondence. The application was a revised version of an application for the same site that had previously been considered by the Committee.

Members had a variety of views about the suitability of the plot for a family dwelling. A debate ensued and the following points were considered:

- The reason for refusal when the previous design had been considered was based on the contemporary design.
- The closeness of both the Pub and nearby Youth Club, which both had the capacity to generate noise, and thus become subject to complaints which would impair their operations
- The provision of a needed family home in unused, rather than green space, in the centre of a village.
- The nature of the plot means any house will probably be 'hidden' from the main road

Resolved:

That subject to the submission of a unilateral agreement under s106 of the Town and Country planning Act 1990, in relation to public recreational open space:

Planning Permission be GRANTED for the following reason:

It is considered that the proposed design has addressed the previous reason for refusal in relation to the uncharacteristic design, shape and form of the dwelling and that it would now respect the character and appearance of the area, including its architectural characteristics and materials. Subject to conditions the proposal would not result in unacceptable living conditions or adverse impacts upon neighbouring uses, and there would be no harm to highway safety or any other material planning consideration. The proposal would therefore accord with the aims and objectives of the development plan, having particular regard to Local Plan policies G1, G2, D2, H16, CN11, CN21, R2, TR11, TR13, TR14 and PPS1, PPS3, PPS5, PPG24.

And 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) The development shall only be undertaken in accordance with the following approved plans:

Plan Ref....927 110 Rev. E...	Date
Received....26.01.11....	
Plan Ref....927 111 Rev. H...	Date
Received....26.01.11...	
Plan Ref....927 115...	Date
Received....26.01.11....	

Reason: For the avoidance of doubt.

- 3) The development shall be carried out in accordance with the recommendations of the submitted Noise Survey Report (JTEC Environmental dated 12th – 17th July 2010) and passive wall vent details submitted by the agent on 07/12/10.

Reason: To ensure acceptable internal noise levels to the new dwelling.

Policy: G2

- 4) No development shall commence on site until written details 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. Where so requested by the local planning authority, samples of materials shall be provided on site for further written agreement. 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.

Policy: D2

- 5) No works to externally face the new dwelling shall commence until a sample panel of flintwork, not less than 1 metre square, constructed using flints hand laid in a random pattern (with no preformed panels to be used), has been erected on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample panel, using flints hand laid in a random pattern with no preformed panels.

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

Policy: D2

- 6) No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on the external walls and window joinery 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 first occupied.

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

Policy: D2

- 7) No works shall commence on site until details of the proposed rooflights (including size, manufacturer and model number) have been submitted to and approved in writing by the Local Planning Authority. The rooflights shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope. The works 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.

Policy: D2

- 8) 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:

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) details of new trees and hedgerows including species, planting sizes and densities;
- (e) means of enclosure;
- (f) car park layouts;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (e.g. refuse and other storage units);

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Policy: G2

- 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 building(s) 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.

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

Policy: G2

- 10) Prior to the commencement of development a scheme for the provision, use, retention and maintenance of the proposed turning circle shall be submitted to and approved, in writing, by the Local Planning Authority. The turning circle shall remain clear and available for use at all times and shall be operated and maintained in accordance with the approved details.

Reason: In the interests of highway safety

Policy: G2

- 11) The development hereby permitted shall not be occupied until the first 5 metres of the access, measured from the edge of the carriageway, 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

- 12) Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

Reason: To ensure that the development can be adequately drained

Policy: G2

- 13) 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 to and approved in writing by the Local Planning Authority. The development shall not be occupied until surface water drainage has been constructed in accordance with

the approved scheme.

Reason: To ensure that the development can be adequately drained

Policy: G2

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 north, east and south elevations of the development hereby permitted.

Reason: In the interests of residential amenity and privacy, and to ensure adequate living conditions for the occupiers of the proposed dwelling.

Policy: G2

15) No construction works shall take place outside of the hours of 08:00 to 18:00 Mondays to Fridays, 08:00 to 13:00 Saturdays or at all on Sundays or Bank Holidays.

Reason: in the interests of the amenities or nearby properties

Policy: G2

19e **S/2010/1713 - Summerfield House, Berwick St. James**

Public Participation:

Lt Colonel Bush spoke in objection to the application
Mr Neil MacDougall spoke in objection to the application
Mr Mark Hopkins spoke in objection to the application

Mrs Susan Grant spoke in support of the application

Cllr Ian West spoke as local member, objecting to the application.

The Planning Officer outlined the application, which sought permission to renew an extant permission (S/2008/2122) for 3 additional years. This initial application had been granted on appeal. Members were reminded that they were limited to consideration of whether there have been any material changes to planning policy or the physical nature of the site and its surroundings which could affect the development's planning merits.

After considerable debate about the merits of the application, the current condition of the site and alleged planning breaches, the Committee decided that:

Resolved:

That the application be APPROVED for the following reasons:

There have been no significant material alterations to planning policy since the original approval, nor any significant material changes to the characteristics of the site and its surroundings that would warrant not permitting an extension to the time limit for implementation. Consequently it is still considered that the proposal is acceptable in principle and would be appropriate in visual, amenity, environmental and highway terms. The development would therefore accord with the aims and objectives of the development plan and Government guidance, having particular regard to saved Local Plan policies G1, G2, G4, H30, E21, CN21, CN22, C2, C6, C8, C12, TR11, TR14, R1C and PPS1, PPS4, PPS7, PPG13.

And 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 Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

- 2) This decision relates to documents/plans submitted with the application, listed below:**

Plan Ref....0516-02...

Plan Ref....0516-03A...

Plan Ref....0516-04B...

Plan Ref....0516-05...

Plan Ref....0516-06C...

Plan Ref....0516-07...

Plan Ref....0516-08...

Plan Ref....0516-99...

Plan Ref....211.01 Rev A...

Plan Ref....211.03...

Plan Ref....coloured site plan layout...

Plan Ref....illustration of the eastern elevations and aerial photograph...

Reason: For the avoidance of doubt.

- 3) No development shall take place until details and samples of all**

external facing and roofing materials (including the colour of any timber stain) to be used in the construction of the replacement dwelling, stable block/store building, office building and storage building hereby permitted 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.

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

Policy: C6

- 4) No development shall take place, including site clearance, until full details of both hard and soft landscaping works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. These details shall include indications of all existing trees, hedgerows and other site features and details of any to be retained together with measures for their protection in the course of development and proposed finished levels or contours. The details of the hard landscaping of the site shall include details of the surfacing materials and colours of all hard surfaces and where so required by the Local Planning Authority, samples of such materials and finishes.

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

Policy: C6

- 5) Soft landscape works shall include planting plans and full written specifications and schedules of plants, including species, plant sizes, numbers/densities and positions. If within a period of 5 years from the date of the planting or establishment of any tree, shrub or plant, that tree, shrub or plant or any replacement is removed, uprooted or destroyed or dies or becomes seriously damaged or defective another tree or shrub or plant of the same species and size as that originally planted shall be planted at the same place unless the Local Planning Authority gives its written consent to any variation.

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

Policy: C6

- 6) No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The

schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.

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

Policy: C6

- 7) No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed in accordance with a timetable agreed in writing with 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.

Policy: C6

- 8) No vegetation works including all tree, shrub and hedgerow works/clearance shall take place between the months of March to August inclusive unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of nesting birds.

Policy: C12

- 9) The development hereby approved shall be carried out in accordance with the recommendations detailed in the submitted protected species survey prepared by Country Contracts and dated September 2006 unless otherwise first agreed in writing by the Local Planning Authority.**

Reason: In interests of protected species.

Policy: C12

- 10) No development shall take place including the clearance/felling of trees, hedgerow and scrub until a scheme for the provision of an alternative roosting site for Barn and Little Owls in the form of a barn owl loft together with the provision of bat boxes and bird nesting boxes to include details of their design and a timetable for their provision has been submitted to and agreed in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and thereafter retained,**

unless otherwise agreed in writing by the Local Planning Authority.

Reason: In interests of protected species.

Policy: C12

11) No development shall take place until a further bat and bird survey of all the existing buildings and vegetation on the site, to include an internal survey of all roof spaces, shall be carried out between April to September and a report of the findings of these surveys shall be submitted to the Local Planning Authority. If the survey identifies the presence of bats or birds within any of the buildings or vegetation on the site, a detailed scheme of mitigation measures to ensure the protection of the protected species and its habitat shall be submitted to and approved in writing by the Local Planning Authority. The mitigation measures shall be implemented in accordance with the approved details prior to the first occupation of any of the buildings hereby approved, unless otherwise agreed in writing by the Local Planning Authority.

Reason: In interests of protected species.

Policy: C12

12) No development shall take place until a method statement detailing the potential risks from pollution, such as the storage of oils, fuels and chemicals to include mitigation measures during and after construct to the river system has been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

Reason: To minimise the risk of pollution of the water environment.

Policy: G2, C18

13) No development shall take place until a scheme of water efficiency measures to reduce the water consumption of the replacement dwelling, stable block/store building, office building and storage building, hereby approved, has been submitted to and approved in writing by the Local Planning Authority. The measures shall be implemented and thereafter retained in accordance with the approved details.

Reason: In the interests of the conservation of water and energy resources.

Policy: G1

14) No development shall take place until a scheme for the discharge of

foul and surface water from the development hereby approved has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the first commencement of the use of the buildings hereby approved and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

Reason: To ensure that the proposal is provided with a satisfactory means of drainage.

Policy: G2, G5

15)Development shall not begin until a desk study report of the historic uses of the site and sites surrounding area and the likelihood of contaminant extent and type has been submitted to the Local Planning Authority. If the report indicates the possibility of soil contamination, development shall not begin until a site investigation report documenting the ground conditions of the site, incorporating a conceptual model of all the potential pollutant linkages and an assessment of risk to identified receptors should be submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of public health and safety.

Policy: G2

16)If risk assessment identifies unacceptable risk a detailed scheme specifying remedial works and measures necessary to avoid risk from contaminants or gases when the site is developed shall be submitted to and approved in writing by the Local Planning Authority. The remediation scheme as approved shall be implemented in accordance with the approved details prior to the first occupation or use of the buildings hereby approved, unless agreed by the Local Planning Authority.

Reason: In the interests of public health and safety.

Policy: G2

17)If during development contamination not previously identified is found to be present at the site, no further development shall be carried out until a revised remediation programme detailing the nature and extent of the unforeseen contamination and any remedial works, has been submitted to and approved in writing by the Local Planning Authority. The remediation works as approved shall be implemented in accordance with the approved details prior to the first occupation or use of the buildings hereby approved. On completion of the works a validation report detailing the

implementation of the agreed remedial works and measures shall be submitted to and approved in writing by the Local Planning Authority prior to the first commencement of the use hereby permitted.

Reason: In the interests of public health and safety.

Policy: G2

18) No development shall take place within the appeal site area until the appellants, or their agents or successors in title has been secured the implementation of a programme or archaeological work in accordance with a written scheme of investigation which has been submitted by the appellants and approved in writing by the Local Planning Authority. The development shall be carried the approved details.

Reason: To enable the recording of any matters of archaeological interest.

Policy: CN22

19) No development shall take place until a Waste Management Plan has been submitted to and approved in writing by the Local Planning Authority. The agreed scheme shall include targets and objectives for the minimisation and recycling of any waste or materials generated during the demolition and construction phases. The development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring sustainable development

Policy: G1

20) Prior to the vehicular access, hereby approved, first being brought into sue, the area between the nearside carriageway edge and lines drawn between a point 4.5m back from the carriageway edge along he centre line of the access and the extremities of the site frontage shall be cleared of obstruction to visibility at a height of 300mm above the nearside carriageway level and thereafter maintained free of obstruction at all times.

Reason: In the interests of highways safety.

Policy: G2

21) Prior to first occupation and commencement of use of the buildings hereby approved the vehicular access shall be constructed with a recessed entrance of a minimum width of 4.5m and 5m back from

the carriageway edge and with its sides splayed outward at an angle of 45 degrees towards the carriageway edge. The area of land between the recessed entrance and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details that shall be submitted to and approved in writing by the Local Planning Authority. Any entrance gates shall be hung so as to open away from the highway only and shall be set back a minimum distance of 10m from the nearside edge of the carriageway.

Reason: In the interests of highways safety.

Policy: G2

22) Prior to first occupation and commencement of use of the buildings hereby approved, the new vehicular access to the site shall be fully constructed and available for use and the existing accesses to the site shall be permanently stopped up and abandoned within 7 days upon construction or opening up of the new vehicular access in accordance with details that shall be submitted to, and approved in writing by the Local Planning Authority.

Reason: In the interests of highways safety.

Policy: G2

23) No development shall take place until a scheme to prevent the discharge of surface water from the area of vehicular access onto the public highway has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be carried out prior to the first occupation and commencement of use of the buildings hereby approved and thereafter retained.

Reason: In the interests of highways safety.

Policy: G2

24) The extent of the area of land related to the employment use, hereby approved, shall be limited to that area of land as illustrated within the blue line on submitted plan (drawing 211.01 Rev A()) and the residential curtilage associated with the replacement dwelling hereby approved, shall be limited to that area of land contained within the red line as illustrated on this plan

Reason: In the interests of highways safety and the amenity of the area.

Policy: G2

25) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the office building hereby approved shall enure solely for the benefit of Fox Grant Ltd and shall be used as office accommodation and ancillary storage and for no other use including any other purpose in Class B1 of the Town and Country Planning (Use Classes) (Amendment) Order 1987 or any subsequent re-enactment, without formal planning permission first being obtained.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

Policy: G2

26) Notwithstanding the provisions of the Town and Country Planning (Use Classes) (Amendment) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995 or any subsequent re-enactments thereof, the storage building hereby approved shall be used solely as an ancillary storage facility to the office use and menage hereby approved, and for no other use without formal planning permission first being obtained.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

Policy: G2

27) The roof space of the building, hereby approved shall be used solely for the purpose of dry office archive storage, as indicated on the submitted plan (drawing number 0516-048) and for no other purpose without formal planning permission first being obtained.

Reason: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

Policy: G2

28) There shall be no external storage of any goods, plant or material associated with the employment use hereby approved.

Reason: In the interests of the appearance of the site and the amenities of the area.

Policy: C6

29) No development shall take place until details of any external lighting, including lighting to the car parking area associated with the employment use hereby approved., shall be submitted to and approved in writing by the Local Planning Authority. The 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.

Policy: C6

30) The menage hereby permitted shall be used only for private and domestic purposes incidental to the enjoyment of the associated dwelling at Wisma Farm and shall not be used on a commercial basis or for any other business or commercial use whatsoever.

Reason: In the interests of highway safety and/or to protect the living conditions of nearby residents.

Policy: G2

19f **S/2010/1764 - Former Wilton Middle School Site, The Hollows, Wilton**

Public Participation:

Kevin Sweeney, Wiltshire Council, spoke in support of the application

Cllr John Noeken, Cabinet Member for Resources, spoke in support of the application.

The Planning Officer outlined his report and highlighted a late objection that had been received as a late representation.

It was clarified that the land on which the application sought to build was under Wiltshire Council ownership and had always been historically separate from the school playing fields around it.

Following a brief discussion on the merits of the site, the patterns of use by the public protection unit and the safety measures in place, the scarcity of alternative sites for both uses and the suitability of the access/frequency of vehicles accessing the site, it was:

Resolved:

That planning permission is GRANTED for the following reasons:

The decision to grant planning permission has been taken on the grounds that subject to conditions, the proposals would not cause any significant demonstrable harm to interests of acknowledged importance, in this case, the impact on the living conditions of nearby properties, highway safety or ecology.

The proposal is considered to be in accordance with the aims and objectives of the following saved policies in the Salisbury District Local

Plan:

- G1 Sustainable Development
- G2 General Principles of development
- C12 Protected species
- R5 Infrastructure and facilities

And 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 part of the development hereby permitted shall be first brought into use until the 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. Policy: G2 (General)

- (3) The development shall be completed in accordance with the vegetation removal strategy, unless otherwise agreed in writing by the Local Planning Authority:

Removal of any shrubs (including bramble) or other woody vegetation or long grass must not take place between March and July inclusive, unless the area has first been assessed by a competent ecologist and they are satisfied that no nesting birds are present, or nest in the process of being building.

Immediately prior to the commencement of construction works, all vegetation on the footprint of the proposed buildings and working area shall be strimmed in two stages, spread over 3 or 4 days. The first will be to 10cm and the second to ground level, with a gap of 2 days between the cuts to allow reptiles and small mammals to move away.

If any reptiles are found during preparatory site clearance, they should

be removed by a competent ecologist to the edge of the site beyond the construction area.

If any unexpected species are found on site, the works should cease and the County Ecologist should be contacted for advice on how to proceed.

Reason: There is a risk that reptiles and ground nesting birds may be using the rougher areas of grass and scrub. The vegetation removal strategy should ensure that there is no impact on the ecology of the site as a result of carrying out the proposed works.

Policy: G1 (Sustainable development), G2 (General), C12 (Protected species)

(4) The development shall be completed in accordance with the Tree Protection Plan reference 101103-WMS-TPP-AM and Tree Protection section 4 of the 'Arboricultural Implications Assessment Tree Constraints and Protection Plan'.

The approved Tree Protection Fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

Reason: In order to maintain the integrity of the hedges and trees as wildlife corridors and food resources and a screen to the site boundary in the interests of visual amenity.

Policy: G1 (Sustainable development), G2 (General)

(5) The use of the Environmental Protection Building shall not take place except between the hours of 07:00 and 19:00 Monday to Friday. The use of the Youth Services Building and External Activity Area shall not take place except between the hours of 18:30 to 21:30 Monday to Friday, between the hours of 18:30 to 21:30 on Saturdays (up to five times a year) and not at any time on Sundays or Bank Holidays.

Reason: In the interests of the amenities of the occupants of the nearby residential properties.

Policy: G1 & G2 (General Development Criteria)

(6) This development shall be in accordance with the following drawings:

- 1:1250 Location Plan
- 1:2500 Location Plan
- 1017-02 Rev A Site Block Plan
- 1017-05 Rev A Floor Plan
- 1017-06 Rev A Elevations

- 1017-07 Rev A Floor Plan
- 1017-08 Rev A Elevations
- 101103-WMS-TPP-AM Tree Protection Plan

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

20. **Urgent Items**

Application S/2010/0173 for redevelopment for 65 new dwellings inclusive of new vehicular access to Pembroke Road and emergency access to Penruddock Close and associated ground modelling and drainage works.

The Chairman approved consideration of this item as a matter of urgency as the matter could not be reasonably delayed until the next scheduled meeting.

The item advised members of a proposed change to the resolution of minute 120a of the Southern Area Planning Committee held on 18 November 2010 regarding the s. 106 agreement in respect of Application Number S/2010/0173 - Former Pembroke Park School, Penruddock Close, Salisbury.

The original application was for redevelopment of the application site for 65 new dwellings inclusive of 26 affordable homes, with the Council as landowner working with Bovis Homes. It was explained that Bovis Homes no longer wish to proceed with this development. The result of this is that planning permission cannot be issued because there is now no longer a developer to enter into a legal agreement in its current form.

The Council however, still intends to develop part of the site with 22 affordable housing units in conjunction with their contractor Pearce which will be funded by the Homes Community Agency 'HCA'. The Council then intend to market part of the site to secure 4 additional affordable units, open market housing and compliance with the remaining obligations. This will be achieved by requiring in the contract of sale the purchaser to enter into a s.106 Agreement to secure the relevant obligations.

For the above reasons the Committee was asked to approve an amendment to the resolution taking out reference to the legal obligation including Condition 19 and replacing the Informative. Following a short debate, and confirmation that the previously agreed safeguards for access to the nearby wood, and for the protection of local landowners remained in place, it was

Resolved:

1. **To delegate to officers the changes to the Resolution of the Southern Area Planning Committee on 18 November 2010 with wording in similar terms as follows 'That the application be approved as per the officer recommendation, with changes to the requirement under**

point (ii) a scheme for the opening of the wooded area on a trial basis and point (vi) contribution towards the off-site traffic calming measures along Pembroke Road. Condition 19 is to be removed from the list of conditions, therefore the additional condition no. 20 will now become condition 19. This additional condition was added in respect of the fence surrounding the former caretaker's bungalow (Pembroke Park Bungalow) and the fence and works surrounding no. 54 Pembroke Road. That the Informative be replaced with an Informative to inform prospective purchasers of the requirement to enter into a legal agreement to secure 4 affordable housing units and the remaining obligations as set out in the Resolution dated 18 November 2010.

2. That planning permission be granted for the following reasons:

It is considered that this application makes maximum use of the available land, providing a substantive proportion of affordable housing on an otherwise vacant site. The proposal therefore complies with policy H1 of the Salisbury District local plan. The area of open space in the centre of the proposed development is considered adequately compensates for the loss of the previous school playing fields.

The design and layout of the proposal is satisfactory and it is considered complies with policies G1 and G2 of the adopted local plan as well as design policies D1 and D7 as it makes maximum use of the site whilst considering the significant constraints imposed by levels and heights.

It is considered that residential amenity would not be significantly harmed by the proposal as houses facing Jubilee Close are at a lower level and set back 20 M and behind existing trees and shrubs as such it is considered that residential amenity to Jubilee Close will be preserved in line with policy G1 and G2 of the adopted local plan.

The proposal is considered to improve highway safety standards in the vicinity of the proposal by providing funding for off site highway improvements along Pembroke road and closing vehicular access to Penrodduck Close as such the proposal complies with policy TR1 of the saved policies of the adopted local plan.

The site will make provision for 40% affordable housing on site of which a substantial proportion is proposed as council built housing. This will help meet the need for affordable housing within the Southern part of Wiltshire and as such complies with policy H25 of the adopted local plan.

The proposal makes provision for traffic improvements in Pembroke road which will help calm traffic along this highway. In addition it makes provision for the retention and future management of the

woodland area to the east of the site. It is considered that the proposal accords with policies G1, G2, H1, H22 and H25 of the saved policies of the adopted local plan.

And Subject to the following CONDITION (S):

1. The development hereby approved 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 Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2. 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 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.

REASON: To secure a harmonious form of development.

POLICY G2

3. 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. 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.

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

POLICY G2

4. Prior to the commencement of development an ecological management plan shall be submitted to and approved in writing by the local planning authority such a plan shall include an evaluation of ecological site features; a summary of ecological objectives proposals to protect ecological features, management and maintenance prescriptions, implementation and funding and a 5 year schedule of works including the monitoring and review of the plan.

The approved details of the 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

5. Prior to commencement of development a badger protection method statement shall be submitted to and approved in writing by the local planning authority. Such a protection method statement shall demonstrate the measures that will be taken to ensure badgers are not affected by the construction works. The development shall be carried out in accordance with the details approved.

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

POLICY G2

6. Prior to the commencement of development a reptile protection method statement shall be submitted to and approved in writing by the local planning authority. Such a protection method statement shall demonstrate the measures that will be taken to ensure reptiles are not affected by the construction works. The development shall be carried out in accordance with the details approved.

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

POLICY G2

7. Prior to the first felling of any trees on site a report shall be submitted identifying those trees that are to be felled and any mitigation measures that are required to protect bats within those trees. Such a report shall be submitted and approved in writing prior to commencement of development any development shall then be carried out in accordance with the details in the report.

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

POLICY G2

8. 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

9. Prior to commencement details for the hard landscaping 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.

POLICY G2

10. Prior to the commencement of development, 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

11. 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

12. No development shall commence 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

13. Development shall not begin 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.

POLICY G5

14. 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.

POLICY G1

15. The development hereby approved shall be undertaken in full accordance with the following approved plans:

**Planning Layout dwg no 0064-2-201_Rev D
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

16. Construction works shall not take place except between the hours of 07.30hrs to 1800hrs on Mondays to Friday and 08:00 to13:00hrs 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

17. Before development commences, 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: and the emergency link shall be provided before the 50th occupation of the dwellings the subject of this permission.

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

18. Prior to the commencement of development, full engineering details of the road layout and construction including longitudinal sections, typical cross sections, road drainage and street lighting shall be submitted for the written approval of the Local Planning Authority; and the road constructed in accordance with these details between each dwelling and the main access junction with Pembroke Road prior to occupation of each dwelling.

REASON: In the interests of highway safety

POLICY G2

19 Details and a scheme for the implementation, in respect of the fence surrounding the former caretaker's bungalow (Pembroke Park Bungalow) and the fence and works surrounding no. 54 Pembroke Road shall be agreed in writing with the local planning authority prior to the commencement of development. The fencing and works shall then be implemented in accordance with the details and the submitted scheme and the fencing retained in perpetuity.

REASON: In order to protect the amenities of the occupiers of Pembroke Park Bungalow, and no. 54 Pembroke Road.

1. 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.

2. 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, Rivers House, Sunrise Business Park, Higher Shaftesbury Road, Blandford Forum, Dorset, DT11 8ST. Tel: 01258 483390 / Fax: 01258 455998.'

21. **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. 22, 23 and 24 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 and 3 of Part 1 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.

22. **Minutes - Part II - meeting held on 9 December 2010**

The confidential minute of the meeting held 09 January 2011 was presented.

Resolved:

To approve as a correct record and sign the minute.

23. **Minutes - Part II - meeting held on 13 January 2011**

The confidential minute of the meeting held 13 January 2011 was presented.

Resolved:

To approve as a correct record and sign the minute.

24. **Circulation of an Exempt item**

The Old Coach House, East Grimstead. Members received an update from the Principal Lawyer, as requested at the last meeting.

(Duration of meeting: 6.00 - 9.30 pm)

The Officer who has produced these minutes is Liam Paul, Democratic Services Officer, of Democratic Services, direct line (01225) 7183716, e-mail liam.paul@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

<p>SOUTHERN AREA PLANNING COMMITTEE 10TH FEBRUARY 2011 SCHEDULE OF ADDITIONAL CORRESPONDENCE</p>

Agenda Item 7

Plans list Item 1 2/2010/1323/PLNG
Donhead St. Mary Parish Council

Planning Application 2/2010/1323/PLNG

I have been instructed by Donhead St. Mary Parish Council to advise you that with regard to the above planning application, although they have no objection to the appropriate provision of a suitable site with associated amenities for gypsy/travellers, they do have the following concerns:

1. Potential increase in traffic on and onto the A30 which will exacerbate the volume of traffic generated by the nearby development of houses and the business park on the East of Shaftesbury.
2. Potential increase in crime during such local events as the Dorset Steam Fair.
3. Use of possible contaminated site.

As the proposed site is hard up against the Wiltshire border we also object to the proposal until Wiltshire Council in co-operation with Dorset County Council have jointly reviewed the proportionate need of the local gypsy/travellers community and has taken into account our concerns above. To this end Donhead St. Mary Parish Council has requested that this Proposal be called into Wiltshire Council's Southern Planning Committee and have been advised that this has been actioned."

Principal Planning Officer (Enforcement) Note:

The former Wiltshire authorities and Swindon BC had their own gypsy and traveller needs assessment (GTAA) prepared in 2006. This informed the regional spatial strategy during which process additional need for gypsy and traveller sites within Wiltshire was identified. The Council has been preparing an authority-wide Development Plan Document (DPD), which would have identified criteria for suitable sites to meet the need before identifying any specific site, however this has not been completed.

**SOUTHERN AREA PLANNING COMMITTEE 10TH FEBRUARY 2011
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Plans list Item 2 S/2010/1285 DEVELOPMENT OF 13 RETIREMENT HOUSES, INCLUDING PROVISION OF CAR PARKING AND LANDSCAPED AREAS AT OPEN SITE BEHIND ANTROBUS HOTEL, KINGS ARMS INN AND LLOYDS BANK, SALISBURY STREET, AMESBURY, SALISBURY, SP4 7AW

1 further letter objecting to the application on the following grounds –

- 1) Still considers the density of the development to be low
- 2) Considers the suitability of the properties for the elderly in terms of wheelchair access to be poor
- 3) Insufficient parking for visitors and other people visiting the site.

Considers the development will be a 'sink estate'

Concern is still expressed about the noise that will occur from the Antrobus Hotel and the Kings Arms hotel which has a nightclub to the rear

Plans list Item 6 S/2010/1764 NEW YOUTH SERVICES AND PUBLIC PROTECTION BUILDINGS, ASSOCIATED CARPARKING AND EXTERNAL WORKS AT FORMER WILTON MIDDLE SCHOOL SITE, THE HOLLOWES, WILTON, SALISBURY, SP2 0JD

Late correspondence S/2010/1764

Representations

One additional third party objection letter has been received on highway safety grounds:

Vehicular access to The Hollowes is restricted; it is a single track road with limited passing places and a blind right hand bend on the proposed entrance to the buildings. Another highways issue is the entrance to The Hollowes from Waterditchampton; this is a blind road left hand turn immediately underneath the railway bridge.

The major concern for the residents is the safety of other road users and pedestrians should this application be granted. There has in past history been a fatality on The Hollowes - with the increased traffic from the school being reopened and the potential for increased traffic to the Youth Services and Public Protection buildings brings with it a concern for the safety of the residents of The Hollowes and other road users.

The residents firmly believe that this planning application should be rejected on the grounds that the highways infrastructure in the immediate area is insufficient for the additional level of traffic the roads will be expected to carry.

ADM Note - Wiltshire Council Highways Department have raised no objections to the application on highway safety grounds.

**SOUTHERN AREA PLANNING COMMITTEE 10TH FEBRUARY 2011
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

**Plans list Item 4 S/2010/1750 ERECTION OF A SINGLE THREE BED DETACHED DWELLING HOUSE AND FORMATION OF NEW ACCESS TO HIGH STREET
AT SITE NEXT TO ROSE & CROWN, HIGH STREET, BULFORD, SALISBURY, SP4 9DS**

Amendment to recommended conditions of approval (omit condition 14)

The officer report recommends condition 14 in relation to lighting the footpath. This was based on the concerns of the Parish Council and a previous suggestion of the applicant.

However, it appears that the applicant is only proposing the availability of the rear wall for a light, not the lighting itself. The applicant's proposal is that it would be installed, maintained and paid for by either Wiltshire Council or the Parish Council.

The Council's highways department has not recommended such a condition and consider that lighting is not necessary. While they would not necessarily object to the lighting, they would be unwilling to pay for it.

The cost to the applicant (and future owner) of installation, maintenance and electricity is likely to be significant. On reflection, it is considered that the imposition of condition 14 is not justified in planning terms. If no lighting is installed, while the footpath may be made slightly more gloomy, it is already dark even without the proposed development.

While the Parish Council's concerns are understood, it is not considered that the absence of lighting to the rear, and the effect on the footpath, is harmful enough to justify condition 14. This condition is therefore not now recommended.

Parish Council response

Appended in full.

**Plans list Item 5 S/2010/1713 TO DEMOLISH AND CLEAR THE EXISTING DERELICT POULTRY SHEDS, SILOS, DWELLING AND VARIOUS OUTBUILDINGS AND THE CONSTRUCTION OF A REPLACEMENT DWELLING, STABLES, MÉNAGE, OFFICE BUILDING, STORAGE BUILDING, NEW ACCESS AND LANDSCAPING
AT SUMMERFIELD HOUSE, BERWICK ST. JAMES, SALISBURY, SP3 4TQ**

Letter from applicant

Appended in full.

**SOUTHERN AREA PLANNING COMMITTEE 10TH FEBRUARY 2011
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

Reference: A: S/2010/1750/FULL dated 24 Nov 10
B: Telecon Clee/Bruce-White 5 Jan 11

DEVELOPMENT SERVICES

For: Mr Charlie Bruce-White
and for: Conservation Officer - Mrs Jocelyn Sage

ENVIRONMENTAL HEALTH

For: Mr Richard Romero

HIGHWAYS

Please pass to the Officer dealing with this application

VERY STRONG OBJECTION

Reasons :-

1. Over-Development of a very small and eccentrically shaped site

- a. The proposed structure would dominate and overshadow the Public Footpath (Bulford ROW 6) that borders the site. This Footpath already tends to be dark and over-shadowed and, as such, frequently attracts acts of hooliganism. This proposed development would exacerbate the problem.
- b. The proposal affords no facility for the turning of motor vehicles on site other than by mechanical means. Since this method of turning is relatively cumbersome, inevitably this would degenerate into the reversing of vehicles in or out of the site, via the site entrance, onto the main road (A3028 - The High Street). The recent development of the road junction with the A303 at Folly Bottom, has resulted (and continues to result) in ever-increasing use of the A3028 by vehicles of all shapes, sizes, and weights and this difficult situation would be compounded by the entrance and exit of vehicles from the site, further complicated by lorry deliveries to the immediately adjacent vehicular entrance to the Public House.
- c. The site, in its entirety, is closely overlooked by the immediately adjacent Public House.
- d. At present, the site serves as a small, green buffer in the centre of a fairly closely developed area; to fill it in a wanton way with this sort of development would be entirely detrimental to the area and its surroundings.

2. Design

The proposed structure is reasonably orthodox in architectural character. Nevertheless, the site lies close to the edge of the Bulford Conservation Area (and therefore subject to more than ordinary consideration) and, since it immediately borders a number of listed buildings of conventional designs appropriate to their day, it would be out of character with its surroundings.

3. Environmental Considerations

- a. The proximity of the site to the Public House and to a lesser (but not negligible extent) to the Working Men's Club raises an environmental objection - both, on occasions and in the ordinary course of events, are sources of substantial noise pollution and concentrations of motor vehicles and people. If allowed to go ahead, the proposed residential house would be a constant source of friction and complaint waiting to happen. The Rose & Crown Public House is a substantial and valuable facility in this Parish and any new development that might jeopardise the facility licence is viewed with dismay by this Council; it is the opinion of this Council (of which the Councillors have a very close grasp of the circumstances and recent events surrounding the Public House), that it would defy common sense to allow new residential development this close to a Public House and its attendant Car Park. The position would be exacerbated by the noise generated by the Public House coolers, that lie on the side of the proposed development, as does the Public

ADDITIONAL CORRESPONDENCE

SOUTHERN AREA PLANNING COMMITTEE 13th January 2011

Page 4 of 7

**SOUTHERN AREA PLANNING COMMITTEE 10TH FEBRUARY 2011
SCHEDULE OF ADDITIONAL CORRESPONDENCE**

House Restaurant to which an external door has to be left open so as to serve as an immediate Fire Exit leading to a narrow path, initially running between the two properties.

b. The proximity to the large and very busy Murco Garage lying immediately to the east of the site raises yet another environmental objection. The comparatively recent development of this substantial Public Filling Station and Shop in the middle of a well-developed residential area, was extremely controversial at the time and only succeeded, after two public appeal proceedings. The Inspector presiding at the appeals at the time commented that, whilst an application for a substantial Petrol Filling Station would not normally be countenanced in the centre of a residential area, there were historical factors that legally could not be gainsaid; to now add to this aberration, by allowing further residential development close to this facility, makes no sense and is opposed by this Council. Apart from fumes, noise, and light pollution, the potential risk, however small, associated with substantial underground fuel storage needs to be taken into account.

4. **Lastly**, it is understood that the Conservation Officer, on this occasion, has raised no objection to this proposal. Council is at a complete loss to understand this, as her objections at the time of a previous proposal (S/2008/358 dated 22 Feb 2008), taking only those factors pertinent to the site itself and its proximity to the Conservation Area, were very closely similar to those stated above. Similarly, Environmental Health objections to previous proposals on this site appear to have been withdrawn for reasons which this Council also finds difficult to understand. The site has a history of refused applications: strong conservation and environmental objections, that, in the past, have always been put forward by the appropriate Departments in the then Salisbury District, appear to have collapsed of little short of exhaustion.

5. To conclude, it cannot be emphasised enough that Bulford Parish Council is wholly and implacably opposed to this new proposal to develop the site for residential purposes: whilst the *material considerations* are considered to be strong enough, Council considers that it would defy common sense to permit this proposed development.

(JBB Clee)
Planning Officer,
Bulford Parish Council.

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Susan Grant
Summerfield House Berwick St James, Salisbury Wiltshire SP3 4TQ

Mrs Judy Howles
Development Services
Wiltshire County Council
The Planning Office
61 Wyndham Road
Salisbury
Wilts
SP1 3AH

Dear Mrs Howles

4 February 2011

Application S/2010/1713/S73 Summerfield House, Berwick St James, Salisbury SP3 4TQ

I write with reference to the above application which I obviously support but would be grateful if you and members of the Southern Area Planning Committee would kindly take the time to read the following comments. **I believe it necessary and appropriate to comment on the Agenda Items and furthermore to correct some of the misleading comments that have been made about the application.**

1. Ref Agenda Item 9e Section 3 – Site Description – and Section 9 – Planning Considerations. The site is currently occupied by one complete timber framed poultry shed and approximately one third of another. (Part of the latter having become unsafe and removed), together with the Dutch barn and a few sundry sheds.
2. Ref Section 8 – Publicity

The Ménage has been constructed in the knowledge of the Planning Officers and is subject to a Deed of Unilateral Undertaking. It utilises an existing concrete base therefore reducing the necessity to tip material which is a condition of the existing permission.

The existing entrance is *not* currently incorrectly sited.

We are unable to demolish all chicken sheds until we have complied with planning conditions. The neighbour who suggests otherwise is mistaken. The sheds are temporarily used to store our possessions. We have no where else to put them. . Indeed if this permission is refused there will be no requirement for their demolition which nobody wants, us included.

We do not have alternative intentions for the site. The *very* few individuals in the village who are trying to assert this are just causing mischief.

The small group of campaigners are well aware that we will submit an *amendment* in view of the new position of the ménage, as are the Planning Officers with whom the *amendments* have been discussed. We have been very open about this. We have never, as one campaigner suggests: “indicated that (we) propose to apply for permission for a *more far reaching amendment* to the plans”. Again, I believe this type of suggestion is just calculated mischief.

The assertion that we have ignored all of the conditions on the planning approval is simply untrue and discussions have been held with your Officers. I have been working through the conditions and at the present time have, I believe, addressed the vast majority. (Including condition 17 – programme of archaeological work following initial visits by a professionally recognised archaeological contractor) They have been **submitted together** (and form part of a recent application) as we could not afford to submit them individually. (Over **twenty** at approximately £80 a submission!) - For your interest only, at the time of writing, the application has **been submitted but not registered.**

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I trust the Planners and Councillors will ignore the apparent unpleasant attempt of one of the campaigners (Stephen Bush) to publically discredit my husband and our business. I am saddened and astounded that some individuals appear to have the arrogance to make their own false assertions about (amongst other things) our financial situation, our aspirations and intentions.

The Councillor's decision should not be allowed to be influenced by confusing inaccuracies and opinion which are banded about by a few vociferous individuals as though they are fact. **Some of the more wealthy and articulate members of our community may not be aware of the realities of steering a relatively new business and a young family through a recession.**

3. The reality of our situation is:

We could not afford to commence the build for economic reasons

This application is nothing more than a request for an extension of time in accord with the relevant section of the Act.

There have been no significant material alterations to planning policy since the original approval

There have been no *significant* material changes to the characteristics of the site and its surroundings that would warrant not permitting an extension of this permission..

Highways have no objection

Ordinarily this application would not have come to Committee but would have been approved under delegated powers.

It is supported by all professional officers.

(If it is not approved then the large ugly buildings on site will be permitted to stay!)

Yours sincerely

Mrs SR Grant

