

## **SOUTHERN AREA PLANNING COMMITTEE**

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**MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 12 JANUARY 2017 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.**

**Present:**

Cllr Fred Westmoreland (Chairman), Cllr Christopher Devine (Vice Chairman), Cllr Richard Clewer, Cllr Brian Dalton, Cllr Jose Green, Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian Tomes and Cllr Ian West

**Also Present:**

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108 **Apologies**

Apologies were received from:

- Cllr Richard Britton
- Cllr Ian McLennan

109 **Minutes of the Previous Meeting**

The minutes of the meeting held on Thursday 3 November 2016 were presented.

**Resolved:**

**To approve as a correct record and sign the minutes.**

110 **Declarations of Interest**

Councillor George Jeans declared a non-pecuniary interest in relation to item 9f S/2003/1016 - due to him sitting on the Western Area Committee of Salisbury District Council when the application had first come for consideration. He stated that he would look at it with a fresh mind.

111 **Chairman's Announcements**

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

112 **Public Participation**

The committee noted the rules on public participation.

113 **Village Design Statement - Steeple Langford**

The Committee considered the contents of the Village Design Statement (VDS) for Steeple Langford.

The Committee noted that Steeple Langford and all involved in the work should be commended for the VDS.

The Chairman proposed the Committee support the VDS going forward as a material consideration. This was seconded by Cllr Hewitt.

**Resolved**

**The Southern Area Planning Committee endorsed the Steeple Langford Village Design Statement as a material consideration for future planning applications.**

114 **Rights of Way - Durnford Paths 8, 25 and 26**

Public Participation

Nick Gallop spoke in Support to the Application

Fiona Curtis spoke in Support of the Application

The Rights of Way Officer presented the report including one representation and one objection received to the making of The Wiltshire Council Durnford Paths 8, 25 and 26 Rights of Way Modification Order 2016 made under Section 53 of the Wildlife and Countryside Act 1981.

The Committee then had the opportunity to ask technical questions of the Officer, of which there were none.

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member, Councillor Hewitt noted that the report showed evidence that the paths had been used for several years.

Cllr Hewitt proposed Support in line with Officer's recommendation; this was seconded by Cllr Devine.

**Resolved**

**The Southern Area Planning Committee Approved the recommendation that the Order be forwarded to the Secretary of State for Environment,**

**Food and Rural Affairs for determination and that Wiltshire Council supports the confirmation of the Order as made.**

115 **Planning Appeals and Updates**

The Committee received details of the appeal decisions as detailed in the report attached to the agenda, for the period 21/10/2016 to 20/12/2016.

**Resolved**

**That the report be received and noted.**

116 **Planning Applications**

117 **14/01986/FUL The White Hart, St John Street, Salisbury, SP1 2SD**

**Public Participation**

Cecile Gemmell spoke in Objection to the Application

Carina Birt spoke in Objection to the Application

Katie Brown (Agent) spoke in Support of the Application

The Senior Planning Officer drew attention to late correspondence circulated at the meeting and introduced the application for alterations and extensions to existing rear extension/courtyard, buildings, to provide function rooms, entrance, and 28 guest, bedrooms. Internal changes and refurbishment, with enhancement of existing parking area. A site visit had taken place earlier in the day. The Officer gave a brief overview of the planning history of the site and previous schemes leading to the current revised scheme and presented the proposal.

The application was recommended for APPROVAL subject to conditions.

The Committee then had the opportunity to ask technical questions of the Officer, it was noted that new fire escapes were included. There were no details on which type of glass would be used in the glazed stairwell.

The Parking Statement submitted detailed that 53 spaces would be provided. The addition of a function room to the site was new, as there had only previously been a meeting room. No comments had been submitted by Salisbury City Council (SCC).

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member, Councillor Tomes pointed out the visual differences between the front of the building to the rear extension built in the 1970's. He noted that the proposal was more suited to other locations outside of Salisbury and its historic environment.

He felt that the proposed extension was not suited in a conservation area; next to a grade II listed building.

With an additional 28 bedrooms and losing 23 car parking spaces, the addition of the extra guests using the function rooms would increase the number of people needing to park. The nearby car park in Brown Street, was a short stay and there were rarely many free spaces.

Noise was an issue to consider, as with the function rooms, this would bring a larger mass of people even closer to the neighbouring residents, adding to the amount of people coming and going, increasing the noise disturbance taking place. The noise management plan would be forgotten in time, windows would still be left open allowing noise to escape.

Cllr Tomes proposed REFUSAL against Officer's recommendation for the following reasons:

- Noise and amenity (related to the function rooms and increased operations of the hotel in close proximity to dwellings, dominance and overlooking of adjacent properties).
- Parking – based on the loss of parking and increase in bedroom numbers.
- Heritage Impact – on listed building and conservation area due to the poor design

This was seconded by Cllr West

The Committee discussed the application noting that the lack of input from SCC Planning Committee was unfortunate. The impact of noise on the houses in close proximity to the extension would be quite substantial. The Committee felt that covering the 1970's extension with a more pleasing design had its merits; however the proposed design was considered by some, not to be appropriate for the conservation area.

The Neighbouring houses back gardens would sit a meter below the car park, so the proposed extension would be over bearing to those gardens.

The function rooms cause a noise issue, as they are pushed away from hotel and towards the neighbouring homes.

**Resolved**

**That application 14/01986/FUL be REFUSED against Officers recommendation, for the following reasons:**

- 1. The White Hart is a substantial Grade II\* listed building located at the heart of the Conservation Area of the historic city of Salisbury and forms a significant part of one of the historic Chequers of the mediaeval settlement. The Planning (Listed Building and**

**Conservation Areas) Act 1990 (Sections 16 & 66) places a statutory duty on the local planning authority for 'special regard' to be given to the desirability of preserving the special interest of listed buildings and their settings. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a statutory duty on the local planning authority that 'special attention' shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The proposed extension to the hotel would result in a further substantial and bulky addition to the original listed building with an uncharacteristic roof form, including an upward extension to the later 1970s block. It is considered that the built form and design of the proposed development would be unsympathetic to the character and setting of the main listed building, would have a negative impact on the setting of the nearby listed buildings and would adversely affect the character and appearance of the Conservation Area. As such, the scheme as submitted is considered to be contrary to Core Policies CP57 and CP58 of the adopted Wiltshire Core Strategy (January 2015); guidance within the PPG and NPPF; and the duty placed on the Council under Sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed building and to pay special attention to the desirability of preserving the character and appearance of the Conservation Area. Having regard to advice in Section 12 of the NPPF (in particular paragraphs 131-135) it is considered that the public benefits of the proposal would not outweigh the resultant harm identified above.**

- 2. The significant bulk and scale of the proposed development would result in a dominant impact on the outlook of surrounding properties in close proximity to the site together with increased levels of overlooking. The proposed expansion of the hotel would also result in an intensification of use of the site with a likely increase in noise and disturbance; in particular that associated with the use of the function rooms, car park and rear service area. As such, it is considered that the proposal would have an adverse impact on the living conditions and amenities for the occupants of surrounding properties (in particular those properties 2- 12 Ivy Street, 82-102 Brown Street and 3-5 St Johns Street in close juxtaposition with site boundary and proposed extensions) contrary to Core Policy 57 of the adopted Wiltshire Core Strategy.**
- 3. The proposed development would result in a significant increase in hotel floorspace, including 2 function rooms and 28 additional guest bedrooms, whilst there would be an overall reduction in the current level of on-site parking available to the hotel. Having regard to Core Policy 64 of the adopted Wiltshire Core Strategy and the aims and objectives of the Wiltshire Local Transport Plan, it is considered that the proposed reduction in the level of on-site parking for the resultant development would be inappropriate;**

where in this busy trafficked location there is pressure on the existing restricted level of on-street parking in the surrounding area; and where it is considered there are no overriding design, conservation and or amenity benefits resulting from the proposed scheme that would outweigh the harm from the significant shortfall in on-site parking provision in this case.

118 **14/01990/LBC The White Hart, St John Street, Salisbury, SP1 2SD**

The presentation and discussion relating to this application was included with the previous application on the agenda - 14/01986/FUL.

The chairman; Cllr Westmoreland moved REFUSAL against Officer's recommendation for the following reason:

- Heritage Impact – on listed building and conservation area due to the poor design

This was seconded by Cllr Devine.

**Resolved**

**That application 14/01990/LBC be REFUSED for the following reason:**

4. **The White Hart is a substantial Grade II\* listed building located at the heart of the Conservation Area of the historic city of Salisbury and forms a significant part of one of the historic Chequers of the mediaeval settlement. The Planning (Listed Building and Conservation Areas) Act 1990 (Sections 16 & 66) places a statutory duty on the local planning authority for 'special regard' to be given to the desirability of preserving the special interest of listed buildings and their settings. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 also places a statutory duty on the local planning authority that 'special attention' shall be paid to the desirability of preserving or enhancing the character or appearance of that area. The proposed extension to the hotel would result in a further substantial and bulky addition to the original listed building with an uncharacteristic roof form, including an upward extension to the later 1970s block. It is considered that the built form and design of the proposed development would be unsympathetic to the character and setting of the main listed building, would have a negative impact on the setting of the nearby listed buildings and would adversely affect the character and appearance of the Conservation Area. As such, the scheme as submitted is considered to be contrary to Core Policies CP57 and CP58 of the adopted Wiltshire Core Strategy (January 2015); guidance within the PPG and NPPF; and the duty placed on the Council under Sections 16 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990 to have special regard to the desirability of preserving listed building and to pay special attention to the desirability of preserving the character and appearance of the Conservation Area. Having regard to advice in Section 12 of the NPPF (in particular paragraphs 131-135) it is considered that the public benefits of the proposal would not outweigh the resultant harm identified above.**

**118a 16/09228/FUL Land at the rear of 82 Britford Lane, Harnham, Salisbury, SP2 8AJ**

Public Participation

Andrew James spoke in objection to the Application

Roger Pragnell spoke in objection to the Application

Richard Harvey (Applicant) spoke in Support of the Application

The Senior Planning Officer drew attention to the late correspondence circulated at the meeting and introduced the application for the proposed development of two detached chalet dwellings and garages. The application was recommended for Approval subject to conditions. It was noted that an application for 9 dwellings on an adjoining site had been approved the previous year.

The Committee then had the opportunity to ask technical questions of the Officer, it was noted that there were no affordable housing contributions because the proposal did not require section 106 contributions.

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member, Councillor Tomes noted that he understood why the applicant wanted to develop their land, however there had been objections from several residents and SCC on the grounds of overdevelopment.

Cllr Tomes proposed REFUSAL against Officer's recommendation on the grounds of Overdevelopment.

This was seconded by Cllr Brian Dalton.

The Committee discussed the application, noting that the nursery development next to the site had already put in a lot of backfill. In comparison to the other plots around the site, this proposal did not equate to overdevelopment and therefore from a planning point of view the application could not be refused on those grounds. It was felt that the proposal was an extension to a reasonable sized development that has already been allowed.

The motion to REFUSE was not carried.

The Chairman; Cllr Westmoreland then moved the motion of APPROVAL in line with Officer's recommendation. This was seconded by Cllr Devine.

Resolved

**That application 16/09228/FUL be APPROVED in line with Officer's recommendation, subject to conditions:**

**(1) The development hereby permitted shall be begun before the expiration of three years from the date of this permission.**

**REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

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

**Arboricultural Impact Assessment and Method Statement dated 19/09/2016, including Tree Protection Plan GH1652b, received by this office 21/09/2016**

**Plan Reference: P16-065 02-02-003, dated August 2016, received by this office 21/09/2016**

**Plan Reference: P16-065 02-03-001, dated August 2016, received by this office 21/09/2016**

**Plan Reference: P16-065 02-03-002, dated August 2016, received by this office 21/09/2016**

**Plan Reference: P16-065 02-05-001, dated August 2016, received by this office 21/09/2016**

**Plan Reference: P16-065 02-05-002, dated August 2016, received by this office 21/09/2016**

**Plan Reference: P16-065 02-02-002A, dated 07/11/2016, received by this office 11/11/2016**

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

**(3) No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.**

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

**(4) No development shall commence on site until 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 first occupied until surface drainage has been constructed in accordance with the approved scheme.**

**REASON: To ensure that the development can be adequately drained.**



**(5) No development shall commence within the area indicated (proposed development site) until:**

- **A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and**
- **The approved programme of archaeological work has been carried out in accordance with the approved details.**

**REASON:** To enable the recording of any matters of archaeological interest.

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

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

**Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.**

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

**REASON:** The site includes the adjacent former Nursery Site and this condition is necessary to ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved.

**(7) The development hereby permitted shall not be first occupied until the first ten metres of the access, measured from the edge of Britford Lane, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.**

**REASON: To ensure that the site access is laid out and constructed in a satisfactory manner.**

**(8) No part of the development hereby permitted shall be first occupied until the access and vehicle turning area has been completed in accordance with the details shown on the approved plans. These areas shall be maintained for these purposes at all times thereafter.**

**REASON: In the interests of highway safety.**

**(9) The dwellings hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. No dwelling shall be occupied until evidence has been issued and submitted to, and approved in writing by, the local planning authority certifying that this level or equivalent has been achieved.**

**REASON: To ensure that the objectives of sustainable development equal or equivalent to those set out in Policy CP41 of the Wiltshire Core Strategy are achieved.**

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

**REASON: In the interests of amenity.**

**(11) The development shall be completed in accordance with the Arboricultural Impact Assessment and Method Statement dated 19/09/2016, including Tree Protection Plan GH1652b, received by this office 21/09/2016.**

**REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.**

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

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

**(13) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995, or the Town and Country**

**Planning Act 1990 (or any Order revoking and re-enacting that Order with or without modification), there shall be no additional windows, rooflights or dormer windows inserted above ground floor level in the roofslopes or gable ends of the dwellings.**

**REASON: To secure adequate standards of privacy for the occupants of neighbouring premises.**

**INFORMATIVE: Private Property/Access Rights**

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

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

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

**INFORMATIVE TO APPLICANT: Community Infrastructure Levy**

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

**INFORMATIVE TO APPLICANT: Archaeology work**

The work should be conducted by a professionally recognised archaeological contractor in accordance with a written scheme of investigation approved by this office and there will be a financial implication for the applicant.

**INFORMATIVE TO APPLICANT: Dorset & Wiltshire Fire & Rescue**

The applicant should be made aware of the letter received from Dorset & Wiltshire Fire & Rescue Service regarding advice on fire safety measures.

**This letter can be found on the application file which can be viewed on the council's website against the relevant application record.**

**INFORMATIVE TO APPLICANT:**

**No burning of waste or other materials should take place on the development site during the demolition/construction phase of the development.**

119 **16/09446/FUL Mayfield, White Way, Pitton, SP5 1DT**

Public Participation

James Mardon spoke in Objection to the Application

Chris Juhkental (Applicant) spoke in Support of the Application

Cllr Rod Coppock – Chair of Pitton PC spoke in Objection to the Application

The Planning Officer introduced the application for Rear extension and raise roof to provide rooms within roof space. The application was recommended for approval with conditions.

The site was adjacent to a conservation area, in an adopted core policy housing boundary area.

Planning permission had been granted in March last year for a two storey dwelling next door, for a property named Journey's End.

A site visit had taken place earlier that day.

The Committee then had the opportunity to ask technical questions of the Officer, it was noted that the development at the neighbouring property named Journeys End would be built on the existing footprint.

Members of the public then had the opportunity to present their views as detailed above.

Concerns were expressed by a third party with regards to the accuracy of the Officer's report, however the case Officer presented slides to clarify this point showing the relative heights of the application dwelling to adjacent dwellings, and explained that the dwelling as enlarged would be above the height of Journeys End to the south east.

The Unitary Division Member, Councillor Devine thanked Chairman of Pitton parish council for coming to present their views. He noted that Pitton was a unique village which had not been overrun by development of its bungalows.

He felt the parking situation was not sufficient, as having three spaces in a line was not practical in that section of the village. He suggested that the applicant listen to neighbours and bring back a proposal more in keeping with the village.

Cllr Devine proposed refusal against Officer's recommendation on the grounds of the inappropriate parking arrangement. This was seconded by Cllr West.

The Committee discussed the application, noting that the proposed parking arrangements were unrealistic, as to juggle cars out on to a busy road was not practical, as it sits on the narrowest point of the road. Officers should have a proper plan on how parking would work on the site.

The proposed development was approximately 80% larger than the original property. From a planning point of view there were already other properties along the road which were two storeys, with Journeys End about to become 1.5 storeys, so to say that a chalet bungalows did not fit here was not valid.

There was room for an extension on this bungalow; however something would need to be worked out in terms of parking. And a condition could be put in to request this.

The motion for REFUSAL was not carried.

The Chairman Cllr Westmoreland then moved APPROVAL subject to the addition of a condition to request a revised Parking Plan which would incorporate room for parking and turning in front of the property to allow vehicle to leave in a forward direction. This was seconded by Cllr Hewitt.

**Resolved**

**That application 16/09446/FUL be APPROVED as per Officer's recommendation with the addition that the Applicant submit a revised Parking Plan; which would incorporate room for parking and turning in front of the property to allow vehicles to leave in a forward direction, to be approved by Highways before a decision is issued. Once a suitable plan has been received, a planning condition shall then be imposed related to the amended parking area.**

**and with 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 hereby permitted shall be carried out in accordance with the following approved plans and documents:**

**Application Form**

**Location Plan**

**Block Plan**

**Drawing No. 16053/1 G F Plan**

**Drawing No. 16053/2/A F F Plan**

**Drawing No. 16053/3/A Elevations**

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

**3) The brick and roof tile to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.**

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

**4) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the southeast or northwest roof slopes of the development hereby permitted.**

**REASON:** In the interests of residential amenity and privacy.

**5) No development shall commence on site until a scheme for the discharge of surface water from the site, incorporating sustainable drainage details together with permeability test results to BRE365 with determination of ground water levels to allow at least 1m of unsaturated soil between the base of any soakaway to the top level of groundwater taking into account of seasonal variations, has been submitted to and approved in writing by the Local Planning Authority.**

**REASON:** To ensure that the development can be adequately drained

**6) The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.**

**REASON:** To ensure that the development can be adequately drained

120 **16/05643/FUL Land to the rear of 22-30 High Street (The Old Garden Centre) and 98 Crane Street, Salisbury**

Public Participation

Margaret Reese spoke in Objection to the Application

John Collins spoke in Objection to the Application

Dan O'Boyle spoke in objection to the Application

Philip Villars (Agent) spoke in support of the Application

The Senior Planning Officer introduced the application for Change of use of existing retail unit/storage for restaurant use, extensions, landscaping and public access onto Avon riverside path and servicing access. The application was recommended for Approval with conditions.

The site was in a conservation area and secondary shopping area.

The Committee then had the opportunity to ask technical questions of the Officer, it was noted that the vehicular entrance would be located on Crane Street, via a gated building, which was next to a protected wall. The conditions in the report included the inclusion of a scheme for safety bollards to protect the wall and the buildings either side.

Riverside walk was partly owned by the applicant and partly by SCC, which had indicated support for the proposals.

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member, Councillor Hoque was not in attendance

The Chairman; Cllr Westmoreland proposed approval in line with Officer's recommendation. This was seconded by Cllr Devine.

The Committee discussed the application, noting that this part of the river front was a missed opportunity for development. However the vehicular access on Crane Street presented issues. Deliveries would either block the road or have difficulty turning in at that point of the narrowing road. The pedestrian path also crossed the route and vehicles using the access would not be able to see people using the path until they had driven out across it.

The site was a derelict site in the city centre, ripe for development, however the entrance on Crane Street did not work.

The motion for APPROVAL was not carried.

Cllr Clewer then moved REFUSAL against Officer's recommendation for the following reasons:

- Poor design of the proposed building and access onto Crane Street, and the subsequent impact on the area, contrary to CP57 & 58.

### **Resolved**

**That application 16/05643/FUL be REFUSED against Officer's recommendation; for the following reasons:**

- **Poor design of the proposed building and access onto Crane Street, and the subsequent impact on the area, contrary to CP57 & 58.**

### **Reasons for Refusal:**

**98 Crane Street is an unlisted building in the Salisbury Conservation Area. The proposal requires the demolition of this building to provide service access for the development. The late 19th century exterior of the building**

**makes a positive contribution to the streetscape and the setting of nearby listed buildings and the Conservation Area. The approach to the access from Crane Street is physically restricted on each side by the boundary wall to the Masonic Hall and the flank wall of 96 Crane Street, which is a Grade II listed building.**

**The proposed replacement building would be of a "gatehouse" design, with no specific proposed use or occupier. It would comprise a timber gated access on the ground floor to enable delivery vehicles up to 7.5 tonnes in size to access the delivery yard.**

**The design and functional requirements of the proposed replacement building mean that it would not provide the same quality of aesthetic value as the original building to be demolished. The replacement building attempts to retain elements of the mass and scale of the original building whilst also trying to articulate itself as a gatehouse, resulting in a confusion of architectural styles which is considered to be unsuitable for this sensitive location. The resulting change in character in the active, street frontage from a publicly accessible beauty salon to a gatehouse is considerable and would be detrimental to the streetscene. The necessary bollards or similar barrier scheme to protect adjacent buildings and structures from manoeuvring vehicles is also likely to appear cluttered within the streetscene.**

**98 Crane Street is considered to be a non designated heritage asset and its demolition and replacement as proposed is likely to have a negative impact on the character of the Conservation Area. There are no public benefits arising from the development that would outweigh this harm. The proposal would therefore be contrary to the Wiltshire Core Strategy Core Policy 57 (i), (iii), (iv), (vi) and (ix), Core Policy 58, paragraphs 134, 135 and 128 of the NPPF and sections 66 and 72 of the Planning (Listed Building and Conservation Areas) Act 1990.**

**121 S/2003/1016 - E V Naish Ltd, Crow Lane, Wilton, SP2 0HD**

Public Participation

Mark Blackburn spoke in Objection to the Application

David Von Zeffman spoke in Objection to the Application

Keith Crockett spoke in Objection to the Application

Gavin Hall spoke in Support of the Application

Geoff Naish spoke in Support of the Application

Cllr Trevor Batchelder spoke from Wilton Town Council, in Objection to the Application.

The Senior Planning Officer drew attention to late correspondence circulated at the meeting and introduced the application for Demolition of Existing Buildings to Facilitate the Mixed Use Development of the Site to Provide 61 Residential Units, Two Commercial Units of B1 Use, One Retail Unit, and Associated Car Parking. The application was recommended for Approval.



There were two current access points to the site. One of which was not currently used by the owner.

As the development was subject to a feasibility study, the elements up for consideration at the meeting were the access and the number of dwellings.

A site visit had taken place earlier that day.

The Committee then had the opportunity to ask technical questions of the Officer, it was noted there was no affordable housing was offered by the applicant as part of the scheme. The applicant wanted to know whether they would get permission for the scheme before he carried out a feasibility study.

Affordable housing was separate to CIL and it would be possible to ask for an education contribution. The Education authority would want some from this development.

Members of the public then had the opportunity to present their views as detailed above.

The Unitary Division Member, Councillor Edge noted that he called the application in because of the impact on the centre of Wilton. He was disappointed to see the old building was due to be removed. However the continuation of industrial use on this site was not viable.

The Crow lane access was often hit by large lorries, causing damage to buildings either side. In his view, the development would ease traffic congestion. He noted that access from the C&O tractor site was due to come available in the near future, this could be considered as an alternative.

He confirmed that emergency vehicles could currently access the site and would still be able to in the future.

A Flood protection investigation has been worked on and there had been lots of negotiations on putting forward a proposal.

The Old coach works was next to a listed building on the site, any development would need to maintain some access for that resident. He asked the Committee to move approval with conditions.

Cllr Fred proposed Approval in line with Officer's recommendation. This was seconded by Cllr Hewitt.

The Committee discussed the application, noting that the site was not suitable for industrial use any longer. The applicant intended to move the business to another site where the existing staff could be taken on.

There were access problems due to the narrow width of Crow Lane and North Street.

This site was ripe for development; however the Committee felt that an affordable housing allocation should be included. There was also no public transport contribution and flooding was also a consideration which it was thought could be addressed.

It was noted that SSSI had not been ignored, and was included in the report.

If the agreement could not be reached on the viability in 6 months then the development would be refused.

The motion for APPROVAL was not carried.

Cllr Devine moved the motion for REFUSAL against Officer's recommendation for the reasons as set out in the decision below.

This was seconded by Cllr Tomes.

**Resolved**

**That application S/2003/1016 was REFUSED against Officer's recommendation for the following reasons:**

- 1. The precautionary approach adopted by The National Planning Policy Framework is that the overall aim of decision-makers should be to steer new development to Flood Zone 1 and a 'Sequential Test' must be undertaken to see whether there are alternative lower risk sites that could accommodate the development. The proposal is for a 'more vulnerable' form of development proposed within Flood Zone 2/3. The NPPF makes clear that such development should be located in Flood Zone 1 unless it can be demonstrated that no such sites are available.**

**The council can demonstrate that there is a readily available and deliverable 5-year supply of housing land in Flood Zone 1, the zone of least risk, within the Local Planning Authority area to meet the housing development needs of the area. South Wiltshire has 5.69 years of deliverable housing land supply and therefore there is no urgent or immediate need for further housing to be permitted on this site to meet strategic requirements.**

**The applicant has not demonstrated that the site should be brought forward for housing development ahead of other sites in Flood Zone 1. The proposal would therefore represent an unacceptable form of development with particular regard to its flood zone location, the flood vulnerability of the residential development and the sequential test of the NPPF, NPPG and contrary to Core Policy 67 of the Wiltshire Core Strategy.**
- 2. The applicant has provided a viability assessment dated the 7th April 2016 which outlines the applicants case that the proposed development is not considered to be viable to provide the required contributions for affordable housing and other infrastructure contributions. The local planning authority's assessment of this**

document indicates that there is scope to provide some contributions towards infrastructure requirements associated with the site.

Therefore the proposed development, does not make provision for 40% affordable housing on site as required by core policy 43 of the Adopted Wiltshire Core strategy nor does it make provision for other infrastructure requirements including contributions towards the cost of a traffic regulations order to control parking on the estate, Education contributions towards primary and secondary school education in the area, on site public art contribution or contribution towards waste and recycling as required by core policy 3 of the adopted Wiltshire Core strategy.

3. The site is located in the historic market town of Wilton and will be served by several narrow access roads. The development would result in significant traffic generation which would utilise the existing access points. Traffic generated by this residential development is likely to result in 24 hour use of the site on an ad hoc basis by residents to the detriment of the amenity of neighbouring residential properties situated on these access roads, as such the proposal is considered to be contrary to policy CP57 (vii) of the Wiltshire Core strategy.

Councillors Westmoreland, Clewer and Hewitt requested their dissent of the decision was noted.

#### **121a 16/07192/FUL - E V Naish Ltd, Crow Lane, Wilton, SP2 0HD**

The presentation and discussion relating to this application was included with the previous application on the agenda – S/2003/1016.

The Chairman moved Officer's recommendation for APPROVAL in line with Officer's recommendation; this was seconded by Cllr Hewitt.

The motion was not carried.

Cllr Devine moved the motion for REFUSAL against Officer's recommendation for the reasons as set out in the decision below.

This was seconded by Cllr Tomes.

#### **Resolved**

**That application 16/07192/FUL was REFUSED against Officer's recommendation for the following reasons:**

4. The precautionary approach adopted by The National Planning Policy Framework is that the overall aim of decision-makers should be to steer new development to Flood Zone 1 and a 'Sequential

**Test' must be undertaken to see whether there are alternative lower risk sites that could accommodate the development. The proposal is for a 'more vulnerable' form of development proposed within Flood Zone 2/3. The NPPF makes clear that such development should be located in Flood Zone 1 unless it can be demonstrated that no such sites are available.**

**The council can demonstrate that there is a readily available and deliverable 5-year supply of housing land in Flood Zone 1, the zone of least risk, within the Local Planning Authority area to meet the housing development needs of the area. South Wiltshire has 5.69 years of deliverable housing land supply and therefore there is no urgent or immediate need for further housing to be permitted on this site to meet strategic requirements.**

**The applicant has not demonstrated that the site should be brought forward for housing development ahead of other sites in Flood Zone 1. The proposal would therefore represent an unacceptable form of development with particular regard to its flood zone location, the flood vulnerability of the residential development and the sequential test of the NPPF, NPPG and contrary to Core Policy 67 of the Wiltshire Core Strategy.**

- 5. The applicant has provided a viability assessment dated the 7th April 2016 which outlines the applicants case that the proposed development is not considered to be viable to provide the required contributions for affordable housing and other infrastructure contributions. The local planning authority's assessment of this document indicates that there is scope to provide some contributions towards infrastructure requirements associated with the site.**

**Therefore the proposed development, does not make provision for 40% affordable housing on site as required by core policy 43 of the Adopted Wiltshire Core strategy nor does it make provision for other infrastructure requirements including contributions towards the cost of a traffic regulations order to control parking on the estate, Education contributions towards primary and secondary school education in the area, on site public art contribution or contribution towards waste and recycling as required by core policy 3 of the adopted Wiltshire Core strategy.**

- 6. The site is located in the historic market town of Wilton and will be served by several narrow access roads. The development would result in significant traffic generation which would utilise the existing access points. Traffic generated by this residential development is likely to result in 24 hour use of the site on an ad hoc basis by residents to the detriment of the amenity of neighbouring residential properties situated on these access roads, as such the proposal is considered to be contrary to policy CP57 (vii) of the Wiltshire Core strategy.**

Councillors Westmoreland, Clewer and Hewitt requested their dissent of the decision was noted.

122 **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 11.16 pm)

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

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

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