

## SOUTHERN AREA PLANNING COMMITTEE

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**MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 30 MAY 2017 AT ALAMEIN SUITE - CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.**

**Present:**

Cllr Fred Westmoreland (Chairman), Cllr Richard Britton (Vice Chairman), Cllr Brian Dalton, Cllr Matthew Dean, Cllr Christopher Devine, Cllr Jose Green, Cllr Mike Hewitt, Cllr Sven Hocking, Cllr George Jeans, Cllr Ian McLennan and Cllr John Smale

**Also Present:**

Cllr Atiqul Hoque and Cllr Darren Henry

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170 **Apologies**

There were none.

171 **Minutes of the Previous Meeting**

The minutes of the meeting held on Thursday 6 April 2017, were presented.

**Resolved:**

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

172 **Declarations of Interest**

There were no declarations from members of the Committee, however; Unitary Division Member, Cllr Atiqul Hoque declared a pecuniary interest in item 7a, that item would be addressed by Cllr Clewer in his place.

173 **Chairman's Announcements**

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

174 **Public Participation**

The committee noted the rules on public participation.

Cllr Devine wished to ask a question to the Committee, the Chairman noted the rules on submitting questions with the deadlines for doing so as detailed on the agenda. Cllr Devine would submit his question to the next meeting.

175 **Planning Appeals and Updates**

The Committee received details of the appeal decisions as detailed in the agenda for the period 24/3/17 to 19/5/17.

Clarification on the split decision was sought.

Answer: This was an application in Castle Street, which had different aspects to it, including external illuminated signs and for the painting of the exterior of the building. The Planning Officer had allowed some aspects but refused the painting of the front of the building.

**Resolved:**

**That the report be noted.**

176 **Planning Applications**

177 **16/09793/FUL - 90 Fisherton Street, Salisbury, Wiltshire, SP2 7QY (Baroushka)**

Public Participation

Major Michael Hawtrey spoke in objection to the application

Dr John Avery Jones CBE spoke in objection to the application

Geoffrey Bennetts spoke in objection to the application

Tony Allen (agent) spoke in support of the application.

The Planning Officer, Christos Chrysanthou introduced a report which recommended that the retrospective application for retention of a single storey outbuilding, extension of an existing single storey outbuilding, and a single storey rear extension to create a cold store. With upgrading of extraction equipment to roof on first floor (rear) and erection of closed boarded fence and flue enclosure, be approved.

Key details were stated to include the impact to the conservation area, and that numerous objections had been received. The previous application had been refused, due to the impact of the extraction equipment in terms of noise and odour.

This application had now submitted a noise and odour level assessment. The proposals now complied with required levels and was not considered to be of a negative impact.

The noise report indicated that the new system was ten decibels lower than the old system. The current fence was not continuous so would need to be replaced. The applicant had agreed to timber clad the outbuildings and stain the fence with a colour agreed by the Planning Authority.

Following complaints regarding noise levels, noise recording equipment had been placed in a resident's flat, where it did not record anything above the levels considered to be a nuisance.

Attention was drawn to the site visit which had been undertaken earlier that day.

Members of the Committee then had the opportunity to ask technical questions of the Officer. Details were sought whether the back yard was used by customers, it was clarified that it was only used by staff of the restaurant.

It was noted that one of the conditions in the report stated that development should have begun by expiry of 3 years of this application, it was asked whether there was a danger that the applicant could leave the site unchanged for a period of 3 years before anything was changed? It was clarified that this was a standard condition and was followed up with other planning conditions which required the work to be carried out within 3 months. The Committee asked for this to be taken out.

An Environmental Health Officer investigated the noise complaints, and installed recording equipment over a period of 4 days the equipment did not pick up any recordings of the required level to be considered a statutory nuisance.

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

The Unitary Division Member; Cllr Hoque had declared an interest. Cllr Clewer spoke on his behalf, as up until the last election he had represented the next ward to this.

He noted that there had been concern about this site. Although this had been a restaurant for many years, there had also been residents there prior to the alterations which had taken place.

The development concerned the entirety of the rear of this property, and was of a poor standard. This was a case of over development. He suggested that perhaps it would be favourable if the structures had been fitted together as part of one building at the end of the main building but not at the end of the garden.

The site was in the city centre, overlooked by a lot of other properties. Even when a building meets the requirement, it can still be intrusive, especially where you have a lot of residents in flats. He urged the Committee to refuse the application and to ask the applicant to go away and come back with another development proposal which suited the city centre.

Cllr Devine then moved the motion for approval, in line with the Officer's recommendation this was seconded by Cllr Dean.

Cllr Devine noted that people living near a restaurant, should expect that it will operate as a restaurant. The improvements to the extraction unit would be of benefit, and the fence would be improved with a coat of paint. Sympathy with residents but the applicant is working within the guidelines.

A debate the ensued where key points were raised including; that the colour of the fence had been suggested as gun metal grey, however this could be changed with a condition.

This was a retrospective application as the applicant had already erected the structures. If this was an application for proposed works, then how would the Committee vote. It was felt that this was a disregard of the planning process, which in this case had not been followed.

The fencing did not comply with the requirements and should be continuous.

The site was in a conservation area, we all want Salisbury to look better, and be improved as time goes on. It was recognised that restaurants needed to flourish also, however the prefab buildings would not get permission if they came as an application today, and the wiring had not been carried out correctly.

The application would be considered on the planning merits of what was before us today. Previous reasons for refusal have been addressed. The out buildings were not attractive. It was important that if the application was supported then the conditioning should be carefully considered to mitigate the poor quality of those buildings.

The business had been there for over 50 years. The buildings at the rear had been put up ad-hoc over the years, with no planning design, and no history of when they were built. Sec 7 NPPF & CP57, CP58 regards high quality design. This was not a properly designed feature, taking in to account its surroundings.

The Committee voted on the motion of Approval subject to conditions. This motion was not carried.

The Chairman moved the motion of refusal, this was seconded by Cllr Smale.

### **Resolved**

**That Planning Permission be refused for the following reasons:**

**The single storey outbuilding, extension of the existing single storey outbuilding, single storey cold store and close boarded fence and flue enclosure are considered to be poorly designed by reason of their materials, siting and layout. Part 7 of the National Planning policy framework states that it is important to plan positively for the achievement of high quality and inclusive design for all development including individual buildings, public and private spaces. It is considered that these buildings situated as they are within the Salisbury conservation area and visible in public view along the river from Fisherton Street and neighbouring residential properties at Steynings house do not meet the**

high quality of design required by the NPPF for such a development. The buildings appear as a jumble of unrelated utilitarian structures and the fence at first floor level a prominent and unsightly feature out of character with the conservation area, as such the development is considered to be contrary to part 7 the NPPF, as well as core policies CP57 and CP58 of the Wiltshire Core strategy which require developments to achieve a high standard of design.

178 **16/11817/FUL - Land at Grove House, Maddington Street, Shrewton**

Public Participation

Ian Sawyer spoke in objection to the application

Phil Sheargold spoke in objection to the application

Martin Pennell spoke in objection to the application

Aaron Smith (Agent) spoke in support of the application

Cllr John Berry spoke on behalf of Shrewton Parish Council

The Planning Team Leader; Adam Madge introduced a report which recommended that the application for the erection of 3 new dwellings with parking and landscaping, be approved.

Key details were stated to include that most of the trees outlined would be retained around the site, some with TPOs. The out building on the site had some character and would be retained, whilst some other outbuildings would be demolished.

The objections received from neighbours, had asked about flooding on the site, however following consulting the Environment Agency, they had not raised any objections to this application. A flooding map was included in the report and detailed that flooding extends to the front of the site.

Attention was drawn to the site visit which had been undertaken earlier that day.

Members of the Committee then had the opportunity to ask technical questions of the Officer.

It was noted that the development was liable for CIL, this would be dealt with outside of the planning process, once works commence on site.

A study carried out had identified a potential for bats in the old building, but not in the other buildings. There were no proposals for street lighting.

A Neighbourhood Plan had not yet been adopted for Shrewton.

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

Shrewton Parish Council stated their objections to the application, which had also been detailed within the report.

The Unitary Division Member; Cllr Darren Henry then spoke and explained that it was called in by his predecessor Cllr West, so he did not wish to comment.

The Chairman, Cllr Westmoreland then moved the motion for approval, this was seconded by Cllr Hewitt.

A debate the ensued where key points were raised including, that there was a footpath on either side of the entrance, which was better than most.

There had been no objections from the consultees, and the size of the plot would take the development of this size well. None of the neighbouring properties appeared to have enormous gardens either.

It would not be possible to apply the condition for a bat survey on the barn unless the applicant was planning to do work in it.

### **Resolved**

**That Planning Permission be granted 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:**

**Application Form & Certificate**

**Ref: 8821/100 Rev F – Site, Block, Location Plans & Street Scenes. Received – 14.03.2017**

**Ref: 8821/101 Rev C – Floor Plans & Elevations Unit 1. Received – 14.03.2017**

**Ref: 8821/102 Rev C – Floor Plans & Elevations Units 2 & 3. Received – 14.03.2017**

**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 details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys, dormers and canopies 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.

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

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 7 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.

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

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

- 9** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B, C or E shall take place on the dwelling houses hereby permitted or within their curtilage without the prior grant of planning permission from the local planning authority.

**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.

- 10** 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 windows, doors or other form of openings other than those shown on the approved plans, shall be inserted in the northern or southern elevations of the new dwellings hereby permitted.

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

- 11** Before the development hereby permitted is first occupied all of the first floor windows annotated with OG on the approved plans, shall be glazed with obscure glass only [to an obscurity level of no less than level 5] and shall be fitted to be top hung only. The windows shall be maintained as such with obscure glazing in perpetuity.

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



- 12 The retained outbuilding on the northern boundary of the site (labelled barn on the approved plans) shall not be occupied at any time other than for purposes incidental to the residential use of the dwelling, known as Plot 1 and it shall remain within the same planning unit as that dwelling.**

**REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.**

- 13 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 windows, doors or other form of openings, shall be inserted in the northern elevation of the retained outbuilding on the northern boundary of the site (labelled barn on the approved plans)**

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

- 14 No development shall commence on site (including any works of demolition), until a Construction Method Statement has been submitted to, and approved in writing by, the Local Planning Authority. The Construction Method Statement shall include details of the following:**

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

**The development shall be constructed in strict accordance with the approved statement throughout the construction period.**

**REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority**

before development commences in order that the development is undertaken in an acceptable manner, to minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

- 15 No development shall commence on site until a Construction Environmental Management Plan (CEMP) has been submitted to and approved in writing by the local planning authority. The CEMP shall provide details of the measures that will be implemented during the construction phase to protect the River Avon Special Area of Conservation (SAC) and protected/priority species and habitats.

**REASON:** To ensure adequate protection and mitigation for the River Avon SAC and protected and priority species and habitats, and to accord with wildlife legislation and policy and Policies CP50 and CP69 of the Wiltshire Core Strategy.

- 16 No development shall commence on site until a scheme for the discharge of foul water from the site, including any offsite capacity works together with all third party permissions/agreements has been submitted to and approved in writing by the Local Planning Authority. The development shall not be occupied until foul water drainage has been constructed in accordance with the approved scheme including any offsite improvement works

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the development can be adequately drained without increasing flood risk to others

- 17 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 (testing to BRE 365 and determination of ground water levels) together with all third party permissions in place, has been submitted to and approved in writing by the Local Planning Authority. The plan must demonstrate that there will be no adverse impact upon the River Avon. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme

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

can be adequately drained without increasing flood risk to others; and to ensure adequate protection of the River Avon

- 18 No development shall commence on site until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the agreed scheme.

**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 sustainable development and climate change adaptation.

- 19 No development shall take place on site, including site clearance, storage of materials or other preparatory work, until an Arboricultural Method Statement, has been submitted to the Local Planning Authority and approved in writing, Thereafter the development shall be undertaken only in accordance with the approved details.

- The Arboricultural Method Statement shall show the areas which are designated for the protection of trees, hereafter referred to as the Root Protection Area (RPA). Unless otherwise agreed, the RPA will be fenced, in accordance with the British Standard Guide for Trees in Relation to Construction (BS.5837: 2012) and no access will be permitted for any development operation.
- The Arboricultural Method Statement should specifically include details of how the driveway can be constructed within the RPA of the adjacent Yew tree without causing root damage. Furthermore, timing should be considered to ensure the roots of the Yew are not damaged by compaction (by vehicle movement) until the special surfacing is put in place.
- The Arboricultural Method Statement shall include provision for the supervision and inspection of the tree protection measures. The fencing, or other protection which is part of the approved Statement shall not be moved or removed, temporarily or otherwise, until all works, including external works have been completed and all equipment, machinery and surplus materials removed from the site, unless the prior approval of the Local Planning Authority has been given in writing.

**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, and to comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990, so as to ensure that the amenity value of the most important trees, shrubs and hedges growing within or adjacent to the site is adequately protected during the period of construction.

- 20 The outbuilding on the northern boundary of the site (labelled as 'barn' on the approved plans), which is a confirmed bat roost, shall be retained in accordance with the details set out within the Ecological Appraisal, (dated March 2017 and prepared by All Ecology Ltd)

**REASON:** To ensure adequate protection of the confirmed bat roost.

- 21 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

**REASON:** To ensure adequate protection of and mitigation for the confirmed bat roost

#### **INFORMATIVES**

- 1 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).
- 2 Please note that the outbuilding that is to be retained which is situated on the northern boundary of the site (and labelled barn on the approved plans), has been found to support a bat roost. Bats are protected by law and if any works are proposed to this building in the future, will need to be undertaken in full consultation with a qualified ecologist and/or Natural England.
- 3 In accordance with condition 17, the development hereby approved should include water efficient systems and fittings. These should include dual-flush toilets, water butts, water-saving taps, showers and baths, and appliances with the highest water efficiency rating (as a

minimum). Greywater recycling and rainwater harvesting should be considered.

- 4 In order to satisfy condition 17, details will need to be submitted which include a water usage calculator showing how the development will not exceed a total (internal and external) usage level of 110 litres per person per day
- 5 Please note that a separate application will need to be made to the Environment Agency under the Land Drainage Act in relation to any works within 8m of a main river
- 6 Please note that a separate application will need to be made to the Lead Local Flood Authority under the Land Drainage Act in relation to any works within 8m of an open or culverted ordinary water course
- 7 Please note that a separate application will need to be made to the Lead Local Flood Authority under the Land Drainage Act in relation to discharge location and rates to any water course
- 8 please note that in addition to any other permission(s) that you may have already obtained (e.g. planning permission), you may need an environmental permit for flood risk activities (formerly known as Flood Defence Consent prior to 6 April 2016) if you want to carry out work:
  - in, under, over or near a main river (including where the river is in a culvert)
  - on or near a flood defence on a main river
  - in the flood plain of a main river
  - on or near a sea defenceFor further information and to check whether a permit is required please visit: <https://www.gov.uk/guidance/flood-risk-activities-environmental-permits>. Or contact your local Environment Agency FRA Permitting Officer, [daniel.griffin@environment-agency.gov.uk](mailto:daniel.griffin@environment-agency.gov.uk) / [yvonne.wiacek@environment-agency.gov.uk](mailto:yvonne.wiacek@environment-agency.gov.uk)
- 9 The applicant's attention is drawn to the comments made in the letter dated 1<sup>st</sup> February 2017 from the Dorset & Wiltshire Fire & Rescue Service

It was noted that now the meetings were to start at 3.00pm, the Committee requested that a Highways Officer attends future meetings to answer any highways related queries.

179 **17/00829/FUL - Old Airfield Site, Bells Lane, Stourton**

Public Participation

Julia Leadbury spoke in objection to the application  
Graham Loadell spoke in support of the application  
Tamsin Holmes spoke in support of the application

Cllr David Marks spoke on behalf of Stourton with Gasper PC.

The Planning Team Leader Adam Madge, introduced a report which recommended that the application for a Store building for wood and woodchip for biomass with associated landscaping works (Resubmission of 16/12294/FUL) be approved.

Key details were stated to include that this would be 4 storey store, with the top half, timber and bottom half concrete with a metal roof. The existing hedgerow would be maintained with additional landscaping planned.

Currently, wood from Stourhead estate was chipped elsewhere. Under the new proposals, the wood would be chipped on site 4 times per year and stored on site.

Attention was draw to the late correspondence circulated at the meeting.

Members of the Committee then had the opportunity to ask technical questions of the Officer.

It was noted that the National Trust had agreed to reinstate the styles at the footpath. The Committee asked for reasonable sized hedges and trees to be planted.

The tree protection orders were only on the first group of trees; the Planning Officer would ask the TPO Officer to look at the other section of trees also.

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

Stourton & Gasper Parish Council noted their objections, as detailed in the report.

The Unitary Division Member; Cllr Jeans then spoke in objection to the application, noting that one of the fears of the local people was that this would, in time be expanded in to a visitor's centre. Reasons for refusal, were the impact on the AONB.

Cllr Jeans then moved the motion for refusal, this was seconded by Cllr Dalton.

A debate then ensued where it was noted that the proposal would be utilising an old concrete base. There had been a reduction from the originally proposed 20 days per year to 4 which was considered a a good compromise.

The countryside was full of noise and agricultural buildings, the National Trust had appeared to have bent over backwards to make sure this would not stand out, along with the reinstatement of the footpath.

The Committee voted on the motion of refusal, this was not carried.

The Chairman, Cllr Westmoreland moved the motion of approval, which was seconded by Cllr Devine.

**Resolved**

**That Planning Permission be APPROVED 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 listed in schedule

**National Trust Stourhead Visitor Access Management Plan June 2008 13579/TR01**

**Impact Assessment Issue 2 by Cawse Design dated 15/12/16 ref 1968-2016-GJC**

**Justification Statement Issue 3 by Cawse Design dated Dec 2016 ref 1969-2016-GJC**

**Design and Access Statement Issue 4 by Cawse Design dated 3/1/17 ref 1967-2016-GJC**

**Letter from T. Holmes, Senior Facilities Co-Ordinator, National Trust, dated 22 March 2017**

**Proposed Location Plan 1300120-P13E dated Dec 2016**

**Proposed Block Plan and Elevations 1300120-P10C dated March 2016**

**Proposed Plan 1300120-P11E dated Dec 2016**

**Landscape Plan 1300120-P9D dated Dec 2016**

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

3. No development shall commence on the biomass store building hereby approved above ground level until the exact details, colours 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 and AONB.**

4. Prior to the development being first brought in to use, a traffic management plan shall be submitted to and approved in writing by the Local Planning Authority. The plan will include details with regards to the number of vehicle movements, types of vehicles, baseline traffic data for the area and a recommended schedule of vehicle movements to help avoid conflict with other road users. The site operations will thereafter be conducted in accordance with the approved plan in perpetuity.

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

5. The wood chipping process hereby approved shall only take place between the hours of 0900hrs and 1800hrs Mondays to Fridays and between 0900hrs and 1300hrs on Saturdays and shall not take place at any time on Sundays and Bank/ Public Holidays

**Reason:** In the interests of neighbouring amenities

6. The wood chipping process hereby approved may occur on a maximum of 4 days per calendar year and shall not generally take place on consecutive days in any calendar year.

**Reason:** In the interests of neighbouring amenities

7. No vehicular deliveries shall be made to or collections made from the development hereby approved except between the hours of: 0900hrs and 1800hrs Monday to Friday and 0900hrs and 1300hrs Saturdays

There shall be no deliveries or collections made to or from the site on Sundays and Bank/ Public Holidays.

**Reason:** In the interests of neighbouring amenities

8. No development shall commence on the biomass store building hereby approved above ground level until a scheme of tree and hedge planting has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities for the south boundary hedge and its future management;



- **Trees of a size and species and in a location on the west boundary to be agreed in writing with the Local Planning Authority, shall be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428**

**REASON:** The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 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 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.

#### **Informatives**

- 1. STGA 12 public footpath: please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site, during or after construction.**
- 2. The applicant is requested to allow the existing hedge running east/west between Bells Lane and the direction of the B3092 Frome Road, to gain height and thickness, for screening purposes. The hedge is interrupted by a field gate when travelling from Bells Lane to the B3092. The hedge needs to thicken and grow from the field gate to Bells Lane Stourton. (Bells Lane Stourton continues to Bells Lane Zeals). With reference to condition 8 above, the applicant may also wish to include details of this hedge in the landscape details submission.**
- 3. The local authority requests that the applicant continues to reassess alternative vehicle routes in future for the transportation of the wood chipping's based on operational experience as per the National Trust's letter to the local planning authority dated the 15<sup>th</sup> May 2017.**

4. **The local authority ask that the wood chipping activity does not exceed 68 -74 DBA when measured at a distance of 50M away from the wood chipper as specified in the details submitted to the local planning authority of the wood chipping operation.**

Members also asked officers that rights of way are notified of the blockage to the right of way.

180 **17/01780/FUL - South View, Nett Road, Shrewton, SP3 4EX**

Public Participation

Leanne Blake spoke in objection to the application

The Senior Planning Officer, Lucy Minting introduced a report which recommended that the application for the proposed detached dwelling with parking (Resubmission of 16/08365/FUL) be approved subject to conditions.

Key details were stated to include that the application followed a previously withdrawn scheme. The scheme before the Committee included lower eaves and ridge height.

Attention was draw to the site visit which had been undertaken earlier that day.

Members of 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 to the Committee as detailed above.

Shrewton Parish Council noted their objections, as detailed in the report.

The Unitary Division Member; Cllr Darren Henry made no comment.

Cllr Hewitt then moved the motion for approval, this was seconded by Cllr Smale.

A debate the ensued where key points were raised including that the concerns relating to the run off, of water from the development would be dealt with under condition 6, as detailed in the report.

**Resolved**

**That Planning Permission be Approved 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:**

**Plan Reference: 1:500 Scale Site Plan, received by this office 22/02/2017**

**Plan Reference: 16054/3 Elevations, Section, Roof Plan, dated 13/02/2017, received by this office 22/02/2017**

**Plan Reference: 16054/1 G F Plan, dated 26/07/16, received by this office 22/02/2017**

**Plan Reference: 16054/2 F F Plan, dated 26/07/16, received by this office 22/02/2017**

**Plan Reference: 1:200 Scale Block Plan, received by this office 28/04/2017**

**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 of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-**

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

**REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission and the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.**

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

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

**(6)** No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/parking areas), 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 water drainage has been constructed in accordance with the approved scheme.

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

**(7)** The gradient of the new parking spaces shall not be steeper than 1 in 15 for the first 5.0m of their length, measured back from the carriageway edge.

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

**(8)** The new dwelling hereby permitted shall not be first occupied until the first five metres of the access/parking areas, measured from the edge of the carriageway (for both the proposed and existing dwelling (No 1 South View), has been consolidated and surfaced (not loose stone or gravel) access and the parking spaces for both the proposed and existing dwelling (No 1 South View) have been consolidated, surfaced and laid out in accordance with the approved details (Plan Reference: 1:200 Scale Block Plan, received by this office 28/04/2017). These areas shall be maintained for those purposes at all times thereafter.

**REASON:** To ensure that adequate provision is made for parking within the site in the interests of highway safety.

**(9)** The new dwelling hereby permitted shall not be first occupied until the area between the nearside carriageway edge and a line drawn 2.0m parallel thereto over the whole site frontage (excepting the new parking area) has been cleared of any obstruction to visibility at or above a height on 1.0m above the nearside carriageway level. The area shall be maintained free of obstruction at all times thereafter.

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

**(10)** The first floor bathroom window in the front elevation shall be glazed with obscure glass only and fitted to be top hung only or fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained as such in perpetuity.

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

**(11)** The dwelling hereby approved shall achieve a level of energy performance at or equivalent to Level 4 of the Code for Sustainable Homes. The dwelling shall not 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.

**(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 windows or other forms of openings inserted above ground floor level in the front or side elevations of the development hereby permitted.**

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

**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: Works on the highway**

The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence will be required from the local highway authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the Council's Vehicle Crossing Team on [vehicleaccess@wiltshire.gov.uk](mailto:vehicleaccess@wiltshire.gov.uk) and/or 01225 713352.

**INFORMATIVE TO APPLICANT: Material Samples**

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

181 **17/02426/FUL & 17/03041/LBC - Poppy Cottage, Downton**

Public Participation

Adam Mussell spoke in support of the application

Jonathon Ross (architect) spoke in support of the application

The Planning Team Leader, Adam Madge introduced a report which recommended that the application for a two storey rear extension (Resubmission of 16/05522/FUL) be refused.

Key details were stated to include that the design has changed significantly with a much more traditional looking first floor design, incorporating a thatched roof.

A previous application had come before the committee in September 2016.

Members of the Committee then had the opportunity to ask technical questions of the Officer.

Details were sought on the broader issues of the application, such as how it would sit with the barn at the back. It was noted that the proposed development would leave a relatively small outdoor space at the rear with the barn already in place. The Conservation Officer had not been in attendance, however it was stated that it was the Conservation Officers concern that the scale of the proposed development including ground and first floor, would impact on this grade 2 listed building.

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

The Unitary Division Member; Cllr Clewer then spoke in support of the application. He felt that the design this time was far more in keeping with the property. The issue, he felt was whether there was a reason to overcome the substantial harm if this was to be approved.

No objections had been received from the parish council, and the Downton Society was extremely supportive of the application.

The Chairman, Cllr Westmoreland then moved the motion for approval, this was seconded by Cllr Smale.

A debate then ensued where key points were raised including that the report makes clear reference that loss of the chimney and barn at the rear of property was not suitable. The Conservation Officer and Natural England had both raised concerns.

This was a family home, not a dwelling house. The development would remove the poor modern 2004 extension and would replace it with something sensitive and in keeping in its place. The current design proposal was a vast improvement on the previous, there were also no neighbour objections.

The Chairman, Cllr Westmoreland moved for Approval, this was seconded by Cllr Smale.

**Resolved**

**That Planning Permission be granted for application 17/02426/FUL, with the following conditions:**

**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.**

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

<b>DRG No. 15/1887/LOC1</b>	<b>10/03/2017</b>
<b>DRG No. 15/1887/OS1</b>	<b>10/03/2017</b>
<b>DRG No. 15/1887/101</b>	<b>10/03/2017</b>
<b>DRG No. 15/1887/102</b>	<b>10/03/2017</b>
<b>DRG No. 15/1887/103</b>	<b>10/03/2017</b>

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

**Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:**

- (i) Large scale details of proposed eaves and verges (1:5 section);**
- (ii) The choice of brick for the herringbone pattern work will be submitted to the local planning authority for approval. Once approved a sample panel of the herringbone brickwork, pointed with lime mortar shall be made available on site and approved in writing by the local planning authority prior to the commencement of the brickwork. The parapets will be capped in Bath stone.**
- (iii) The rainwater goods will be round or half round cast iron and painted.**
- (iv) The render shall be a lime render.**
- (v) A structural report identifying how the new roof will be constructed and what impact it will have on the existing roof at the point of intersection (i.e. how the rafters of the existing roof will be impacted upon).**

**The works shall be carried out in accordance with the approved details.**

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

Prior to occupation of the extension hereby approved, the new roof will be constructed in combed wheat reed with a flush wrap over ridge not a block ridge as indicated on the drawings.

**REASON:** In the interests of preserving the character and appearance of the listed building and its setting.

Notwithstanding the approved drawings, the new windows will be single glazed, flush-framed timber painted windows. Details at a scale of 1:5 including sections (vertical and horizontal) shall be submitted to the Local Planning Authority for approval prior to any works commencing on site.

**REASON:** The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

**Resolved**

That Planning Permission be granted for application 17/03041/LBC, with the following conditions:

1. The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

**REASON:** To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) 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:

DRG No. 15/1887/LOC1	10/03/2017
DRG No. 15/1887/OS1	10/03/2017
DRG No. 15/1887/101	10/03/2017
DRG No. 15/1887/102	10/03/2017
DRG No. 15/1887/103	10/03/2017

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



Cllr McLennan noted his dissent at the decision.

It was also noted that the Committee asked for the Conservation Officer to attend future meetings where they had registered concerns or objections.

182 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 6.15 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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