

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 12 APRIL 2018 AT ALAMEIN SUITE, CITY HALL, MALTHOUSE LANE, SALISBURY, SP2 7TU.

Present:

Cllr Fred Westmoreland (Chairman), Cllr Richard Britton (Vice-Chairman), Cllr Matthew Dean, Cllr Jose Green, Cllr Mike Hewitt, Cllr Sven Hocking, Cllr George Jeans and Cllr Ian McLennan

Also Present:

Cllr Leo Randall
Cllr Atiquel Hoque

266 **Apologies**

Apologies were received from:

- Cllr John Smale
- Cllr Brian Dalton

267 **Minutes of the Previous Meeting**

The minutes of the meeting held on 8 March 2018 were presented.

Resolved:

To approve as a correct record and sign the minutes.

268 **Declarations of Interest**

During debate on application 17/08832/FUL Cllr Dean declared a non-pecuniary interest as the acoustic consultant was known to him. He took part in the discussion and vote on this application.

During debate on application 17/12499/FUL & 18/00274/LBC Cllr Matthew Dean declared a pecuniary interest as he was acquainted with a supplier to the business and opted to leave the room. He did not take part in the discussion or vote on this application. He did not return to consider the last application on the agenda.

269 **Chairman's Announcements**

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

The Committee thanked Senior Planning Officer Matthew Legge for his support and work with the Council, as it was his last meeting.

270 **Public Participation**

The committee noted the rules on public participation.

271 **Planning Appeals and Updates**

The committee received details of the appeal decisions as detailed in the agenda.

272 **Planning Applications**

273 **18/00898/FUL - Land at Ridge Farm, Woodfalls, Salisbury, SP5 2LW**

Public Participation

John Kenny spoke in objection to the application

John Kent spoke in objection to the application

Ben Kelly spoke in objection to the application

Paul Street spoke in support of the application

Cllr John Blocksidge representing Redlynch PC spoke in objection

The Planning Team Leader Adam Madge introduced the report detailing the application for the installation of a 17.5m slimline telecommunications column with 3 no. antennas within shroud, 2 no. 300mm dishes, with installation of 1 no. equipment cabinet and 1 no. meter cabinet and ancillary works within a secure fenced compound, which was recommended for approval subject to conditions.

Attention was drawn to late correspondence circulated at the meeting.

There was already consent for another mast approximately 2m away from the site of the proposed slimline mast, up for consideration today. The one already permitted was of a different style, with a thicker pole, and more columns around the top.

Some trees had been removed on the site since the photos were taken. There were still some trees, but less than shown in the photos.

The nearest property would have two windows facing the mast.

The reason for a new mast was that one had to be taken down in another area, due to redevelopment of the site it was currently on. That was a 2G mast 12m high. The new mast would have 4G capability and was 17.5m high.

Members then had the opportunity to ask technical questions, where it was clarified that if planning permission was granted today, then the slimline mast would be built, however if it were refused then the applicants could go ahead and build a mast 2m from this position.

With regards to the removal of the trees, the Officer confirmed that it was not considered detrimental to the amenity to a degree that he would refuse the application.

The list of sites detailed in the report which were assessed by Vodafone, were accepted as satisfactory by the Officer.

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

Key points raised included that the trees had been completely removed, not partially.

The Parish representative noted that previous correspondence from 2014 detailed Redlynch playing field as a possible site, if agreement with landowners could be reached. The mast suggested for that site was 20m high.

The Division Member, Cllr Leo Randall then spoke in objection to the application, noting that when the previous application first got approval, there was an error on behalf of the PC, and when they started construction some six months later, that was the first time the locals found out it had approval. In that six months they could have been trying to find a better site but nobody knew about it so this was not done.

The Code of best practice for mobile network details public consultation. Specifies that consultation, when local concern, and media interest then there should be significant public consultation on the application.

There should have been site notices and informal drop-ins with leaflets in the local press, all prior to the submission of the planning application. None of that happened. The local authority should be advising the applicant to do all of this, but we are not sure if that happened or not?

I spoke to Mike Wilmot, the Head of Planning and he said there was further information which had been provided to them, however they have had problems getting these documents uploaded to the website. A resident then contacted Cllr Jane Scott, who then extended the response time by 6 days. We were not told. The process has fallen down.

There was a poor mobile signal in Lover and Redlynch. The new position of the mast was the other side of the hill, there will be a worse signal for those villages. To be effective the mast would need to be somewhere along the ridgeline of the hill.

Cllr Matthew Dean noted that he was astonished that they find themselves in a position with a deemed consent in place. He was disappointed with the lack of authority of the Planning team and the agent company's actions.

While mobile phone coverage was important, the infrastructure supporting that coverage needed to be acceptable. He did not feel that the application was

acceptable and the proposed mast would be visible and oppressive and there would be a loss of amenity to villages and local people. He felt that a 17.5m antenna would be of detriment to the village itself.

Cllr Matthew Dean moved the motion of refusal on grounds of loss of visual amenity, and contrary to Core Policies 47, 51, & 58. This was seconded by Cllr Ian McLennan.

A debate then followed, where the key issues raised included that an application could not be refused because of its history, what had gone before was irrelevant.

The refusal of this application would not necessarily lead to Vodafone starting the process again in the correct manner, and the deemed site would remain.

There had been a lack of communication with the village.

The 56 days that had elapsed, without correct procedure and the Planning Team not doing their bit properly, should have been detailed in a report for Committee to consider.

The New Forest National Park Authority had no objection.

The situation was that there was consent for a mast at the site. The difference between the two sites was not a factor as 2m was not a huge amount. We cannot do anything to stop a mast from going there, all we can do is to decide if this one was better than the other one.

The Committee then voted on the motion of Refusal against Officer's recommendation. That motion was not carried.

Cllr Westmoreland then moved the motion of Approval in line with Officers recommendation, this was seconded by Cllr Richard Britton.

The Committee then voted on the motion of Approval.

Resolved

That application 18/00898/FUL be approved subject to the following conditions:

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

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

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

**Drawing number 201 issue G dated 10.01.18, as deposited with the local planning authority on 26.01.18, and
Drawing number 301 issue F dated 10.01.18, as deposited with the local planning authority on 26.01.18, and
Drawing number 100 issue A dated 07.09.16, as deposited with the local planning authority on 26.01.18.**

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

3. All equipment, apparatus and structure(s) hereby approved provided shall, when no longer reasonably required, be removed as soon as reasonably practicable from the land and the land restored to its condition before the development took place.

REASON: To ensure the removal of equipment, apparatus and structures and the restoration of the land when no longer reasonably required, in the interests of amenity.

4. Within three months of the bringing into use of the telecommunication apparatus hereby approved, the existing mast and apparatus at the Skylark Motors site in Woodfalls shall be decommissioned and removed from the site.

REASON: To prevent the proliferation of new telecommunication apparatus, in the interests of the character and appearance of the area, as the justification for this new mast relies partly on the need to replace the mast at Skylar Motors.

5. Before the mast hereby is erected on the concrete slab, details of the external colour paint to be applied to it shall be submitted to and approved in writing by the local planning authority. The mast shall be painted in the approved colour before being brought into use.

REASON: To protect the character and appearance of the area, by ensuring the mast is painted in a suitable colour.

Informative:

The section of hedge from the gateway to a point approximately 3 metres beyond the utility pole should be cut back level with the existing fence. Once construction is complete this section of hedge should be maintained to this standard to ensure that the right of way is not obstructed.

The Committee also requested

1. For the Case Officer write to Vodafone to inform them that it was unhappy with the position it had been put in, to approve one of the masts, and for them to consider putting the mast elsewhere.

2. A report to be sent to Members outlining why the first original application got permission, and what has been done to make sure this sort of mistake did not happen again.

274 **17/10167/FUL - The Grey Fisher, Harnham, Salisbury, SP2 8DW**

Public Participation

Barrie Sutherland spoke in objection to the application
Jerome Renouard spoke in objection to the application
Anne Waddington spoke in objection to the application
Mr Cooper (Agent) spoke in support of the application

The Senior Planning Officer Matthew Legge introduced the report detailing the application for the erection of a two storey, 20 bedroom hotel with associated car parking, cycle parking and landscaping following demolition of derelict garages. The application was recommended for approval subject to conditions.

The applicant would install a 2m high acoustic fence. The height to the ridge was 8m. The windows to north and south were proposed to be obscured glaze.

Attention was drawn to late correspondence circulated at the meeting.

Members then had the opportunity to ask technical questions, where it was clarified that signage and lighting did not form part of this application.

Members of the public then had the opportunity to present their views as detailed above. Some of the main points raised included a lack of signage to control the traffic and parking which created issues at the rear of the premises.

It was noted that the current filter system in the kitchen omitted a strong food smell outside towards the gardens of the residents which was considered as horrific.

The Division Member, Cllr Sven Hocking then spoke in objection to the application, noting that Salisbury was a tourism driven city which needed more accommodation, however, in this case he supported the residents. Their lives would be affected by the build and general daily life. The scale of the proposed works was quite big, as there would be an almost 30ft high structure outside of their back gardens.

The noise and smell from the kitchen would need to be revisited. When someone used satnav to navigate to the pub, they were taken to rear of the building not the front car park. That would put significant pressure on the roads and this part of the city.

Residents were happy to engage with the applicant again, and would be happy for a hotel of some sort, but for one where the structure blended in with the environment.

Cllr Hocking then moved the motion of refusal against Officer's recommendation, due to the scale and the bulk of the development and the impact on neighbouring amenity. This was seconded by Cllr Matthew Dean.

A debate then followed, where the key issues raised included, that there had been a history of antisocial behaviour at the site.

Most of the reasons for refusal could be enforced with conditions. This was a sensible place to have a hotel, close to town.

The conditions included in the report did cover extractors and lighting and acoustic fencing had been clearly specified. The travel plan section could be adjusted to address the vehicular problem at the rear.

The Committee then voted on the motion of refusal against Officer's recommendation. This motion was not carried.

Cllr Fred Westmoreland then moved the motion of approval in line with the Officer's recommendation, and with added conditions.

No.6 to be widened to include 'appropriate signage approved by the LPA'

No. 5 to include a specific reference to a landscaping plan to include a protection of screening for the house named Norrick.

The Committee then voted on the motion of approval with the edited conditions.

Resolved

That application 17/10167/FUL be Approved 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:

DRG No. Proposed Site Plan 2895-04-09	26/01/2018
DRG No. Proposed Elevations 2895-05-03	26/01/2018
DRG No. Proposed Ground Floor Plan 2895-06-02	26/01/2018
DRG No. Proposed Ground Floor Plan 2895-07-01	26/01/2018
DRG No. Proposed First Floor Plan 2895-08-01	26/01/2018
DRG No. Proposed Hotel West Elevation 2895-11-00	26/01/2018
DRG No. Proposed Standard Details 2895-12-00	26/01/2018
DRG No. Acoustic Fence 2895-13-00	26/01/2018
DRG No. Window Details 2895-14-00	26/01/2018

**DRG No. Proposed Dormer & Lobby Window Details 2895-15-00
26/01/2018**

**DRG No. Proposed Entrance Door & Lobby Details 2895-16-00
26/01/2018**

**DRG No. Proposed External Service Door Details 2895-17-00
26/01/2018**

DRG No. Proposed Landscape Plans (Sept 2017) 19/10/2017

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

3. 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), the hotel shall be used as a hotel and for no other purpose (including any other purpose in Class C1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

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

4. 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

5. All soft landscaping comprised in the approved details of landscaping (Proposed Landscape Plans (Sept 2017) shall be carried out in the first planting and seeding season following the first occupation of the hotel 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.

6. A Travel Plan statement (a list of actions that the hotel will take to minimise its transport impact) should be submitted to and approved in writing by the local planning authority prior to first use of the accommodation approved. Such a plan should include the following:-

- **Promoting the Connecting Wiltshire website to both restaurant and hotel guests (via their websites)**
- **Providing information about public transport (bus and rail) and walking / cycling routes to both restaurant and hotel guests (via any website or providing timetables/maps to guests).**
- **Parking management policies**
- **Delivery management policies.**

REASON: In the interest of highway safety.

7. No part of the hotel development hereby permitted shall be brought into use/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.

8. No externally mounted plant (including air conditioning units, extraction systems or other air handling plant etc) shall be sited until such a scheme has been approved in writing by the Local Planning Authority. The design of externally mounted plant shall achieve a Rating Level (BS4142:2014) below the background noise level (LA90T) determined at the nearest noise sensitive receptor, when the plant is intended to operate.

REASON: In the interest of neighbouring amenity.

9. No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E4 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: In the interest of neighbouring amenity.

10. Before the development hereby permitted is first occupied/brought into use the first floor windows in the southern and northern elevations shall be glazed with obscure glass only [to an obscurity level of no less than level 3] and the windows shall be maintained with obscure glazing in perpetuity.

REASON: In the interests of residential amenity and privacy.

11. Prior to first occupation of the development hereby approved, the acoustic fencing detailed on DRG No. 2895-13-00 as shown on site plan DRG No. 2895-04-09 shall be erected and at a height of 2m other than on the northern site boundary where the acoustic fencing shall be erected at a height of 2.5m. The acoustic fencing shall be maintained at the stated heights in perpetuity.

REASON: In the interest of neighbouring amenity.

12. 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 should be 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: In the interest of neighbouring amenity.

13. 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 and no burning of waste or other materials shall take place on the development site during the demolition/construction phase of the development.

REASON: In the interest of neighbouring amenity.

14. No development shall commence on site until a scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

15. 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 together with permeability test results to BRE365 and location of top ground water level to ensure at least 1m of unsaturated soil between base of any soakaway and the agreed top water level of ground water taking into account seasonal variations, 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

INFORMATIVE:

1. This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

275 17/08832/FUL - 40 Blue Boar Row, Salisbury, SP1 1DA

Cllr Dean declared a non-pecuniary interest, he took part in discussion and the vote for this application.

Public Participation

Tim Denholm spoke in objection to the application
Steve Gosling spoke in objection to the application
Gary Griffiths spoke in objection to the application
Mark Shearman spoke in support of the application
Amanda Newbery spoke in support of the application

The Planning Officer Christos Chrysanthou introduced the report detailing the application for alterations to the shopfront and change of use of ground floor from A3 use (Restaurant) to A4 use (Bar) and part first floor from B1 use (Office) to A4 use (Bar). The application was recommended for approval subject to conditions.

A neighbour had also conducted an independent noise management survey which contradicted that of the authorities.

A noise limiter would be installed within the premises. There would be an acoustic roof canopy and the external lighting would be switched off after the hours in which external use was to end.

Members then had the opportunity to ask technical questions, where it was clarified that the beer garden would be locked at the stated closure times to prevent patrons from entering after that time.

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

Some of the main points included that the premises would be open until 2am most evenings, with intoxicated people having access to the rear beer garden until 10pm. Chipper lane had high buildings either side and noise would reverberate back and forth into the flat next door.

A late-night economy would be created here if the bar was permitted to open until 2am, there were concerns that this could not be properly policed in this section of the city.

The applicant had worked to address the concerns raised, and had liaised with the Environmental Health Office in agreeing to the conditions as set out in the report.

Salisbury's Purple Flag wanted a vibrant late-night economy and welcomed investment in the City, however with the rear garden closing from 10pm, this would push all of the smokers out onto the front of Blue Boar Row until 2am when the bar closed, sending the patrons out to linger in market square.

The Division Member, Cllr Atiqul Hoque then spoke in objection to the application, noting the concern raised by the residents. Noting that the applicant calls the business a bar however they had applied for 11 toilets, which seemed to imply the nature of the business was something else, such as a club.

Cllr Matthew Deane noted for transparency that Mr Gosling was known to him, but that this was not a prejudicial interest, so took part in the discussion and vote for this application.

Cllr Dean noted that the company specialised in a niche of young professionals, supplying draft beer and cocktail drinks with a strong food offering. As the evening goes on the food diminishes and dancing and drinking increases.

The sites can be quite noisy internally due to music. There would be a large number of people leaving during the early hours of the morning, through the front doors onto Market Place.

Up until now Salisbury had not had any late-night operators in the market square.

There would need to be SIA door staff on the back door otherwise people would leave that way to smoke.

After 11pm the food offer would inevitably dwindle to almost nothing. This would not be fair to the residents around this site to have an operation open every day until 2am.

To open a large venue on this part of the City would be problematic for policing. When police coverage was focused on Milford Street. He was in support of the application however felt there should be a reduction to the hours of opening, not to include hours past midnight.

Cllr Matthew Deane moved the motion of approval with an adjusted permitted opening time to end at 12 midnight 7 days of the week. This was seconded by Cllr Sven Hocking.

A debate then followed, where the key issues raised included that several of the concerns raised could be controlled by Licensing conditions.

The hours of opening until 2am was too late for the area. This building would take several hundred people, who would then flood out on to the street at the front.

A condition that required the applicant to clean up externally every night could be applied.

The Committee then voted on the motion of approval with the amended hours of opening to end at 12 midnight 7 days a week.

Resolved

That application 17/08832/FUL 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 and documents:

Location Plan Date rec. 15/09/17

Drawing No. 101/C Plans as Proposed (Revised) Date rec. 02/02/18

Drawing No. 102/B Elevations as Proposed (Revised) Date rec. 02/02/18

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

**3) External Music noise level (MNL) shall not at any time, exceed the following levels: LAeq, 5 min 40dB,
Leq, 5 min 55dB in the 63Hz octave frequency band,
Leq, 5 min 50dB in the 125Hz octave frequency band,
(when measured at 1m outside the façade of the nearest noise sensitive residential property; 26 Chipper Lane).**

Beyond 11pm on any day the external music noise levels shall not exceed the following levels:

**LAeq, 5 min 25dB,
Leq, 5 min 45dB in the 63Hz octave frequency band
Leq, 5 min 40dB in the 125Hz octave frequency band
(when measured at 1m outside the façade of the nearest noise sensitive residential property; 26 Chipper Lane).**

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

4) The premises shall not be occupied until a written scheme for post completion noise measuring has been submitted to and approved in writing by the local planning authority. The written scheme shall provide details of how compliance with the sound levels in condition 3 will be demonstrated and include times and locations at which noise monitoring will take place and the equipment that will be used to take measurements.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

5) The premises shall not be occupied until a post completion noise monitoring exercise has been completed in line with the agreed scheme in condition 4 demonstrating the Music Noise Levels in condition 3 have been achieved. The scheme shall be designed by a suitably competent and qualified person. The results of the noise monitoring exercise shall be submitted and approved by the local planning authority.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

6) The councils Public Protection officers shall be invited to attend the setting of the noise limiter controlling music noise levels inside the premises. The exercise will be undertaken by a suitably qualified acoustic engineer through making observations from the boundary with the neighbouring residential property. Where Music Noise Levels can be detected the frequency bands will be adjusted to reduce the levels ensuring that the music levels achieve the levels specified in condition 3 and ensuring there is no loss of amenity to the nearest noise residential property.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

7) All external windows and doors shall be kept closed at all times when amplified or live music is taking place except when being used for access and egress.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

8) All building services plant shall be so sited and designed in order to achieve a Rating Level of -5dB below the lowest measured background noise level, determined at the nearest noise sensitive receptor.

Measurements and assessment shall be carried out in accordance with BS4142: 2014.

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

9) The noise mitigation measures proposed by the applicant both in the original noise report dated 1st December 2017 (171107-R001) and addendum to the original report dated 2nd February 2018 (171107-R003) shall be implemented in full prior to the use of the outside area.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

10) The outside area (beer garden) to the rear of the premises shall not be used for patrons (including smoking) after 21:00 Sunday to Thursday and 22:00 on Friday and Saturdays.

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

11) The door to the rear of the premises that opens out onto Chipper Lane shall only be used by members of the public for access and egress in the event of an emergency.

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

12) The premises shall not be occupied until a scheme of works for the control and dispersal of atmospheric emissions, and in particular odours and fumes from cooking processes has been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working condition at all times thereafter.

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

13) No external lighting shall be installed on site until a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, has been submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E2, as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented in full before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

The approved external lighting shall not be illuminated outside the hours of 21:00 Sundays to Thursdays and 22:00 on Fridays and Saturdays.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

14) No deliveries shall be made to or collections made from the development hereby approved except between the hours of 08.00 and 18:00 Monday to Friday 08:00 and 13:00 Saturdays and none on Sundays and Public Holidays.

REASON: In the interests of the amenities of the area

15) No bottles or refuse shall be placed outside in the patio area except between the hours of 08.00 and 18:00 Monday to Friday; 08.00 and 13:00 Saturdays and none on Sundays and Public Holidays.

REASON: In the interests of the amenities of the area

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

REASON: In the interests of the amenities of the area

17) The use hereby permitted shall only take place between the hours of 10:00 and 00:00 (midnight) on Mondays to Sundays and Bank Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

Informative

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and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

276 **17/12499/FUL & 18/00274/LBC - The Kings Head, The Street, Whiteparish, SP5 2SG**

Cllr Matthew Dean declared a pecuniary interest in this application and left the meeting. He did not take part in the discussion or the vote for this application.

Public Participation

Dr M Byfield spoke in support of the application

Mr Robin Bell spoke in support of the application

The Planning Team Leader, Adam Madge introduced the report detailing the application for a Single Storey Rear Extension (Orangery) to Pub Building & Separate Barn Conversion / Restoration with extension to provide Lodging. The application was recommended for refusal.

The Conservation Officer was in attendance to note her concerns. These included the impact of the works and how they would affect the character and interest of the listed building. The works would make lasting changes.

The host building was the listed building. There was no objection to the rear extension. Concerns related to the rear barn building, of which she felt the use was unclear.

The barn was listed by association to the main building and not in its own right. The manner of the conversion, lack of conservation and the design were of concern. There had been little information provided on how the proposals would impact on the structural fabric, and no structural survey was available. There was a level of ambiguity.

A single-story extension would have been preferable.

Members then had the opportunity to ask technical questions, where it was clarified that the applicant utilised the existing footprint of the barn building.

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

The main points raised included that the pub had been closed for 3 years. The application had support from 52 local residents and the parish council.

Whiteparish PC were in support of an increased dining area and the provision of accommodation for visitors to the village since the Fountain B&B was made into residential housing.

The Division Member, Cllr Richard Britton then spoke in support of the application, noting that a more attractive design could have been produced, however the impact of this design on the barn was not significant enough to reject the whole application. 2 other pubs in the village had been lost to housing development.

He felt the Conservation Officer's concerns were not dramatic, and was sure that these could be looked at and overcome.

This extension would not be visible from the road, and therefore there was no impact on the street scene. There had also been no objections from neighbours.

Cllr Britton then moved the motion of approval, against Officer's recommendation. This was seconded by Cllr Hocking.

A debate then followed, where the key issues raised included that the proposals were not visible from the front at all. The comments and wishes of the community showed an overwhelming community support for the proposals.

In relation to application 17/12499/FUL, the Committee then voted on the motion of approval against Officer's recommendation on the grounds of "the public benefit of the project in terms of providing additional income to help with the future viability of this public house outweighed the perceived harm to the listed building and as such complies with core policy 58 of the Wiltshire Core Strategy and the NPPF.

In relation to application 18/00274/LBC, the Committee then voted on the motion of approval against Officer's recommendation for the same reasons as above.

Resolved

That application 17/12499/FUL be approved with conditions, against Officer's recommendation on the grounds of "the public benefit of the project in terms of providing additional income to help with the future viability of this public house outweighed the perceived harm to the listed building and as such complies with core policy 58 of the Wiltshire Core Strategy and the NPPF.

- 1. The development hereby permitted shall be commenced 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:**

DRG No. A00662-P003-1-A 28/02/2018
DRG No. A00662-P003-2-A 28/02/2018
DRG No. A00662-P003-3-B 28/02/2018

DRG No. A00662-P004-1-B 28/02/2018
DRG No. A00662-P004-2-A 28/02/2018

Ecology Statement - Lowans Ecology & Associates Biodiversity assessment report, 18/12/17

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

3. The owners/ operators of the site shall maintain an up-to-date register of the names of all occupiers of the guest rooms on the site (DRG No. A00662-P004-2-A) and of their main home addresses, and shall make such information available at all reasonable times to the Local Planning Authority.

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

4. No person shall occupy the holiday accommodation hereby permitted for a continuous period of more than [3 months] in any calendar year and it shall not be re-occupied by the same person/s within 28 days following the end of that period.

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

5. No development shall commence on site until samples of the materials to be used for the external walls and roofs of the new development have been submitted to and approved in writing by the Local Planning Authority. The samples will include bricks for the plinth; render for the 'orangery'; horizontal timber cladding (extension to stable block); plain clay roof tiles (extension to stable block), new rainwater goods (extension to stable block). 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

6. 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:

- a) The link roof on the stable building will be a metal standing seam and a sample of the proposed metal roofing shall be submitted for approval.**
- b) New windows for the converted stable block shall be flush-framed timber painted casement windows.**
- c) The rooflights should be conservation style and lie flush with the roof. Details of the proposed rooflights, together with a section showing how they will sit within the roof, shall be submitted.**
- d) Details of the proposed lantern light for the orangery shall be submitted.**
- e) The proposed French doors and windows for the orangery shall be painted timber.**

The works 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 in the interests of preserving the character of a listed building

7. The mitigation measures contained within section 5 of the approved Ecological Assessment [Lowans Ecology & Associates Biodiversity assessment report, 18/12/17] shall be carried out in full prior to the first bringing into use of the development and/or in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

8. 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.

9. No part of the development hereby permitted shall be brought into use/occupied until the parking spaces have been completed in accordance with the details shown on the approved plans (P-004-1-B). The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

10. 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 spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", 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: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

11. Prior to first use or completion of the development a scheme of hard and soft landscaping shall be submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- 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;**
- car park extension surfacing;**
- all hard and soft surfacing materials;**

REASON: The application contained insufficient information to enable this matter to be considered prior to granting planning permission

12. 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.

13. Prior to the first use of the holiday letting units, the privacy screens as shown on DRG No. 004-1-B and 004-2-A shall be erected. The screens shall be maintained in perpetuity.

REASON: In the interest of neighbouring amenity.

INFORMATIVE

1. There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

Resolved

That application 18/00274/LBC be approved with conditions, against Officer's recommendation on the grounds of "the public benefit of the project in terms of providing additional income to help with the future viability of this public house outweighed the perceived harm to the listed building and as such complies with core policy 58 of the Wiltshire Core Strategy and the NPPF.

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. A00662-P003-1-A 28/02/2018

DRG No. A00662-P003-2-A 28/02/2018

DRG No. A00662-P003-3-B 28/02/2018

DRG No. A00662-P004-1-B 28/02/2018

DRG No. A00662-P004-2-A 28/02/2018

Ecology Statement - Lowans Ecology & Associates Biodiversity assessment report, 18/12/17

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

277 18/00115/VAR - Mayfield, White Way, Pitton, SP5 1DT

Public Participation

Cllr Rod Coppock – Pitton and Farley PC

The Planning Officer Christos Chrysanthou introduced the report detailing the application for the variation of conditions 2 and 3 of planning permission 16/09446/FUL to allow for alterations to the materials for the approved extension. The application was recommended for approval subject to conditions.

Members had no technical questions for the Officer.

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

Pitton PC spoke in objection to the application as the proposals contravened CP57. Noting that at the original debate to consider the planning application it had been agreed that it could be detrimental to the street scene. The property was not in the conservation area, but was surrounded on 3 sides by it.

The Division Member, Cllr Chris Devine was not in attendance to speak on the application.

Cllr Fred Westmoreland moved the motion of Approval in line with officer recommendation, this was seconded by Cllr Mike Hewitt.

The Committee then voted on the motion of approval in line with Officer's recommendation.

Resolved

That application 18/00115/VAR be approved with 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. 16053/3/B Elevations

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

3) 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.

278 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 7.05 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

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