

SOUTHERN AREA PLANNING COMMITTEE

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 31 MAY 2018 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 George Jeans, Cllr Ian McLennan, Cllr John Smale and Cllr Robert Yuill (Substitute)

Also Present:

Cllr Pauline Church, Cllr Bridget Wayman, Cllr Tony Deane

279 **Apologies**

Apologies had been received from:

- Cllr Sven Hocking – Who was substituted by Cllr Robert Yuill

280 **Minutes of the Previous Meeting**

The minutes of the meeting held on 12 April 2018 were presented.

Resolved:

To approve as a correct record and sign the minutes.

281 **Declarations of Interest**

There were none.

282 **Chairman's Announcements**

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

The order on the agenda would be changed, with the applications from Wilton coming first.

283 **Public Participation**

The committee noted the rules on public participation.

284 **Rights of Way Path No. 16 - East Knoyle**

Public Participation

Mrs J Hockham spoke in objection to the Order
Stephen Dawson spoke in support of the Order
Liz Reeve spoke in support of the Order
Adam Cleal spoke in support of the Order

The Rights of Way Acting Team Leader, Sally Madgwick introduced the report detailing two Orders. The Wiltshire Council parish of East Knoyle Footpath No.16 (part) Diversion Order and Definitive Map and Statement Modification Order 2017 and the Wiltshire Council East Knoyle Footpath 16(a) Creation and Definitive Map Modification Order 2017.

During the consultation, the responses received from the public were largely in agreement with the order.

The farmer and land owner had agreed to dedicate points a to b to enable walkers to see the view from the highest point.

The definitive line of the footpath pre-dated the residential property which was formerly a farmyard. The path has been variously unavailable and available over the years and in recent times the public have shown a clear preference to not walking through the garden but instead have chosen to walk an alternative route provided in the field.

The neighbouring property owners had not objected to the diversion.

If the diversion went ahead it would require a minute of walking on a quiet lane.

11 representations had been received in support and 3 there were objections outstanding.

The committee must base the decision on the legal tests as detailed in the agenda.

The recommendation was that the Orders be forwarded to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that they be confirmed as made.

There were no technical questions to the Officer.

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

The Division Member Cllr Wayman then spoke in support of the Officer recommendation. She noted that the proposed route was almost an elegant solution, however she was not sure about the spur point to the lookout.

Cllr Westmoreland moved the motion to support the Officers recommendation, this was seconded by Cllr Smale.

The Members then voted on the motion to support Officer recommendation.

Resolved

That the Wiltshire Council parish of East Knoyle Footpath No.16 (part) Diversion Order and Definitive Map and Statement Modification Order 2017 and the Wiltshire Council East Knoyle Footpath 16(a) Creation and Definitive Map Modification Order 2017 be forwarded to the Secretary of State for Environment, Food and Rural Affairs with the recommendation that they be confirmed as made.

285 **Planning Appeals and Updates**

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

Resolved

That the appeals report for the period 22/02/18 to 18/05/18 be noted.

286 **Planning Applications**

286a 18/01233/FUL - Land adj to Kings Farm, Livery Road, Winterslow, Salisbury

Public Participation

Tony Allen (Agent) spoke in support of the application
Mick Brown spoke on behalf of Winterslow Parish Council

The Senior Planning Officer, Warren Simmonds introduced the report which detailed an application for two dwellings and associated access, car parking and Landscaping.

Plot 1 already built. Plots 2 and 3 were detailed in this application. The Back Drove was a byway which would be used as access to the site.

There were no consultee objections subject to conditions. There was one objection from a neighbour on the opposite side of the road, due to overlooking, however as the neighbour was over the road, it was considered that there was not an undue degree of overlooking, therefore, this was not considered sufficient to constitute a reason for refusal.

Winterslow was a large village and this site was outside of the settlement boundary.

The Winterslow Neighbourhood Plan (NP) was in a development stage and had not yet been adopted. It was understood that all of the housing allocations previously listed had been removed from the upcoming NP.

The application was recommended for refusal

Members then had the opportunity to ask technical questions of the Officer, where it was noted that the proposed development was not considered as infill.

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

The Parish Council representative spoke in support of the application. He drew attention to the map which had been circulated within the late correspondence at the meeting. The Parish felt that the development should be considered on merit, on location, and the type of construction materials, as he felt the application ticked all of the boxes.

The Division Member Cllr Devine then spoke in support of the application, noting that small scale development was wanted in Winterslow, and that the development reflected what was in the emerging NP. This was a site that had already been chosen for development by the NP Group.

The school was under subscribed, and Winterslow needed family sized homes to bring more families to the village. The back drove could be upgraded.

Cllr Devine then moved the motion of Approval, against Officers recommendation, this was seconded by Cllr Hewitt.

A debate then followed, where the key issues raised included the support of the village, and whether the development would help to make the local school and community more viable. However as the NP was in the developmental stage and had not been adopted, it could not be given any weight.

The report noted that the track leading to the second property would require repair and construction, and that would be included as a condition, should the application be approved.

The Committee voted on the motion of approval against officer's recommendation.

Resolved

That application 18/01233/FUL be approved against Officer's recommendation, as the proposed development was considered to constitute a sustainable form of development that would align with local aspirations for the provision of small scale housing development in and around the settlement, 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:

Site location plan 1:5000 (undated), as deposited with the local planning authority on 06.02.18, and

Drawing number Hww/p/01 dated Feb 18, as deposited with the local planning authority on 06.02.18, and

Drawing number Hww/p/02 dated Feb 18, as deposited with the local planning authority on 06.02.18, and

Drawing number Hww/p/03 dated Feb 18, as deposited with the local planning authority on 06.02.18.

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

3 The development referred in the approved drawings as plot 2 shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

4 Any gates to the entrance of plot 2 shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

5 No part of the development referred in the approved drawings as plot 2 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.

6 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include details of a scheme for the improvement and maintenance of the access track serving plot 3 (from the junction of Livery Road to the entrance of the curtilage of plot 3) has been submitted to, and approved in writing by, the Local Planning Authority. Development shall not be carried out otherwise than in accordance with the approved construction method statement.

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.

7 No development shall commence on site until details of the external materials to be used for the walls and roof of the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: 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.

8 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 of plot 2), 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: 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.

9 No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 on weekdays and 08:00 to 13:00 on Saturdays. No burning of waste shall take place on the site during the construction phase of the development.

REASON: In the interests of neighbouring amenities

286b 18/01046/OUT - Land adj to The Mill House, Donhead St Mary, SP7 9DS

Public Participation

Sally Kay spoke in support of the application

Diccon Carpendale spoke in support of the application

Tom Rossiter spoke on behalf of the Parish Council

The Planning Officer, Christos Chrysanthou introduced the report which detailed an application for the erection of single dwelling and detached garage – outline application to determine access. The application was recommended for refusal.

As part of the development, trees and frontage of the site would be removed, to create access, thus changing the character.

On a site opposite, approval had been granted for a new dwelling, and a further new dwelling at Donhead St Andrew shared similarities to the proposed development.

Members then had the opportunity to ask technical questions of the Officer, where it was noted the Highways had not raised any objections to the planned access.

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

Tom Rossiter of Donhead St Mary Parish Council spoke in support of the application, noting that the Parish considered the development to be infill. He drew attention to there being no objection from any consultees. He confirmed that during the 1950s the site had formed part of a deer park, the shrubs and trees to the front of the site, were immature elm trees and brambles. There were no large trees. The Parish Council felt that the development would enable the applicant to downsize and remain in a village she loved.

The Division Member Cllr Deane then spoke in support of the application, noting that the report refers to the village as a small village, however there was a shop and a school and only a technicality classed it as a small village.

The proposed development was in line with what Area Board Councillors in South West Wiltshire feel should happen in these villages, a smaller house for people to downsize thus freeing up larger houses for families.

He supported this outline application. This could add to the charm of the village in this part of the Donheads.

The Chairman then moved the motion of Approval, against Officers recommendation, this was seconded by Cllr Hewitt.

A debate then followed, where the key issues raised included that the Officer had considered the development was not infill.

There was some concern regarding the removal of the hedge to the front of the development site, however it was felt that Officers would have picked up any restrictions relating to hedge removal if there had been any.

The villagers and Parish Council were in support the proposals.

The Committee then voted on the motion of approval.

Resolved

That application 18/01046/OUT be approved against Officer recommendation on the grounds that there was local and parish council support and the development could be considered as infill.

Subject to conditions:

1 The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2 No development shall commence on site until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

- (a) The scale of the development;**
- (b) The layout of the development;**
- (c) The external appearance of the development;**
- (d) The landscaping of the site;**

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 5 (1) of the Town and Country Planning (Development Management Procedure) (England) Order 2015.

3 An application for the approval of all of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

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

Drg. no. 1306/101/C Site Location Plan Date rec. 31/01/18 Drg. no. 17103-01 B Proposed Site Plan Date rec. 31/01/18

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

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

REASON: In the interests of highway safety.

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

REASON: In the interests of highway safety.

7 The gradient of the access way shall not at any point be steeper than 1 in 15 for a distance of 4.5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

8 No part of the development hereby permitted shall be 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 No development shall commence on site until a scheme for the discharge of foul water from the site to main sewer (via gravity or pumped system) 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

10 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 (where soakaway disposal is proposed), 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

11 The development hereby permitted shall not be occupied until the area between the nearside carriageway edge and a line drawn 2metres parallel thereto over the entire site frontage has been cleared of any obstruction to visibility at and above a height of 1 meter above the nearside carriageway level. That area shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety.

12 **INFORMATIVE:**

The application involves an extension to the existing/creation of a new dropped kerb. 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 Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact our Vehicle Crossing Team on vehicleaccess@wiltshire.gov.uk and/or 01225 713352.

INFORMATIVE:

If the applicant finds that soakaways cannot be achieved with at least 1m clearance from its base to the agreed top level of ground water, taking into account seasonal variation and the applicant decides to discharge storm flows to a watercourse then a separate application (LDC) will need to be made to and gain the approval of the LLFA

13 **INFORMATIVE TO APPLICANT:**

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.

287 **18/03084/VAR - Caddens, Lower Road, Homington, Wiltshire, SP5 4NG**

Public Participation

David Sharpe (Agent) spoke in support of the application

Stephen Gledhill spoke on behalf of Coombe Bissett Parish Council

The Planning Officer, Joe Richardson introduced the report which detailed an application for the variation of condition 2 of planning permission 17/07475/FUL to allow for the garage roof to be linked to the house and loft room created in roof void above garage. The application was recommended for approval subject to conditions.

The site was in an AONB. At present the dwelling was a 6 bedroom dwelling. This further variation sought to join the detached garage to the dwelling to create a further room.

There had been four letters of objection on the grounds of over development, as detailed in the late correspondence circulated at the meeting.

There were no technical questions to the Officer.

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

The Parish Council representative noted that neighbours and the Parish Council (PC) had consistently objected to the development. It was felt that the scale of the development was wrong for the site, and did not fit with neighbouring housing.

It was noted that in July 2017, the Committee had unanimously refused the application. In October it then considered an amended application, which was still opposed by PC and neighbours. That application was approved by one vote.

In March this year a further application for a variation to add a sixth bedroom was put forward. Now there is a third variation to link the garage to the house creating another bedroom.

If approved the house would be larger than the original application which had been refused. The PC felt that this was exploiting the planning system.

The Division Member Cllr Clewer was not in attendance.

Cllr Hewitt then moved the motion of refusal, in line with Officers recommendation, this was seconded by Cllr Britton.

Cllr Hewitt then spoke noting that the developer had come back after first refusal to add variations to the prop to increase the room size.

The Committee then voted on the motion of refusal against Officers recommendation on the grounds of over development.

Resolved

That application 18/03084/VAR be refused against Officers recommendation for the following reason:

The proposed works combined with the permitted works of the previous planning permissions would provide a substantially larger property in massing and scale, with the resultant proposal considered to be overdevelopment that would be unsympathetic to the modest traditional character of the settlement, and thus, sets an undesirable precedent for similar development within the surrounding Conservation Area and wider Area of Outstanding Natural Beauty.

288 **18/00457/FUL - Court Farm, Lower Woodford, SP4 6NQ**

Public Participation

Joe Studholm spoke in Objection to the application
John Kirkman CPRE spoke in Objection to the application
Martin Giles spoke in Objection to the application
Rob Foster spoke on behalf of Durnford PC
Richard Soar spoke on behalf of Woodford PC

The Senior Planning Officer, Richard Nash introduced the report which detailed an application for an Energy Storage Capacity Mechanism Plant to Support the National Grid. The application was recommended for approval with conditions.

It was explained that a list of specific sites that the applicant had looked at had not been provided. The applicant had tried to use the contours and existing plantations of the land to try and screen the site as much as possible.

The site was supported by an Ecology report, a Noise report, a Heritage Impact Assessment and Landscaping appraisal.

The site was currently mainly grade 3 agricultural land.

In addition to the security fencing to the boundaries, the Ecologist had requested some additional screening along one side.

The system worked by responding to variations in grid frequency. It was said to be able to deliver power to the locality as well as further afield, however this was not verified.

Late correspondence was circulated at the meeting.

There had been a high level of local objection. There had been amendments to conditions 4,6,7 & 8.

Members then had the opportunity to ask technical questions of the Officer, where he noted that he was not aware whether Highways had physically attended site prior to submitting their response.

The proposed installation was believed to be capable of directing the stored energy to wherever it was needs on the national grid.

Central Government was supportive in principle of installations such as this, however the applicant was not obliged to provide a list of alternative sites and the reasons for discounting them.

This type of installation was new in the south of the county however, some other sites had been approved in northern areas of Wiltshire.

Any extension of the site would require further planning permission. Members of the Public then had the opportunity to present their views, as detailed above. Some of the main points included that many of the parishioners had written to oppose the scheme, not one had supported it.

The noise created by the equipment would be intrusive to all around, forever.

There had been no evidence of alternative local sites which had been considered. Such as brown sites or other pylon sites.

The proposed site was in a prominent rural location.

The gap between supply and demand with electricity continues to grow. Battery storage systems like this play a good role in bridging that gap.

The Division Member Cllr Hewitt then spoke in objection to the application, noting that the applicant has not stated whether they had looked at other brownfield sites. He felt that there was no more prominent position than this.

He highlighted issues associated with the large vehicular movements required during construction.

Cllr Westmoreland then moved the motion for a site visit. This was seconded by Cllr Hewitt. The Committee requested that a Highways Officer and a Landscape Officer also attend.

Resolved

That application 18/00457/FUL be deferred pending a site visit with a representative from Highways and a Landscape Officer in attendance.

289 **18/00842/FUL & 18/00652/LBC - 2 South Street, Wilton, Salisbury, Wiltshire, SP2 0JS**

Public Participation

Peter Grist (Agent) spoke in support of the application

Ian Pratt spoke in support of the application

The Senior Planning Officer, Lucy Minting introduced the report which detailed two applications.

18/00842/FUL for the conversion of part of ground floor Hair & Beauty Salon into 2 bedroom flat, internal and external works including alteration to shopfront and changing rear window at rear to a pair of doors.

And 18/00652/LBC for Internal and external works including changing window at rear to a pair of doors & alteration to shopfront (replacement shop front and separate door to FF flat approved under S/2005/0251) to facilitate conversion of part of ground floor Hair & Beauty Salon

The rear outside area would be divided to enable both the flat and the retail space to have access to an outside space.

No off-street parking was provided, however Highways had not raised an objection.

The required marketing was carried out for a period of 6 months and had been unsuccessful.

The applications were recommended for approval with conditions.

Members then had the opportunity to ask technical questions of the Officer, where it was noted that there were no policies regarding density for flats, it would be a judgement call. All would have an outside area and officers considered the proposals acceptable.

The retail element of the development was 34m².

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

The Division Member Cllr Church had declared a conflict of interest and was represented by Cllr Wayman. Cllr Wayman then spoke in objection to the application, noting that with the housing development at the Berskin barracks and the additional houses at St Peters Place to be built, the catchment area was increasing, it was important that Wilton had a selection of amenities for residents.

Wilton Town Council had a policy of not recommending any application for commercial to non-commercial. The application did not completely do away with the retail space yet the size of the provision was too small.

Cllr Dean then moved the motion of approval, in line with Officers recommendation, this was seconded by Cllr Hewitt.

A debate then followed, where they key issues raised included the applicants attempt to market the space for the required period.

Although there were no parking spaces included in the proposals there would be parking available in the carpark further up the road.

It was noted that the nature of retail was changing, and small units did tend to find occupants.

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

Resolved

That application 18/00842/FUL be approved in line with Officer's recommendation, subject to conditions:

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

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

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

Plan Reference: 1:100 scale Proposed South West elevation, received by this office 29/01/2018

Plan Reference: 1:100 scale Proposed South East elevation and Ground floor plan, received by this office 29/01/2018

Plan Reference: 1:1250 scale Location Plan, received by this office 29/01/2018

Plan Reference: 1:2 scale Joinery Section Plans, received by this office 29/01/2018

Plan Reference: 1:20 scale Front Screen Detail, received by this office 29/01/2018

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

(3) No development shall commence on site (including any demolition works) until a

Construction Method Statement has been submitted to and approved in writing by the local planning authority.

The 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 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 demolition and construction;

g) a scheme for recycling/disposing of waste resulting from demolition and construction works;

h) measures for the protection of the natural environment;

i) hours of construction, including deliveries

The approved Statement shall be adhered to during the construction period.

REASON: 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.

INFORMATIVE: Private Property/Access Rights

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

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

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

INFORMATIVE TO APPLICANT: Community Infrastructure Levy

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

www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructurelevy

In relation to application 18/00652/LBC, Cllr Westmoreland then moved the motion of approval in line with Officer's recommendation, this was seconded by Cllr Hewitt.

The Committee then voted on the motion of approval.

Resolved

That application 18/00652/LBC be approved in line with Officer's recommendation, subject to 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:

Plan Reference: 1:100 scale Proposed South West elevation, received by this office 29/01/2018

Plan Reference: 1:100 scale Proposed South East elevation and Ground floor plan, received by this office 29/01/2018

Plan Reference: 1:1250 scale Location Plan, received by this office 29/01/2018

Plan Reference: 1:2 scale Joinery Section Plans, received by this office 29/01/2018

Plan Reference: 1:20 scale Front Screen Detail, received by this office 29/01/2018

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

290 **17/10715/FUL & 17/11125/LBC - 2 South Street, Wilton, Salisbury, Wiltshire, SP2 0JS**

Public Participation

Peter Grist (Agent) spoke in support of the application

Ian Pratt spoke in support of the application

The Senior Planning Officer, Lucy Minting introduced the report which detailed two applications.

17/10715/FUL for the Conversion of ground floor Hair and Beauty Salon into two residential flats, internal and external works including alteration to shopfront to create separate door to first floor flat and changing rear window at rear to a pair of doors (resubmission of 16/10286/FUL).

And 17/11125/LBC for the conversion of ground floor Hair and Beauty Salon into two residential flats, internal and external works including changing window at rear to a pair of doors & alteration to shopfront (replacement shop front and separate door to first floor flat approved under S/2005/0251) resubmission of 16/10439/LBC.

The bedsit has a window over South Street, the window was required to be triple glazed.

Marketing evidence had been provided.

The applications were recommended for approval with conditions.

There were no technical questions to the Officer.

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

The Division Member Cllr Church was represented by Cllr Wayman. Cllr Wayman spoke in objection to the application, noting that the population increase in Wilton associated with the extra new homes would result in an increase of catchment by a further 50% next year, and had already increased by 20% over the last 2 years. Once premises were converted from commercial to residential they were changed forever. The lack of parking in the town meant that the proposal would put further strain on the area.

Cllr Dean noted that the last application appeared to be a compromise, with the retail element kept. This application would remove the retail element entirely. The applicant did not have the ability to test the previously approved retail provision. He felt this application was over development. There was pressure on on-street parking in that area. The proposals did not enhance the conservation area or the listed building.

Cllr Dean then moved the motion of refusal, against Officers recommendation, this was seconded by Cllr Hewitt.

A debate then followed, where the key issues raised included that the small retail unit should be marketed before the applicant attempted to change the use to residential.

The Committee then voted on the motion of refusal against Officer recommendation.

Resolved

That application 17/10715/FUL be refused for the following reasons:

(1) At the heart of the NPPF is a presumption in favour of sustainable development and the Adopted Wiltshire Core Strategy seeks to build resilient communities and support rural communities but this must not be at the expense of sustainable development principles. The Settlement and Delivery Strategies of the Core Strategy are designed to ensure new development fulfils the fundamental principles of sustainability. This means focusing growth around settlements with a range of facilities, where local housing, service and employment needs can be met in a sustainable manner.

Core Policy 49 is the policy of the adopted Wiltshire Core Strategy that is considered to carry the most material weight in this case. Core policy 49 sets out several key tests against which applications for planning

permission resulting in a change of use of a local facility must be assessed. The overall objective of this policy is the retention of existing facilities and services as they are very important to communities and thus, their retention is strongly encouraged.

The site is also centrally located within Wilton close to all other shops and range of facilities and is therefore especially desirable to retain as a community service or facility.

Core Policy 49 states *'Redevelopment for non-community service/ facility use will only be permitted as a last resort and where all other preferable options have been exhausted'*.

The policy requires demonstration via marketing that the building is no longer economically viable for an alternative community use before proposals involving the loss of a community service or facility will be supported. The policy states that preference will be given to retaining the existing use in the first instance, then for an alternative community use and where this is not possible, a mixed use, which still retains a substantial portion of the community facility/service will be supported.

Planning permission has been granted under 18/00842/FUL for conversion of part of the ground floor retail unit into a 2 bedroom flat, but retaining a smaller retail unit to the South Street frontage. Whilst No 2 South Street has been marketed in its entirety, the smaller retail unit as approved under 18/00842/FUL has not been marketed.

Insufficient evidence has therefore been submitted (in the form of comprehensive marketing) to demonstrate that the smaller retail unit granted under 18/00842/FUL is not economically viable for use as an A1 use or an alternative community service/facility use.

The loss of this use undermines the retail character and harms the viability and vitality of Wilton and is contrary to Core Policy 49 which aims to protect rural services and community facilities to ensure that settlements meet the needs of their residents.

It is also considered that the proposals for conversion of the ground floor into two residential units will result in a total of 3 residential units on a constrained site with limited outdoor amenity space also amounts to an overdevelopment of the site.

It follows that the proposal is contrary to Core Policies 1, 2, 4, 49 and 57 in that it would deliver development which does not accord with the Settlement and Delivery Strategies of the Core Strategy. The Strategies are designed to ensure new development fulfils the fundamental principles of sustainability and so it follows that where development such as this would not accord with the Strategies, it is unsustainable in this defining and overarching context.

In relation to application 17/11125/LBC, Councillor Westmoreland then moved the motion of approval in line with Officer recommendation. This was seconded by Cllr Hewitt.

The Committee then voted on the motion of approval.

Resolved

That application 17/11125/LBC be approved in line with Officer recommendation, with 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:

Plan Reference: 1:100 scale Proposed South West elevation, received by this office 01/11/2017

Plan Reference: 1:100 scale Proposed South East elevation and Ground floor plan, received by this office 01/11/2017

Plan Reference: 1:1250 scale Location Plan, received by this office 01/11/2017

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

(3) No development shall commence on site until large scale details of the acoustic triple glazing with acoustic trickle vents to be installed to the bedsit facing South Street Wilton (1:2 scale vertical and horizontal cross-sections through the frame and glass and 1:10 scale elevations) have been submitted to and approved in writing by the local planning authority. The agreed acoustic glazing shall be installed in accordance with the approved details prior to the first occupation of the bedsit hereby approved and shall be maintained at all times thereafter.

REASON: The application contained insufficient information to enable this matter to be considered prior to granting listed building consent 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 preserving the character and appearance of the listed building and its setting.

291 **Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 6.35 pm)

The Officer who has produced these minutes is Lisa Moore of Democratic Services,
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