

SOUTHERN AREA PLANNING

MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON THURSDAY 10TH DECEMBER 2009 AT 6.00 PM, AT CITY HALL, SALISBURY

Present:

Councillor B Dalton, Councillor T Deane, Councillor C Devine, Councillor J Green, Councillor M Hewitt, Councillor G Jeans, Councillor I McLennan, Councillor J Smale, Councillor F Westmoreland (Chairman), Councillor G Wright.

82. APOLOGIES

Apologies for absence were received from Cllr M Douglas (substituted by Cllr J Smale) and Councillor I West.

83. MINUTES

The minutes of the meeting held on 19th November 2009 were confirmed as a correct record and signed by the Chairman.

84. CHAIRMANS ANNOUNCEMENTS

The Chairman reminded members of the committee that the next meeting would be on 7th January 2010.

The Chairman requested that all substitutes be sent a copy of the agenda.

85. DECLARATIONS OF INTEREST

Councillor J Smale declared a personal interest in Item 6 - The Wiltshire Council (Sheet SU 02 NW)(Broad Chalke 43 The Cut) Rights Of Way Modification Order No 5 2009 – as he knows Mr Hemingsley who owns part of the path.

Councillor Devine declared a personal interest in Item 9 as he is a member of Southern Area Board.

86. THE WILTSHIRE COUNCIL (SHEET SU 02 NW)(BROAD CHALKE 43 THE CUT) RIGHTS OF WAY MODIFICATION ORDER NO 5 2009

Public Participation:

Mr J Kot – Spoke in objection to the application
Mr D Blanchard - Spoke in objection to the application
Reverend J Low - spoke in support of the application.
Mr J Gooden (Broad Chalke Parish Council) - spoke in support of the application.

The committee considered a report from the Director of Transport, Environment and Leisure setting out details of an objection received to the making of an Order under Section 53(3) of the Wildlife and Countryside Act 1981 to add a Footpath to the Definitive Map and Statement for the Salisbury and Wilton Rural District Council Area dated 1953.

Resolved:

That the Wiltshire Council (Sheet SU 02 NW)(Broad Chalke 43 – The Cut) Rights of Way Modification Order No 5 2009 be submitted to the Secretary of State for Environment, Food and Rural Affairs, together with the objection letter and with the recommendation that the Order be confirmed as made.

87. PLANNING APPEALS

The committee received details of the following appeals:-

Decision

S/2008/1611 – Little Ridge, Southampton Road, Alderbury – Allowed – Committee decision.

Pending

S/2009/1052 – Pine Lodge Cottages, Mesh Pond, Downton – Delegated Decision.

88. S/2009/1473 - 5 Belle Vue Road, Salisbury, Sp1 3yd - Change Of Use From Storage Building Into A Domestic Residence Including Remove Existing Roof And Reforming With Increased Pitch And Raised Ridge And Rebuilding Front Façade

Public Participation:

Mr S Hoare – spoke in objection to the application

Mrs Sheldrake – spoke in support of the application

Resolved

(A) Following completion of a unilateral undertaking, whereby a commuted sum is paid towards the provision of off-site open space in accordance with saved policy R2 of the Salisbury District Local Plan, within one month, then planning permission is **granted** for the following reasons:

The proposal would make efficient use of land in an area where the principle of residential development is acceptable due to the site's sustainable location and previously developed nature. On balance it is considered that the proposed alterations, including the rebuilding of the front wall and raising the roof, would be appropriate to the character of the area. Subject to conditions, there would be no significant adverse impacts to the residential amenities of surrounding property. Given accessibility to the town centre and public transport, and existing controls upon on-street parking, it is considered that the lack of off-street parking provision is acceptable and would not adversely affect highways safety. The development would therefore accord with the development plan and Government guidance, having particular regard to saved Local Plan policies G1, G2, D2, H8, CN11, TR11, TR14, R2 and the aims and objectives of PPS1, PPS3 and PPG13.

(B) And subject to the following conditions:

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

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990. As amended by Section 51 (1) of the Planning and Compulsory Purchase Act 2004.

2) This development shall be in accordance with the amended drawing[s] ref: 0480/02 Rev. D deposited with the Local Planning Authority on 04/12/09.

Reason: For the avoidance of doubt.

3) Before development is commenced, a schedule of materials and finishes, and, where so required by the Local Planning Authority, samples of such materials and finishes, to be used for the external wall[s] and roof[s] of the

proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

Reason: To secure a harmonious form of development.

Policy: G2, D2

4) No development shall commence on site until details of the design, external appearance and height of the means of enclosure to the garden boundary have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

Reason: In the interests of residential amenity and privacy.

Policy: G2

5) No works shall commence on site until details of the proposed rooflights (including size, manufacturer and model number) have been submitted to and approved in writing by the Local Planning Authority. The new rooflights shall be of a design which, when installed, do not project forward of the general roof surface. The works shall be carried out in accordance with the approved details.

Reason: To secure an appropriate quality finish in the interests of the character and appearance of the area.

Policy: G2, D2

6) The apex window in the east elevation shall be glazed with obscure glass only and permanently fixed shut prior to the first occupation of the development hereby permitted and shall be permanently maintained as such at all times thereafter.

Reason: In the interests of residential amenity and privacy.

Policy G2

7) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no window or rooflight, other than those shown on the approved plans, shall be inserted in the development hereby permitted.

Reason: In the interests of residential amenity and privacy.

Policy: G2

8) Notwithstanding the provisions of Classes A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: In the interests of visual and neighbouring amenity.

Policy: G2

9) No development shall commence on site (including any works of demolition), until a Construction Method Statement, detailing how access to the pedestrian alleyway will be maintained during the demolition/construction works, has been submitted to and approved in writing by the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

Reason: To ensure access can be maintained to the rear garden areas situated off the alleyway in the interests of neighbouring amenity.

Policy: G2

10) No construction or demolition work shall take place on Sundays or public holidays or outside the hours of 0800 to 1800 weekdays and 0800 to 1300 on Saturdays. This condition shall not apply to the internal fitting out of the buildings.

Reason: In the interests of neighbouring amenity.

Policy G2

Informatives:

1. APPROVED PLANS

This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the

submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan Ref....0480/02 Rev D....
Received....04.12.09....

Date

2. RESIDENTS PARKING AND ZONES PERMITS

The applicant/owner is advised that the occupants of the new dwelling hereby granted planning permission may not be entitled to parking permits under the residents parking scheme operating in this area. You are advised to contact Parking Services 01722 434735 should you require any further information regarding the issuing of residents parking permits by the Council.

3. PARTY WALL ACT

It is noted that the development hereby approved involves construction on or near a boundary with an adjoining property. The applicant is advised that this planning permission does not authorise any other consent which may be required from the adjoining landowner or any other person, or which may be required under any other enactment or obligation.

(C) Should the timescale in (A) above not be complied with that the decision be delegated to Area Development Manager to determine.

89. OLD SARUM – REQUEST FOR VARIATION TO PROVISION OF S106 AGREEMENT

Public participation:

Mr R Champion (Laverstock and Ford Parish Council) – spoke in objection to the recommendation.

The committee considered a report which requested a variation to Schedule 1 Part I clause 5.2 and Schedule 2 part 1 of the S106 Agreement for the Old Sarum development to provide:

1. A delay in the payment of the second secondary education contribution owing to the slow build rate at the site
2. A fixed date for the delivery of the primary school, being September 2011.

A motion to open the school in September 2010 with a fallback date of December 2010 opening in January 2011 was proposed. Following the vote in which the Chairman used his casting vote, the motion failed.

Resolved:

That option 1, as detailed in the report, be accepted and the S106 agreement be varied to specify:

That the primary school shall be completed and transferred to the Council by September 2011.

The second secondary education payment be made no later than September 2011 (but indexed from the original payment date).

89. PROGRESS REPORT ON CURRENT SECTION 106 AGREEMENTS

The committee received an update report on the S106 agreements relating to the MOD land at Old Sarum and Hindon Lane

Resolved:

That the report be noted.

PART 2

Items considered whilst the public were not entitled to be present

None

Chairman
7 January 2010

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