

## Southern Area Planning Committee

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### MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 3 FEBRUARY 2022 AT SALISBURY GUILDHALL, THE MARKET PLACE, SALISBURY, SP1 1JH.

#### **Present:**

Cllr Richard Britton (Chairman), Cllr Sven Hocking (Vice-Chairman), Cllr Trevor Carbin, Cllr Brian Dalton, Cllr Nick Errington, Cllr George Jeans, Cllr Charles McGrath, Cllr Ian McLennan, Cllr Nabil Najjar, Cllr Andrew Oliver and Cllr Rich Rogers

#### **Also Present:**

Cllr Bridget Wayman

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#### 52 **Apologies**

There were none.

#### 53 **Minutes of the Previous Meeting**

The minutes of the meeting held on 8 December 2021 were presented.

#### **Resolved:**

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

#### 54 **Declarations of Interest**

There were none.

#### 55 **Chairman's Announcements**

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

#### 56 **Public Participation**

The committee noted the rules on public participation.

#### 57 **Planning Appeals and Updates**

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

The Chairman noted his frustration regarding the Lime Yard appeal which had been overturned by the Inspector, who had commented that the Committee was entitled to take a different view than that of the Officer, yet still proceeded to apply charges to the Council, which seemed perverse.

The Planning Team Leader added that Inspectors now required firm evidence to support such decisions in opposition to the Officer recommendation, rather than relying on Members local knowledge of an application sites issues, as had been the case with the Lime Yard application.

### **Resolved:**

#### **To note the Appeals Report**

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#### **Planning Applications**

#### **APPLICATION NUMBER: 20:00337.FUL - Land to East of Odstock Rd, and to South of Rowbarrow, Salisbury**

##### Public Participation

Peter Durnan (COGS) spoke in objection to the application

Nicola Liscombe (Salisbury Area Green Space Partnership) spoke in objection to the application

Philip Saunders (Agent) spoke in support of the application

Annie Riddle spoke on behalf of Salisbury City Council

Supplement 2 containing late correspondence, had been uploaded to the online agenda pack. This included a revised condition 16 relating to noise and third party comments from COGS, Salisbury Civic Society and Salisbury City Council, confirming previous objections.

The Planning Team Leader, Richard Hughes presented the application which was for the erection of 95 dwellings together with garages, car barns, and refuse/cycle stores. Lay out gardens and erect means of enclosure. Creation of new vehicular access to Odstock Road. Lay out internal roads, including drives and pavements. Provision of associated public open space, play areas and landscape planting. A slide showing the location of the site was shown and explained.

The application was recommended for Approval with conditions as set out in the report attached to the agenda.

Material considerations noted in the report included:

- Principle of development, policy and planning history;
- Design, scale and impact to the amenity of the area/Landscape Impacts
- Heritage impacts/archaeology
- Parking/Highways Impact;
- Ecological Impact/River Avon Catchment Area
- Drainage

- S106 matters

The natural mature screening along the existing Rowbarrow site was detailed on slides in both summer and winter for comparison. Rights of Way, linkages and paths were also shown.

The site was a housing allocation site in policy H3.4 and had been assessed to be suitable for around 100 dwellings.

The original proposals for 108 dwellings, had been reduced following consideration of archaeological and statutory consultee concerns which had raised issues.

The original layout proposed 108 dwellings, however due to constraints on the site and the discovery that there may be more archaeological artefacts to be avoided and areas of ecological sensitivity, following further consultation the proposals were revised twice. The current proposals for consideration at Committee include a reduction of dwellings to 95.

Comments within the report from the landscape and ecology officers noted required adjustments, however it was suggested that these could be managed by applying additional conditions.

What was shown was not the final landscaping measures for the site, plans would need to be further approved by the Landscape, ecology, and archaeology teams prior to commencement.

A land bank was in place between the existing Rowbarrow estate and the proposed development, which was owned by the developer of the adjacent development. Thus, the applicants of this scheme had no control over this bank.

Highways were satisfied with the development in terms of the parking requirements and the scheme included planned Highways works to Odstock Road.

An affordable housing scheme formed part of the proposals.

Members then had the opportunity to ask technical questions of the Officer, where it was clarified that the mature trees did have a TPO and were protected.

Clarification around the established protected tree belt line, the Saxon cemetery, the location of the archaeology area and the trackway was sought. The Officer details the locations of all on the slides.

The ownership of the open space (archaeology area) after completion of the development was queried, it was noted that it would remain in the ownership of the developer or be handed over to the Management company for the site. Queries around the possibility of the Salisbury City Council taking the area on were raised, it was noted that it was normally a separate matter between the

parties outside of planning considerations, but this issue would usually be included in the S106 Legal clauses.

The red line area which included a section of the road was queried, where it was confirmed the road was owned by the Council.

There were no conditions which prevented future development in the archaeological area as permission would be required to carry out any development there anyway. The Officer noted that in this instance what would be more common, was that the space would form various functions, such as an archaeological function. The New Forest Strategy also required an area of these larger sites to have a conservation measure, which would need to be protected.

The impact of reducing the number of dwellings on the site was discussed, it was noted that the less dwellings on a site which had been assessed to be suitable for around 100, would impact on the council's delivery targets of new houses. There would also be a financial impact to the developer, and a reduction in S106 contributions.

The compression of the site due to avoidance of the need for the open space was raised, clarification around the density of the dwellings and associated increase of traffic movements was requested.

The Officer drew attention to the Highways section in the report, specifically the Transport Assessment. A density calculation was not available at the meeting, however the Officer noted that in comparison to the existing Rowbarrow site, it was roughly the same or possibly slightly less.

The number of houses below the access road, nearest the lower tree line, was noted as being approximately 15.

Members of the public as detailed above, then had the opportunity to speak on the application.

Some of the main points included the breakage to the shared path on the east side of the development, requiring pedestrians and cyclists to give way to vehicular traffic. Access for Emergency service vehicles and the impact for other road users. Preservation of Landscape Heritage assets and the archaeological importance of the site.

The close proximity of the dwellings to the tree belt, the impact on the open space of the development the TPO's, and particularly that the trees had been planted as a commemoration to the Queen's Jubilee were also noted as having significance.

The site having been identified in the Council's Site Allocations Plan in 2020 and the need to provide housing was noted, along with planned improvements to RoWs and the sustainability of the site.

No identified need for community facilities on the development site in preference to local financial benefits. A benefit to the area of the 2.5-hectare open space.

Statutory consultees were in support of the proposal.

The Salisbury City Council reiterated its objections to the proposals, highlighting its view that the plans were asking too much of the site now that there were archaeological needs and suggested the benefits of a site visit for Members if they were not familiar with the location.

Reference was also made to the very large trees and associated fears that property owners living closet to them may have. The rare orchids on site and the addition of a condition to require installation of bird, bat and other wildlife features on each property.

Local Member, Cllr Sven Hocking, spoke to the application noting that the development had generated a lot of interest locally.

He noted that there had been changes to the proposals along the way, including the replacement of dwellings away from the cemetery and the discovery of the archaeological site, which had impacted on the size of the developable area.

He highlighted the importance of open space and space for people to live, given the restraints brought about by the pandemic over the last two years. He compared the houses and gardens to a postage stamp and that he felt the proposals amounted to overdevelopment.

He did not feel that some of the points previously raise around environmental issues had been addressed and felt that developers should be contributing to improvements by providing certain measures at the point of development rather than the owners having to install measures at a later stage at a higher cost.

The community facilities in the existing Rowbarrow estate were noted as consisting of a church hall and a local shop for approx 1500 houses, resulting in there being nowhere for people to go and meet. The pandemic had highlighted the need for facilities to socialise, which he felt should be a consideration for developers and that despite there being a financial contribution instead of the provision of the facilities, there would be nowhere for the facilities to be placed at a later date.

The design and street scenes shown were not pleasing on the eye and he felt that Salisbury having its historic character deserved more of an attractive design.

The dwellings on the site would be inhabited by families with children who would need school paces. The school at the other end of Harnham was not in the catchment area for this location.

He noted that he would like to see the removal of the 15 houses on the southern side of the access road removed with further consideration and alterations to making the development more special, environmentally greener and a good place to live.

He felt that there would be some form of development on the site and suggested that if the application were refused, the applicant could go to appeal and be approved.

In light of the outstanding reports from Landscaping and Ecology he put forward the idea of working with the developer and partners to come up with a proposal that was nearer to something that all could agree with.

Cllr Hocking then moved the motion of Deferral to enable further discussions to take place between the Applicant, the Planning Team and any other relevant parties, to resolve the issues which had been discussed and to come back with a revised application.

This was seconded by Cllr Nabil Najjar.

The Committee was invited to discuss the application, the main points included the large scale, future maintenance and associated issues relating to the tree line.

The plan for the road to cut through the cycle route, inclusion of facilities such as a MUGA and a play area were discussed, as were possible options for future ownership of the open space.

The non-determination deadline was noted as having past due to ongoing discussions with developers over the last 2 years.

Concerns over Historic England's input in the report were noted in relation to an Iron Age Holloway, running down where the 15 houses were planned. Suggestions for a stronger condition requiring a full archaeological assessment of the entire site were put forward, to establish what exactly was on the site.

There was mixed support for the refusal and the deferral options.

There was disappointment regarding the lack of a 5 year land supply which it was felt brought pressure on the Committee to consider applications such as this in a favourable way.

A request was made for the Chairman to feedback dissatisfaction with the delay in the Core Strategy provision of a 5 year land supply to the relevant Officers/Members.

Other areas of discussion touched on the sensitivity of the site and the support for a more elegant development than that proposed. Overdevelopment due to the dwelling numbers for what was a now much reduced space, the

encroachment on the treeline and the potential national importance of the archaeology were all given as reasons to defer the application.

Cllr Hocking requested that the following areas for discussion with developers should include:

1. More information related to the impact on the important archaeology on the site
2. The submission of additional matters related to the ecological and landscape issues/conditions
3. Reconsideration of the vehicular access with regards to cyclists
4. Adjustment of the number of dwellings and the spine road
5. Explore the future operation of the open space and play areas by the city council with maintenance money via a S106
6. That consideration be given to the MUGA being located on the development site

The Committee then voted on the motion of Deferral.

It was;

**Resolved:**

**That application 20.00337.FUL be Deferred to allow for discussions between the Applicant and the Planning Authority to reach a mutually agreed position on aspects of the development as listed above.**

60 **APPLICATION NUMBER: PL.2021.07817 - (FUL) Church View, High Street, Hindon, Salisbury, SP3 6DJ**

Public Participation

No public speakers were registered.

The Planning Officer Hayley Clark presented the application which was for a single storey extension to rear to provide ground floor bedroom.

The application was recommended for Refusal as set out in the report attached to the agenda. It was noted that the property was grade 2 listed and was one of many listed buildings which form the High Street in Hindon.

There were no technical questions of the Officer.

Local Member, Cllr Bridget Wayman, who was not on the Committee, spoke in support of the application noting that she was in attendance on behalf of the applicant, who had two serious degenerative medical conditions.

It was reported that the applicant has lived in the community since 1985. The rear extension was required to house a hospital bed on the ground floor, which would be required as the applicant's condition worsened. The applicant

currently struggled to access the upstairs of the property. The extension would enable the applicant to access the downstairs facility and house all that was required for her medical needs.

It was noted that the Council supported assisting residents to remain in their own homes.

The rear extension was designed to match another neighbouring rear extension on the property pictured in the slides. Cllr Wayman noted that she felt there had been unnecessary remarks from the Conservation Officer regarding other alterations in the property which had been carried out under approval.

The Applicants had been made aware of the difference between what was permitted under Building Regulations as opposed to Planning Permission and had no plans to do anything untoward.

The 'hip solution' put forward by the Conservation Officer would be more harmful in appearance. The rear extension would not be visible from the road.

As Cllr Wayman was not on the Committee, the Chairman invited the Committee to put forward a motion for debate.

Cllr Najjar then moved the motion of approval against Officer's recommendation. Based on the support of the local member and parish council and the limited impact on the property.

This was seconded by Cllr Oliver

The Committee was invited to discuss the application, the main points included the existing extension on a neighbouring property, the lack of visibility from the road.

Cllr McLennan was not in support of the motion which he noted went against the regulations of Listed Buildings and requested his dissent be recorded.

The Committee then voted on the motion of Approval against Officer recommendation for the reasons discussed above.

**Resolved:**

**That application PL.2021.07817 be Approved against Officer recommendation with the following conditions:**

**Conditions:**

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

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

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

**Application form received 09/08/2021**

**Design and access statement received 09/08/2021**

**Heritage Statement received 09/08/2021**

**Location and block plan Drg no 100 received 09/08/2021**

**Proposed joinery details Drg no 103 received 25/08/2021**

**Proposed plans, section and elevations Drg no 102 received 25/08/2021**

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

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

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

**Informatives: (1)**

**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. 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.**

**61 APPLICATION NUMBER: PL/2021/08180 - (LBC) Church View, High Street, Hindon, Salisbury, SP3 6DJ**

Because this was the listed Building element of the previous application, the discussion and reasons were included in the previous minute.

Cllr Nabil Najjar moved the motion of Approval against Officer recommendation for the reasons as stated.

Cllr Oliver Seconded the motion.

The Committee then voted on the motion of Approval against Officer recommendation for the reasons given.

**Resolved:**

**That application PL.2021.08180 be Approved against Officer recommendation with the following conditions:**

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

**REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.**

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

**Application form received 09/08/2021**

**Design and access statement received 09/08/2021**

**Heritage Statement received 09/08/2021**

**Location and block plan Drg no 100 received 09/08/2021**

**Proposed joinery details Drg no 103 received 25/08/2021**

**Proposed plans, section and elevations Drg no 102 received 25/08/2021**

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

**3. Notwithstanding the approved plans. once the existing rear elevation of the main dwelling becomes an internal wall for the approved extension, it shall remain uncovered brick and shall not be painted, plastered or any other covering.**

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

## **62 Urgent Items**

There were no urgent items

(Duration of meeting: 3.00 - 5.23 pm)

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

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