

Date of Meeting	07/07/11		
Application Number:	S/2011/0432		
Site Address:	Land adjacent to Rose Cottage, Castle Lane, Whaddon, Salisbury, SP5 3EQ		
Proposal:	Demolish the existing garage, shop/workshop. Change of use of site and erect a new workshop to be used as a car service and MOT station for the relocation of M&M Auto Engineers and reinstate access on North of site		
Applicant/ Agent:	Barclay & Phillips Ltd		
Parish:	Alderbury		
Grid Reference:	419629.691 126291.017		
Type of Application:	FULL		
Conservation Area:		LB Grade:	
Case Officer:	Mrs J Wallace	Contact Number:	01722 434687

## 1. Purpose of report

At the meeting on 16 June 2011, members determined to approve the above application subject to the wording of the suggested list of conditions being delegated to officers, and, when they are ready, to bring them back to the committee for agreement. The below conditions have been drafted by officers for consideration by committee. (Attached as an appendix for information is a copy of the original report to the meeting on 16 June, which recommended refusal).

## 2. Recommendation

**It is recommended that the application be APPROVED for the following reasons:**

National and local guidance supports small scale business development in rural areas. The repair and maintenance of vehicles supports the vitality and viability of the local economy and so the Planning Committee, determined that the proposed development accords with the provisions of the Development Plan, as the proposal will provide enhanced services and facilities for the village (policy G1 Aims of the Local Plan) and create additional employment (policy E17 Employment) supporting the continued vitality of the village; so notwithstanding that the scale and design of the development is not in keeping with the locality and there is limited off-street car parking; subject to a contamination investigation and if necessary a programme of decontamination, and conditions regarding noise and hours of operation, the proposal would not adversely affect the amenity of neighbours (policy G2 General Criteria for Development).

And subject to the following conditions

### 1 Standard time duration

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 External materials to be approved**

No development shall commence on site until 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: In the interests of visual amenity and the character and appearance of the area.

POLICY: G2 General criteria for development

## **3 Wall to be repaired, details and materials to be approved**

Prior to commencement of the development hereby approved, a schedule (and drawings as necessary), detailing repairs and related alterations to the front boundary wall, shall be submitted to the local planning authority for approval in writing. The development shall be carried out in accordance with the approved schedule and drawings.

REASON: In the interests of visual amenity.

POLICY: G2 General criteria for development

## **4 Restrict hours of work**

The use hereby permitted shall only take place between the hours of 08:30 and 18:00 from Mondays to Fridays and between 09:00 and 12:00 on Saturdays. The use shall not take place at any time on Sundays and Bank or Public 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.

POLICY-G2 General Criteria for development

## **5 Restriction on areas for vehicle repairs and MoT's.**

The repair, servicing and/or the MoT testing of vehicles shall take place inside the approved workshop building only. No other parts of the site (including any open part of the site) shall be used for these purposes.

REASON: To avoid likely noise disturbance in the interests of residential amenity.

POLICY: G2 General criteria for development

## **6 Restriction on numbers of vehicles repaired at any one time.**

No more than two vehicles shall be repaired, serviced and/or MoT tested at the site at any one time.

REASON: To accord with the terms of the application and to control the number of vehicles at the site at any one time in view of the limited number of on-site vehicle parking spaces.

POLICY: G2 General criteria for development

### **7 Water run-off.**

No development shall take place until details of a scheme for the discharge of surface water from all hard surfaces has been submitted to, and approved in writing by, the Local Planning Authority. The development shall thereafter be carried out in accordance with these approved details.

REASON: In the interests of highway safety, to prevent the discharge of surface water on the highway.

POLICY: G2 General criteria for development

### **8 Contamination investigation and de-contamination as necessary.**

Prior to the commencement of the development approved by this planning permission (or such other date or stage in the development as may be agreed in writing with the Local Planning Authority), the following components of a scheme to deal with the risks associated with contamination of the site shall each be submitted to and approved, in writing, by the local planning authority: 1. A preliminary risk assessment which has identified:

- all previous uses;
- potential contaminants associated with those uses;
- a conceptual model of the site indicating sources, pathways and receptors;
- potentially unacceptable risks arising from contamination at the site.

2. A site investigation scheme, based on (1) to provide information for a detailed assessment of the risk to all receptors that may be affected, including those off site.

3. The results of the site investigation and detailed risk assessment referred to in (2) and, based on these, an options appraisal and remediation strategy giving full details of the remediation measures required and how they are to be undertaken. 4. A verification plan providing details of the data that will be collected in order to demonstrate that the works set out in the remediation strategy in (3) are complete and identifying any requirements for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action. Any changes to these components require the express consent of the local planning authority. The scheme shall be implemented as approved.

REASON: To ensure the protection of controlled waters

POLICY PPS23 prevention of pollution

### **9 Doors closed when work undertaken**

No industrial processes, repair or maintenance of any vehicle, plant or machinery shall be carried out or undertaken within any of the buildings, unless the doors/windows to those buildings are closed and at no time shall any industrial

processes, repair or maintenance of any vehicle, plant or machinery be carried out outside of any building on the site.

REASON: In the interests of the appearance of the site and the amenities of the area.

POLICY: G2 General criteria for development

### **10 Parking areas retained**

The parking and turning area shown on drawing reference no. 1408/07 Rev B shall be provided and permanently retained and used for those purposes

REASON: In the interests of the amenities of the neighbours

POLICY: G2 General criteria for development.

### **11 Noise insulation of building**

The development hereby permitted shall not be brought into use until a scheme of suitable noise attenuation works has been submitted to and approved in writing by the Local Planning Authority. Any works which form part of the approved scheme shall be completed before the premises are first occupied and shall thereafter be maintained in effect.

REASON: In order to minimise nuisance and safeguard the amenities of the area in which the development is located

POLICY: G2, General criteria for development

### **12 Documents**

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 .1408/07 Rev A. Date Received 28 March 2011.

REASON : For the avoidance of doubt

### **INFORMATIVE:**

The applicant should be made aware that the lay-by that fronts the site is part of the public highway and as such, is available for all users of the public highway. Therefore, the parking shown on the submitted drawing (1408/07 Rev A) in this area cannot be assumed to be an entitlement of the applicant.