

Extract from the minutes of Wesvern  
Area Committee 11 December 2008

**221. Minutes:**

**Resolved:** that the minutes of the ordinary meeting held on 13 November 2008 be approved as a correct record and signed by the Chairman.

**222. Declarations of Interest:**

There were none.

**223. Chairman's Announcements:**

Councillor Green:

- announced her disappointment that Broad Chalke Post Office was to move to a reduced hour outreach service;
- confirmed that the committee were still awaiting a response to their letter to the Highways Agency regarding the A303;
- expressed concern at a recent spate of burglaries in the western area, particularly targeting outbuildings, and urged those present to be vigilant.

NB – Since the meeting The Highways Agency have responded to the Chairman's letter please contact the clerk if you require a copy.

**224. Planning Application S/2008/0779 Mixed Use Development of Land to Compromise Around 90 Dwellings and 3800 Square Metres of B1 Business Floorspace (Including Associated Highway Infrastructure) and Landscaping for Mr David Lohfink at Land Off Hindon Lane Tisbury:**

The committee considered a presentation from the Planning Officer in conjunction with the previously circulated report, information contained in the schedule of additional correspondence circulated at the meeting and a site visit. Mr Hannis, of Wiltshire County Council Highways was also on hand to answer questions relating to highway issues.

Mrs J Ings, Mrs L Nunn, Mr J Young, Mr C Berkshire, Mr A Carter and Mr Berkley-Matthews and Mrs I Lacey spoke in objection to the application. Mr R Dearden addressed the committee on behalf of Tisbury Parish Council.

**Resolved:**

**(1) Following completion of a S106 agreement to achieve the following within 3 months of the date of the resolution:**

1. The provision of public recreational open space
2. The provision of affordable housing
3. The phasing of development
4. The sum in relation to policy R4 (the 'community land') and R2 (public recreation facilities). A further planning application will be required (and will need to have been approved) in relation to the off-site public recreational open space.
5. The provision of educational facilities
6. Travel Plan and requirements of the Highway Authority
7. Public art
8. The satisfactory long term operation and maintenance of the surface water drainage scheme
9. Landscape Management
10. A contribution in relation to bin storage and kerbside waste management facilities

**(2) That the application be delegated to HDS to approve for the following reasons:**

Subject to conditions and a legal agreement, the proposed development would be acceptable in principle and would not harm the character and appearance of the area, AONB or adjacent Conservation Area, highway safety, protected species, the water environment (drainage, flooding), neighbouring properties, archaeological features or any other material planning consideration. It would make adequate provision for employment provision, education, community facilities and public recreational open space. It would therefore comply with the relevant saved policies of the Adopted Salisbury District Local Plan.

**And subject to the following conditions:**

(1) Approval of the details of the layout, scale, appearance of the buildings, and the landscaping of the site (hereinafter called "the reserved matters") shall be obtained from the local planning authority in writing before any development is commenced.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

(2) Plans and particulars of the reserved matters referred to in condition 2 above, relating to the layout, scale, appearance of the buildings, and the landscaping of the site shall be submitted in writing to the local planning authority and shall be carried out as approved.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

(3) Application for approval 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: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

(4) The development hereby permitted shall be begun either before the expiration of five 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: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

(5) No development approved by this permission shall be commenced until details of a scheme for the provision of surface water run off limitation incorporating sustainable drainage principles (SUDS) in accordance with the Flood Risk Assessment Laurence Rae Associates Ltd Report No 2651 FRA 3 dated April 2008 has been submitted to and approved in writing by the local planning authority. The scheme shall be completed in accordance with the approved programme and details.

Reason: To prevent the increased risk of flooding by ensuring the provision of a satisfactory means of surface water disposal.

(6) No development approved by this permission shall be commenced until details of existing and proposed ground levels including overland flow routes and exceedence overflow protection in accordance with the Flood Risk Assessment Laurence Rae Associates Ltd Report No 2651 FRA 3 dated April 2008 and finished floor levels has been submitted to and approved in writing by the local planning authority. The scheme shall be completed in accordance with the approved programme and details.

Reason: To minimise flood risk to the development, neighbouring property and Hindon Lane.

(7) Prior to the commencement of development approved by this planning permission or such other date or stage in development as may be agreed in writing with the Local Planning Authority a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the local planning authority. That scheme shall include all of the following elements unless specifically excluded in writing by the Local Planning Authority:

1. A desk study identifying:
  - 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 an assessment of the risk to all receptors that may be affected including those off site;
  3. The results of the site investigation and risk assessment 2 and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken;
  4. A verification report on completion of the works set out in 3 confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance further monitoring and reporting.

Any changes to these agreed elements require the express consent of the Local Planning Authority.

Reason: The site overlies Limestone & Sandstone of Tisbury Member geology which is a Primary/Major aquifer. The site investigation carried out identifies Area 1 in the North west of the site as having a potential for contamination due to its previous uses, however the site investigation supplied has only two trial pits from this location which are shallow and do not reach the base of the made ground. Contaminant levels in samples from these trial pits are above the levels found in the other areas of the site.

- (8) No development approved by this permission shall be commenced until a Construction Environmental Management Plan incorporating pollution prevention measures has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

Reason: To prevent pollution of the water environment

- (9) Prior to the commencement of development details of the emergency access to Weaveland Road shall be submitted to and approved, in writing, by the Local Planning Authority. That access shall be constructed before the first occupation of the fiftieth residential dwelling hereby approved.

Reason: in the interests of highway safety

- (10) Prior to the commencement of construction works a scheme for the washing of construction lorries' wheels upon leaving the site shall be submitted to and approved, in writing, by the Local Planning Authority. Construction works shall be undertaken in accordance with the approved details.

Reason: in the interests of the amenities of nearby properties

- (11) Prior to the commencement of development, details of the water and energy efficiency measures to be used in the proposed development shall be submitted to and approved in writing by the Local Planning Authority. Development shall be undertaken in accordance with the approved details.

Reason: in the interests of sustainable development.

- (12) The number of dwellings hereby approved shall not exceed 90 dwellings.

Reason: For the avoidance of doubt; the decision has been taken on this number of units only.

- (13) This decision relates only to submitted plans numbered 2424/HA/1 (received on 26<sup>th</sup> August 2008) and LP.01 (received on 22 April 2008) only. Any other plans submitted, including in relation to the internal layout of development, were indicative only and have not been approved or endorsed by this decision.

Reason: For the avoidance of doubt

(14) The development hereby approved shall be undertaken in accordance with the recommendations of the submitted protected species surveys unless otherwise agreed in writing by the Local Planning Authority.

Reason: in the interests of protected species

(15) Construction works shall only take place during the following periods: Mondays to Fridays 7.00am to 6.00pm, Saturdays 7.00am to 1pm and not at all on Sundays.

Reason: in the interests of the amenities of nearby properties

(16) Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order re-enacting or revoking that order) there shall be no extensions to the dwellings hereby approved, not any outbuildings erected within the curtilage, unless otherwise approved by the Local Planning Authority by means of a planning application.

Reason: in the interests of the character and appearance of the area

(17) No development shall commence until a detailed design of the access junction in the form of a mini-roundabout including footways, and bus stops and shelters on Hindon Lane, and the extension of the 30mph speed limit, all as illustrated on drawing number 2424/HA/1 has been submitted to and approved, in writing, by the Local Planning Authority. The access junction, footways and extension to the 30mph limit shall be constructed and provided in accordance with the approved details before the commencement of development (other than highway development approved through this condition). The approved bus shelters shall be provided before the first occupation of the development.

Reason: in the interests of highway safety and sustainable development

(18) As part of the submission of any application in relation to any of the Reserved Matters there shall be submitted to and approved in writing by the local planning authority a plan, of a scale previously approved in writing by the local planning authority for such purposes, showing:

- (a) the location of all existing trees and hedgerows; and
- (b) any existing trees and hedgerows that will be retained as part of the development,

("the Existing Tree and Hedgerow Plan") .

Reason: in the interests of the character and appearance of the area

(19) No development shall take place until the applicant, or their agents or successors in title, has secured the implementation of a programme of archaeological work in accordance with a written scheme of investigation which has been submitted by the applicant and approved in writing by the local planning authority.

Reason: in the interests of archaeology and cultural heritage

(20) In relation to all trees and hedges identified as being retained in the Existing Tree and Hedgerow Plan, prior to the commencement of any development there shall be submitted to and approved in writing by the local planning authority details:

- (a) of the specification and position of fencing incorporating the proposed alignment of the fencing and any other measures to be taken that will be provided for the protection of all such trees and hedges from damage during the carrying out of any work in respect of the development;
- (b) of the time periods for the provision and retention of the fencing and other measures identified for the purposes of sub-paragraph (a); and
- (c) for the laying of such hedges or parts thereof in advance of any part of the development being commenced

("the Tree and Hedge Protection Details").

Reason: in the interests of the character and appearance of the area

(21) All trees and hedges which are identified as being retained in the Existing Tree and Hedgerow Plan shall at all times during the implementation of the development be protected, and in the case of hedges laid, in accordance with the Tree and Hedge Protection Details, provided that the Tree and Hedge Protection Details may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Reason: in the interests of the character and appearance of the area

(22) As part of the submission of any application in relation to any of the Reserved Matters any part of the development details of the principles to be adopted in relation to all structural landscaping (both hard and soft) shall have been submitted to and approved in writing by the local planning authority which shall in particular include principles to be used in relation to:

- (a) all means of enclosure of public space;
- (b) pedestrian accesses and all circulation areas;
- (c) refuse and any other storage areas;
- (d) play areas;
- (e) sustainable drainage;
- (f) surfaces;
- (g) open spaces; and,
- (h) the boundaries of the site both with the open countryside and with existing built form.

("the Landscaping Principles").

Reason: in the interests of the character and appearance of the area

(23) All landscaping provided in relation to the development shall be in accordance with the Landscaping Principles, provided that the Landscaping Principles may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Reason: in the interests of the character and appearance of the area

(24) As part of the submission of any application in relation to any of the Reserved Matters a landscape management plan in respect of all hard and soft open, play and other spaces shall be submitted to and approved in writing by the local planning authority which shall in particular:

- (a) include long term design objectives (i.e. for a period covering at least ten years from completion of the development);
- (b) include management responsibilities;
- (c) include maintenance provisions;
- (d) include details identifying the phased implementation and establishment of the landscaping as part of the development;
- (e) include details for the replacement of any tree, hedge and any other planting in the event of the same being removed, dying or becoming seriously diseased or damaged, within the period of five years following the completion of the tree, hedge or other planting (as the case may be) requiring replacement is situated;
- (f) include details of the time period(s) within which any tree, hedge or other planting (as the case may be) to which sub-paragraph (e) above relates will be replaced;
- (g) accord with the Landscaping Principles, and
- (h) only include site layout drawings which are of a scale that has previously been approved by the local planning authority in writing in advance of such details being submitted, ("the Landscape Management Plan").

Reason: in the interests of the character and appearance of the area

(25) The development shall only be implemented in accordance with the Landscape Management Plan; and landscaping once provided shall at all times thereafter be managed and maintained (and where relevant replaced) in accordance with the Landscape Management Plan, provided that the Landscape Management Plan may be amended in accordance with details expressly submitted to and approved in writing by the local planning authority for such a purpose.

Reason: in the interests of the character and appearance of the area

(26) As part of any application in relation to the Reserved Matters of the development there shall be submitted to and approved in writing by the local planning authority a design code including a comprehensive master plan for the whole of the development which sets out:

- (a) block layouts;
- (b) movement linkages;
- (c) disposition and hierarchy of public spaces and the "total Open Space Provision";
- (d) principles of sustainable design to be applied to development;
- (e) architectural treatment of all structures; including the range of external materials;
- (f) the interrelationship between built forms and landscape to include an assessment of views into and out of the Site;
- (g) highway treatment;
- (h) principles for the design and general location of furniture for streets and all other public areas including seats, shelters, refuse receptacles and cycle parking shelters;
- (i) principles for the provision of and locating of all external storage facilities to serve the buildings permitted by the development;
- (j) lighting; and
- (k) public art,

("the Design Code").

Reason: in the interests of the character and appearance of the area

(27) The development shall only be implemented in accordance with the Design Code, provided that the Design Code may be amended in accordance with a detailed design justification for any changes that may be expressly submitted to and approved in writing by the local planning authority for such a purpose.

Reason: in the interests of the character and appearance of the area

(28) No Reserved Matters application shall be submitted to the local planning authority unless it is accompanied by a statement identifying how any design proposals contained within that Reserved Matters application accords with the Design Code.

Reason: in the interests of the character and appearance of the area

(29) Prior to any part of the development being commenced, details of all lighting proposals shall be submitted to and approved in writing by the local planning authority which shall in particular include:

- (a) street lighting including lighting for all carriageways, roads, cycleways, footways, footpaths and turning spaces;
- (b) lighting of communal parking areas and all other publicly accessible areas;
- (c) the proposed intensity of the lighting;
- (d) the design of light columns; and
- (e) a lighting contour plan

Development shall only be implemented in accordance with the details that have been approved by the local planning authority unless otherwise agreed, in writing, by the local planning authority.

Reason: in the interests of the character and appearance of the area

(30) No building within the site shall exceed 2.5 stories in height.

Reason: in the interests of the character and appearance of the area.

(31) Prior to any part of the development shall be commenced, plans and sections of a scale not less than 1:200 showing the level of the finished floor slab of every building in relation to Ordnance Datum shall be submitted to and approved in writing by the local planning authority. Development shall only be implemented in accordance with the Floor Level Details that have been approved by the local planning authority.

Reason: in the interests of the character and appearance of the area.

(32) The reserved matters application(s) must include the provision of an access between the application site and the school/sports centre. Details of this vehicular access will need to include the point of access, width, layout and access road, and the means of securing/limiting its use.

Reason: in the interests of mitigating the increase in traffic resulting from the development and providing further access to the school/sports centre

#### **INFORMATIVE – THIS DECISION**

This decision has been taken in accordance with the following saved policies of the Development Plan:

##### Adopted Salisbury District Local Plan 2003 (saved policies)

H14	Land at Weaveland Road, Tisbury (housing)
E14A	Land at Weaveland Road, Tisbury (employment)
G1, G2	General Development Criteria
G5	Water Supply and Drainage
G6	Sustainable Development
G9	Planning Obligations
D1	Extensive Development Proposals
D6	Pedestrian Access and Permeability
D7	Site Analysis
D8	Public Art
H25	Affordable Housing
TR1	Sustainable Transportation
TR11	Parking Standards
TR12	Sustainable links in Development
TR13	Footpath Improvement
TR14	Cycle Parking
R2	Recreational Open Space
R4	Provision of contribution to indoor leisure facilities
R17	Public Rights of Way
C4, C5	Development in the AONB
C12	Protected species

##### Adopted Wiltshire Structure Plan 2006

DP1	Pursuit of Sustainable Development
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##### Supplementary Planning Guidance

Creating Places

Sustainable Development

Affordable Housing

Adopted Development Brief

Development Brief, Hindon Lane, Tisbury – December 2006

##### Government Guidance

PPS7, PPS1, PPS9, PPS22, circulars 11/95, 01/2005

#### **INFORMATIVE – ENVIRONMENT AGENCY ADVICE**

### Pollution prevention during construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery, oils, chemicals and materials, the use and routing of heavy plant and vehicles, the location and form of work and storage areas and compounds, and the control and removal of spoil and wastes.

The development should include water efficient appliances, fittings and systems in order to contribute to reduced water demand in the area. These should include, as a minimum, dual flush toilets, water butts, spray taps, low flow showers, no power showers and white goods, where installed, with the maximum water efficiency rating. Greywater recycling and rainwater harvesting should be considered. We would be happy to provide further advice when the applicant is designing the scheme.

### Sustainable building and construction

It is recommended that the proposed development includes sustainable design and construction measures which comply with the Code for Sustainable Homes. The development should aim to achieve the highest number of stars possible preferably six. The applicant is advised to visit <http://www.communities.gov.uk/publications/planningandbuilding/codesustainabilitystandards> for detailed advice on how to comply with the Code. It includes sections on energy and water efficiency and is compulsory for all housing from May 2008.

In a sustainable building minimal natural resources and renewables are used during construction and the efficient use of energy is achieved during subsequent use. This reduces greenhouse gas emissions and helps to limit and adapt to climate change. Running costs of the building can also be significantly reduced.

### **INFORMATIVE – AFFORDABLE HOUSING**

The applicant is advised that, in relation to the subsequent Reserved Matter applications, the latest Housing Needs Study 2006 identifies the housing mix that should be delivered for both market housing and affordable housing. Within the Tisbury or Nadder Valley community area, the following splits have been identified as needed:

#### Market Housing:

1 bed 4%  
2 bed 10%  
3 bed 47%  
4+ bed 39%

#### Affordable housing

1 Bed 36%  
2 Bed 28%  
3+ Bed 36%

Of the Affordable rent 50% should be 1 bed and 50% should be 2 bed. Of the shared ownership 30% should be 1 bed, 16% should be 2 bed and 56% should be 3+ bed.

### **INFORMATIVE**

The developers' attention is drawn to the measures considered necessary by members to be included in at reserved matters stage where applicable, set out as follows:

1. That the provision of one parking space per employment unit is not considered sufficient;
2. That lighting throughout the site must be designed to limit external light pollution;
3. That rear access to numbers 1 to 7 Hindon Lane be provided from the application site via the proposed main means of access, and to number 8 if reasonable, justified and possible (bearing in mind other constraints);
4. That the buildings at the southern and western boundaries of the site shall only be two stories in height (without accommodation within the roofspace);
5. That the dwellings shall be of a highly sustainable design and construction;
6. That the employment uses shall be sited away from existing residential properties where possible.



- 4) **Should the S106 agreement not be completed until the period specified in (a) above – then the decision is delegated to the HDS to refuse for reasons of Loss of public open space (compliance with R2), Lack of affordable housing, inadequate travel planning, highway safety, inadequate access, surface water drainage, unsatisfactory phasing of development.**

Councillors Beattie and Parker asked that their dissent be recorded.

**225. Planning Application S/2008/1590 Carry Out Alterations and Extension and Conversion of Building to 5 Flats and a Maisonette for Lipscombe Developments Limited at The Boardroom House, The Square, Mere:**

The committee considered a presentation from the Planning Officer in conjunction with the previously circulated report, information contained in the schedule of additional correspondence circulated at the meeting and a site visit.

**Resolved:** That the application be refused for the following reasons:

1) The proposed external alterations, in particular the raising of the roof height at the rear, would adversely affect the character and appearance of the listed building and result in an unacceptable level of overdevelopment. The excessive amount of development would result in a poor level of amenity to future occupiers through the unacceptable level of parking provision (including in relation to bicycles); and would fail to provide adequate provision for refuse storage and recycling facilities. Furthermore the proposal would introduce a degree of overlooking to adjoining residential properties. In these respects, the development would be contrary to the aims and objectives of the saved policies G1, G2, H16, CN3, CN8, CN11, TR11 and TR14 of the Adopted Salisbury District Local Plan .

2) The proposed residential development is considered by the Local Planning Authority to be contrary to saved policy R2 of the adopted Salisbury District Local Plan on the basis that appropriate provision towards public recreational open space has not been made.

**226. Planning Application S/2008/1591 Carry Out Alterations and Extension and Conversion of Building to 5 Flats and a Maisonette for Lipscombe Developments Limited at The Boardroom House, The Square, Mere:**

The committee considered the previously circulated report. Mr D Carpendale spoke in favour of the application.

**Resolved:** That the application be refused for the following reason:

The proposal would by reason of, the extent to which the external alterations, in particular, the raising of the roof height at the rear (for the maisonette) would adversely affect the character and appearance of the listed building, result in an unacceptable development considered to be to the contrary to the aims and objectives of saved policies CN3, CN8 of the adopted Salisbury District Local Plan and PPG 15.

**227. Community Update:**

Councillor Fowler expressed his satisfaction that retrospective planning consent for the sign advertising the Black Dog at Chilmark had been granted by West Wiltshire District Council. He announced his intention to provide a report from Compton Abbas airfield at the next meeting of the committee. Finally, he mentioned that an article urging people to make representations to Wiltshire County Council Highways in order to achieve double yellow lines along station Road in Tisbury had featured in Focus, the parish magazine for the Nadder Valley. He did not think double yellow lines were appropriate for the site, and believed that the local community should unite behind proposals on parking in Tisbury being developed by County Councillor Tony Deane and the Tisbury and Parish Community Area Board.

Councillor Edge announced that Wiltshire Council were now unlikely to provide their share of the funding for the regeneration of the Market Square in Salisbury. Its preference was to proceed with the Maltings and Central Car Park development and use revenue generated by that project to fund the market place at a later date.