

SOUTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 15 JULY 2010 AT ALAMEIN SUITE, CITY HALL, SALISBURY.

Present:

Cllr Richard Britton, Cllr Christopher Devine, Cllr Mary Douglas, Cllr Jose Green,
Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Ian West,
Cllr Fred Westmoreland (Chairman) and Cllr Graham Wright

Also Present:

Cllr Chris Cochrane
Cllr John Noeken

62. **Apologies for Absence**

No apologies for absence were received.

63. **Minutes**

The minutes of the meeting held on 24 June 2010 were approved and signed as a correct record by the Chairman.

64. **Declarations of Interest**

Councillor Jose Green declared a personal interest in Item No.6 - Salisbury & South Wilts Sports Club, Wilton Road, Salisbury, SP2 9NY. She explained that part of the site belonged Wilton House where she was an occasional guide. She would stay and participate in debate but not vote on the matter.

65. **Chairman's Announcements**

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

The Chairman noted that Olivier Marigold, Senior Planning Officer would be leaving the authority shortly and thanked him for all his help and assistance in the past.

66. **Public Participation**

The committee noted the rules on public participation.

67. **Salisbury & South Wilts Sports Club, Wilton Road, Salisbury, SP2 9NY - Proposed Amendment to Design Of Proposed Sports Pavilion, Subject of Application S/2008/2089.**

Public Participation:

John Youings spoke in support of the application.

Cllr Chris Cochrane, the local member, spoke in support of the application

The senior planning officer outlined the application. Under consideration were a number of changes to note and approve as part of an ongoing application. 1 letter of additional correspondence had been received.

Councillors received clarification of the positioning of the building within the site, and on the reasons for the change in design.

Resolved:

To approve the application with the amended plans for the sports pavilion, and subject to the previously requested S106 agreement and conditions (or any revised terms and conditions thought appropriate due to the change of design) - as per option 4.1a contained in the officer's report.

68. **Land at the former Wisma Poultry Farm/Stonehenge Campsite, Berwick Road, Berwick St. James**

The Lead Principal Enforcement officer updated the committee in respect of progress towards resolving the various planning breaches at the site. He explained that the section 106 agreement agreed by the landowner and Wiltshire Council was not included but summarised in the attached report.

Questions from Councillors were received regarding 2 ongoing planning applications as referred to in paragraph 6 of the officer's report. The officer clarified that both applications were retrospective in nature seeking 1) to gain permission to display two advertisements at the entrance to the site and 2) to retain those physical elements of the Caravan site rally field which require planning permission.

Resolved

To note the contents of the report.

69. **Planning Appeals**

The committee received details of the following appeals;

Decisions

S/2009/1778 - 18 Folkestone Road, Salisbury – WR – Delegated – Dismissed

S/900/0843 - Rear of 6-12 Ringwood Avenue, Boscombe Down, Amesbury – WR – Committee - Dismissed

S/2009/1885 - 19 Southbourne Way, Porton – HH – Delegated – Dismissed

Resolved

That the report be noted

70. **Planning Applications**

70a **92A Queen Alexandra Road Salisbury**

Public Participation:

Mrs Shirley Maple spoke in objection to the application on behalf of the residents of Wellington Way.

Mr Derek Brown spoke in objection to the application on behalf of the residents of Queen Alexandra road.

Cllr Jo Broom of Salisbury City Council, local ward member, spoke on behalf of local residents in objection to the application.

Cllr John Rooney, Chair of Salisbury City Council's Planning & Transportation Committee spoke in objection to the application.

Cllr Chris Cochrane the local division member spoke in objection to the application.

The Planning officer outlined the application, which was recommended for refusal.

During the debate were raised by several Councillors surrounding a lack of adequate vehicular access to the site, in particular concerns were expressed that the access road was not wide enough for emergency vehicles. There was also some concern about overdevelopment and the scarcity of car parking available nearby.

Resolved

That planning permission be refused for the following reasons:

1. The proposed development, by reason of the design and layout of the dwellings, the off-street parking in front of the dwellings on Wellington Way and the parking/turning area for the bungalows creates a poor living environment that is vehicle dominated. In conjunction with the tandem/backland arrangement which is not in keeping with the predominant scale and character of the area and by reason of the close proximity of the access road to no.94 Queen Alexandra Road detract from the general amenities of the occupiers of the dwellings on Queen Alexandra Road which back on to the site by way of vehicle-related noise and disturbance associated with the use of the access and the parking/turning area. Furthermore, by reason of the siting of the dwelling on Plot 6 in close proximity to the boundary with no. 1 Wellington Way and no.21 Roberts Road, the proposed development would appear overbearing and result in a loss of daylight/sunlight to the detriment of the amenities of the occupants of these neighbouring properties.

As such, the proposal would be contrary to Policies G2, D2 and H8 of the Adopted Salisbury District Local Plan (June 2003) that seek to ensure that development is acceptable in the context of the character and appearance of the area.

2. The proposed residential development is considered by the Local Planning Authority to be contrary to Policy R2 of the Adopted Replacement Salisbury District Local Plan, as appropriate provision towards public recreational open space has not been made.

Informative 1

It should be noted that the reason given above relating to Policy R2 of the Adopted Replacement Salisbury District Local Plan could be overcome if all the relevant parties agree to enter into a Section 106 legal agreement or if appropriate by condition, in accordance with the standard requirement for recreational public open space.

70b Land Adjacent To Butterfield Drive Amesbury Salisbury

Public Participation:

Cllr Roger Fisher, of Amesbury Town Council, spoke in objection to the application.

Cllr John Noeken, the local member spoke in objection to the application

The Planning Officer presented the report which was recommended for approval. Following a short debate during which clarification was sought on

the orientation of some of the proposed buildings, and the location of the windows, it was

Resolved

To refuse the application for the following reasons

1) The proposal by reason of the height and positioning of flats 7 to 13 Close to the Northern Boundary with neighbouring properties in Pointers Way and the overall number of units on site as a whole is considered to have an adverse impact on the visual amenities of neighbouring properties and represents overdevelopment of the site contrary to policies G2, D2 and H16 of the saved policies of the Salisbury district council local plan.

2) The proposed residential development is considered by the local planning authority to be contrary to policy R2 of the saved policies of the Salisbury district local plan as appropriate provision towards public recreational open space has not been made.

70c **London Road Amesbury Salisbury**

Public Participation:

Mr John White spoke in objection to the application

Mrs Valerie Davie spoke in objection to the application

Mr Michael Beese spoke in support of the application.

Cllr Roger Fisher, Amesbury Town Council spoke in objection to the application

The Planning Officer presented the report which was recommended for approval. He drew Councillors attention to late correspondence in which two extra conditions were included.

A debate ensued during which concerns regarding the layout of the site, the possibility for crime and disorder, the size and construction of the boundary fence and the probable hours of operation were raised.

Resolved

To refuse the application for the following reason

(1) The proposed development, by reason of its design, layout and the close proximity to nearby residential dwellings, particularly the circulation arrangement around the proposed kiosk, the height of the proposed fencing, and the potential for anti-social behaviour, would harm the amenities of adjacent dwellings, contrary to saved policy G2

of the Adopted Salisbury District Local Plan

70d **140 London Road & Land & Buildings To Rear Amesbury Salisbury**

Public Participation:

Brigadier Andrew Durkin spoke in objection to the proposal
Mr Michael Beese spoke in support of the application
Cllr Roger Fisher, of Amesbury Town Council spoke in objection to the application

The Planning Officer presented the report and explained that the application was a Section 73 application, to vary the conditions of an existing (granted) application, namely the store's delivery hours, and the store's appearance.

There was a recess at 21.23 to enable the chairman to receive legal guidance.

The meeting resumed at 21.41.

Following a debate during which concerns were raised regarding the hours of operation it was

Resolved:

In relation to the external appearance of the building, it is considered that the changes made by the applicant represent an upgrade of the store design in terms of sustainable measures which will enhance the environment, and would comply with sustainability policies (G1) as contained within the saved policies of the former Salisbury District Council Local Plan. It is not considered that the amendments proposed would have a significant effect on the amenity (in visual terms) of surrounding properties. The council considers that the removal of condition 20 (of planning permission reference S/2008/0572) to allow 24 hour deliveries to the store, as imposed by the secretary of state, would have an adverse effect in terms of noise and disturbance on the amenities of adjacent residential properties in Annetts Close contrary to policy G2(vi) of the Salisbury District Council local plan saved policies.

Therefore for the reasons above planning permission be granted subject to:

Completion of a legal agreement under Section 106 of the TCPA 1990 linking the planning permission hereby granted to the S106 legal agreement dated 30th March 2009, which relates to the development of

the site under the previous planning permission reference S/2008/0572, so that the previous S106 agreement dated 30th March 2009 applies to the development pursuant to this permission

And subject to the following conditions:

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

Reason - to comply with the provisions of section 91 and 92 of the Town and Country Planning Act 1990 and to reflect the size and nature of the development

2 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 walls and roofs 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

3 The development shall be carried out in accordance with the submitted land contamination details as approved by letter dated 8th June 2010

Reason - In order to ensure any contamination at the site is adequately remediated.

4 The development shall be carried out in accordance with the submitted hard and soft landscaping plans as approved by letter dated 8/6/2010.

Reason - to enable the Local Planning Authority to secure a satisfactory standard of design and implementation of landscaping of the development in the interests of visual amenity

5 All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation of any part of the development or in accordance with the programme agreed with the Local Planning Authority

Reason - to enable the Local Planning authority to secure a satisfactory standard of design and implementation of landscaping of the development in the interests of visual amenity

6 The development shall be carried out in accordance with the schedule of landscape maintenance as approved by letter dated 8/6/2010.

Reason - To enable the Local Planning Authority to secure a satisfactory standard of design and implementation of landscaping of the development in the interests of visual amenity

7 No development shall commence until a comprehensive programme for the undertaking of the off site highway works shall have been submitted to and approved in writing by the Local Planning Authority. For the avoidance of doubt, the off site works shall include the widening of the footway along the eastern side of Holders Road as shown on drawing 208302 107. All necessary off site highway works shall be provided and undertaken strictly in accordance with the approved programme.

Reason - In the interest of ensuring that the required infrastructure is provided at the appropriate times

8 The development shall be carried out in accordance with the submitted green travel plan the details of which were approved by letter dated 8/6/2010. The approved Travel Plan shall be put in place prior to the first occupation of the building

Reason - To minimise the impact of the proposed development on the Strategic Road Network and to ensure that sustainable travel objectives for the site are met

9 No development of the store shall take place until a detailed scheme for site accesses both vehicular and pedestrian cyclists has been submitted to and approved in writing by the Local Planning Authority. The building shall not be brought into use until the site accesses have been constructed in accordance with the approved details.

Reason - In the interests of highway safety and amenity

10 The development shall be carried out in accordance with the comprehensive construction phase programme as submitted and approved by letter dated 8/6/2010.

Reason - In the interests of highway safety and to mitigate any adverse environmental impact to neighbouring communities

11 The development shall be carried out in accordance with the

details approved of the construction Environmental Management plan as approved by letter dated 8/6/2010.

Reason - In the interests of the amenities of the residential occupiers in the locality

12 No construction work shall take place on Sundays or Public Holidays or outside the hours of 07 00 to 19 00 hours Monday-Friday and 07 00 to 13 00 hours on Saturdays. This condition shall not apply to the internal fitting out of the buildings.

Reason - In the interests of the amenities of the residential occupiers in the locality

13 The Acoustic fencing and hoardings shall be erected in accordance with the details submitted and approved by letter dated 8/6/2010. No development shall take place without the acoustic barriers being in place.

Reason - In the interests of the amenities of the residential occupiers in the locality

14 Development shall take place in accordance with the scheme for the control of airbourne dust emissions as approved by letter dated 8/6/2010.

Reason - In the interests of the amenity of neighbouring residents

15 Any ventilation refrigeration and combined heat and power plant shall achieve a noise rating of no more than the following dB A

**Daytime LAeq 15 min 42dB A
Nighttime LAeq 15min 36dB A**

At the boundary of the site with Annett's Close

Reason - In the interests of the amenity of residents in Annett's Close

16 The acoustic barrier as shown on the approved plans shall be designed with a minimum superficial density of 10kg m² and of a minimum 2 metres in height.

The barrier shall be fully erected prior to the retail unit first coming into use and shall thereafter be retained and maintained in accordance with a scheme of repair and maintenance to be submitted to and approved in writing by the Local Planning Authority prior to the barrier being erected.

Reason - In order to ensure that the acoustic barrier is erected and maintained thereafter in a manner which protects the amenities of adjacent residential properties

17 The retail unit hereby approved shall not be open to the public outside the following hours

07 00 hours to 23 00 hours Monday to Saturday

10 00 hours to 17 00 hours Sundays or Public Holidays

Reason - In the interests of the amenity of neighbouring residents

18 No deliveries (including home shopping deliveries) shall be taken at or dispatched from the site outside the following hours:

07.00 hours to 22.00 hours Monday to Saturday

09.00 hours to 16.00 hours Sundays and Public Holidays

Reason - In the interests of the amenity of neighbouring residents

19 Before the first occupation of any part of the building a scheme to restrict shopping trolleys leaving the curtilage of the site shall be submitted to and approved in writing by the Local Planning Authority and the scheme as approved shall be implemented prior to such first occupation and thereafter shall be retained in relation to the development hereby permitted

Reason - In the interests of the general amenity of the surrounding area

20 This permission grants a net convenience sales floor area of 2300 square metres and a net comparison goods sales area of 1160 square meters.

Notwithstanding the provisions of the Town and Country Planning General Permitted Development Order 1995, or any Order revoking and re-enacting that Order, there shall be no provision of retail floorspace in excess of the net areas defined within the building without the prior express consent of the Local Planning Authority neither shall there be any alteration or subdivision of the sales floor nor provision of ancillary or subsidiary retail units within that sales floor.

Reason - In the interests of the preservation of the vitality and viability of the specialist retail function of Amesbury Town Centre

21 Immediately upon the commencement of trading of the retail

store hereby permitted provision shall be made at the entrance to the store for the advertising of town centre retail and service facilities in accordance with a scheme which has been submitted to and approved in writing by the Local Planning Authority prior to commencement of the internal fitting out of the building.

Reason - In the interests of the preservation of the vitality and viability of the specialist retail function of Amesbury Town Centre

22 Before the first occupation of any part of the building further details of any external lighting to be installed which shall demonstrate measures to reduce light spillage shall be submitted to and approved in writing by the Local Planning Authority and shall thereafter be installed and operated in accordance with those further details approved. The submitted details shall ensure no spillage of light into residential dwellings adjacent to the development hereby consented greater than 10 lux before 23:00 hours and 2 lux after 23:00 hours.

Reason - In the interests of the amenity of neighbouring residents

23 Before the first occupation of any part of the building a scheme for the covered secure parking of bicycles shall be submitted to and approved in writing by the Local Planning Authority and the scheme as approved shall be implemented prior to first occupation of any part of the building and thereafter shall be retained in relation to the development hereby permitted.

Reason - To promote the use of energy efficient modes of transport in accordance with local and national policy objectives

24 Notwithstanding the provisions of Part 4 of Schedule 2 to the Town and Country Planning General Permitted Development Order 1995 or any Order revoking and re-enacting that Order, the car parking and service yard areas shall not be used for any other purpose without the prior approval by the Local Planning Authority.

Reason - To prevent temporary uses and structures ancillary to the retail use of the building taking place within the car park in the interests of the amenities of the locality and to ensure that adequate servicing and turning facilities are provided at all times

25 Surface water shall be disposed of in accordance with the details submitted to ensure that there is no surface water run off from the site for all events up to the 1 in 100 year storm, including an allowance of 20 increase in peak rainfall intensity to take account of climate change in accordance with Planning Policy Statement 25.

Reason - To ensure the satisfactory provision of drainage facilities to serve the proposed development

26 The scheme shall be implemented in accordance with the details of water efficiency and energy improvement measures as previously submitted and approved by letter dated 8/6/2010.

Reason - In the interests of sustainable development and prudent use of natural resources

27 Prior to being discharged into any watercourse surface water sewer or soakaway system all surface water drainage from impermeable parking areas and hardstandings for vehicles commercial lorry parks and petrol stations shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason - To prevent petrochemical substances from car parking surfaces polluting the water environment

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

Plan no's -

1621.110D

1621.101C

1621.123A

1621.167

1621.188 B

1621.122F

1621.166

6394-PL 105

Reason: In the interests of clarity

29 Notwithstanding the details of condition 20 of this permission, No part of the store hereby approved shall be used for the purposes of a pharmacy.

Reason: In the interests of clarity of condition 20 and to prevent impacts on pharmacy uses within neighbouring centres.

71. Urgent Items

There were no urgent items.

(Duration of meeting: 6.00 - 9.45 pm)

The Officer who has produced these minutes is Liam Paul, Democratic Services Officer, of Democratic Services, direct line (01225) 718371, e-mail liam.paul@wiltshire.gov.uk

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