

## SOUTHERN AREA PLANNING COMMITTEE

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### MINUTES OF THE SOUTHERN AREA PLANNING COMMITTEE MEETING HELD ON 5 AUGUST 2010 AT ALAMEIN SUITE, CITY HALL, SALISBURY.

#### Present:

Cllr Richard Britton, Cllr Jose Green (Vice Chairman), Cllr Mike Hewitt, Cllr George Jeans, Cllr Ian McLennan, Cllr Leo Randall (Reserve), Cllr John Smale (Reserve), Cllr Ian West, Cllr Fred Westmoreland (Chairman) and Cllr Graham Wright

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#### 72. Apologies for Absence

Apologies were received from Councillors Brian Dalton, Christopher Devine, Mary Douglas and Graham Wright.

Councillor Leo Randall substituted for Councillor Devine and Councillor John Smale substituted for Councillor Douglas.

#### 73. Minutes

The minutes of the meeting held on 15 July 2010 were presented.

#### **Resolved:**

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

#### 74. Declarations of Interest

There were no declarations of interest.

#### 75. Chairman's Announcements

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

76. **Public Participation**

The committee noted the rules on public participation.

77. **Planning Appeals**

The committee received details of the following appeals;

**Appeals**

S/2009/1272 – Upper Brickwood Farm, West Grimstead – Hearing – Delegated

S/2010/0209 – 1 Landford Manor, Landford – Householder – Delegated

**Resolved**

**That the report be noted**

78. **Planning Applications**

78a **S/2010/0654 - Heatherfield, Oak Drive, Alderbury**

Public participation:

Mr John Simpson spoke in objection to the application.

Ms J. A Alford spoke in objection to the application.

Mr George Petty spoke in objection to the application.

Mr Andrew Pywell, agent, spoke in support of the application.

Mr James Hubbard, on behalf of Alderbury Parish Council spoke in objection to the application.

The Planning Officer presented the report which was recommended for approval.

A debate ensued during which concerns were raised regarding vehicular access, the fact that the site was in a Special Landscape Area, and that the site was in a wooded area.

**Resolved**

**That the application be approved for the following reasons (subject to no new material considerations being raised in the public consultation period, which expired on 29<sup>th</sup> July)**

## **Reasons for Approval**

The proposal seeks to replace an existing three bedroom bungalow in the Housing Restraint Area with three new dwellings. An existing access onto Oak Drive would be stopped up and replaced to serve one dwelling, and improvements would be made to a gated access on to Lights Lane to serve two dwellings. Boundary trees and planting would be protected during construction and retained as part of the development. The scheme includes mitigation proposals for protected species including bats and reptiles.

Given the site's enclosure by dense vegetation and trees, the development is not considered to have an adverse visual impact on the character of the area or result in the loss of an important open space that contributes to the character of the Housing Restraint Area. Whilst the development may be visible to some neighbouring properties through the boundary trees and vegetation, there would be sufficient separation between the properties to prevent undue disturbance from overlooking or dominance. Subject to suitable conditions, the development would not be detrimental to highway safety, or cause harm to protected species.

The development would therefore be in accordance with the adopted policies G1, G2, D2, H19, C6, C12, C13, TR11, R2 and the guidance in PPS1 and PPS3.

### **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 the Planning and Compulsory Purchase Act 2004.

2. No development shall commence on site until visibility splays have been provided at the Oak Drive access between the edge of the carriageway/ track and a line extending from a point 2.4 metres back from the edge of the carriageway/ track, measured along the centre line of the access, to the points on the edge of the carriageway/ track 11 metres to the North and 11 metres to the South from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway/ track.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

3. No development shall commence on site until visibility splays have been

provided at the Light's Lane shared access between the edge of the carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway 43 metres to the east and 43 metres to the west from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

4. The development hereby permitted shall not be occupied until the first six metres of the shared access off Light's Lane, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

5. The gradient of the access way off Light's Lane shall not at any point be steeper than 1 in 15 for a distance of 5 metres from its junction with the public highway.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

6. No development shall commence on site until a scheme for the discharge of surface water from the hard surfaces of the site (including surface water from the access/driveway off Light's Lane and Oak Drive), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The dwellings shall not be occupied until surface water drainage provision has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

Policy: G2 General Principles for Development and PPS25

7. The existing access off Oak Drive shall be stopped up in accordance with the approved details within one month of the first occupation of any of the dwellings hereby approved. No later than one month after the first occupation of any of the dwellings hereby approved, the sole means of vehicular access to the development shall be as shown on the plans hereby approved and listed in Condition 16.

REASON: In the interests of highway safety.

Policy: G2 General Principles for Development

8. The development shall be carried out and completed in accordance with the Arboricultural Method Statement (AMS) and Tree Protection Plan provided by DJP Arboricultural Consultancy, dated 16<sup>th</sup> March 2010, and also Plan 1080.P19 (Visibility Splay Diagram) showing the visibility splay and trees (Oak, Sycamore and Lime) on the north west boundary of the site retained behind the splay.

Prior to commencement of development (including enabling works) a site meeting shall take place in accordance with section 2.1 of the AMS. At this meeting all aspects of tree protection shall be discussed and recorded, in the presence of all parties, to ensure that all parties understand the implementation and timing of the required protection measures. Any modification of the original AMS shall be recorded and submitted to the Local Planning Authority for approval in writing before any works take place on site.

Reason: To protect the visual amenity of the site and ensure that important trees are protected and retained.

Policy: C6 Special Landscape Area, H19 Housing Restraint Area

9. No development shall commence on site until details of the brick, tile, render and timber materials to be used on the development 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- D2 Design, C6 Special Landscape Area and H19 Housing Restraint Area

10. No development shall commence on site until a scheme of reinforcement hedgerow planting and boundary landscaping has been submitted for the north, east and south boundaries of the site (in accordance with the Mitigation section of the Landscape and Visual Impact Assessment, April 2010) and approved in writing by the Local Planning Authority. The landscaping shall be carried out in the first planting and seeding season following occupation of any of the dwelling or the completion of the development, whichever is the sooner within that particular phase; any trees or plants which within a period of five years, die, are removed, or become seriously damaged or diseased, shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development.

POLICY- C6 Special Landscape Area, H19 Housing Restraint Area, and G2 General Principles for Development

11 (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars in the Arboricultural Method Statement and Site Plan 1080.P3B, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition retained tree means an existing tree which is to be retained in accordance with the approved plans and particulars in the Arboricultural Method Statement and Site Plan 1080.P3B; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees and planting on the site in the interests of visual amenity.

POLICY- C6 Special Landscape Area and H19 Housing Restraint Area

12. No demolition of the bungalow known as Heatherfield shall take place until the bungalow has been surveyed for bats by a qualified ecologist and a report of their recommendations has been submitted to and approved in writing by the Local Planning Authority. Demolition shall only proceed with the written agreement of the Local Planning Authority and in accordance with the agreed recommendations.

Reason: In the interests of protected species.

#### Policy C12 and C13 Protected Species

13. No works, including demolition, shall begin on site until reptiles have been translocated to a secure mitigation area (as shown on Gerald Steer drawing number 1080.P19A) by a qualified ecologist in accordance with section 7.1 of the Ecological Environmental Impact Assessment (Gould Ecology, May 2010) and a report of the translocation has been submitted and approved in writing by the Local Planning Authority. The mitigation area shall not be incorporated into garden space nor built on and shall be maintained solely for the purpose of wildlife conservation thereafter for the lifetime of the development, in accordance with the details on plan P1080.P19A. In accordance with this plan, the area is to be permanently fenced from the rest of the gardens before there is any occupation of the dwellings, maintained as open grassland, and mown once a year with occasional hedgerow clipping.

Reason: In the interests of protected species.

#### Policy C12 and C13 Protected Species

14. No trees shall be felled within the red line of the application site until their potential to support bat roosts has been assessed by a qualified ecologist and a report of their recommendations has been submitted to and agreed in writing by the Local Planning Authority. Felling may only proceed with written agreement of the Local Planning Authority and in accordance with the agreed recommendations.

Reason: In the interests of protected species.

#### Policy C12 and C13 Protected Species

15. The development hereby approved shall be implemented in accordance with the Bat Access Tile Set details before there is any occupation of the dwellings. The bat access roof tiles shall be maintained in this condition thereafter.

Reason: In the interests of protected species.

#### Policy C12 and C13 Protected Species

16. 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 those Orders with or without modification), no development within Part 1, Classes A (including provision of any verandah or balcony other than those expressly permitted), B, E(a) and F shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

POLICY- H19 Housing Restraint Area, C6 Special Landscape Area, G2 General Principles for Development.

17. No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- a) the parking of vehicles of site operatives and visitors; including measures to avoid obstruction of Oak Drive
- b) loading and unloading of plant and materials; including measures to avoid obstruction of Oak Drive
- c) storage of plant and materials used in constructing the development; including measures to avoid obstruction of Oak Drive
- d) wheel washing facilities for lorries and other vehicles leaving the site; and
- e) measures to control the emission of dust and dirt during construction

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 minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

POLICY- G2 General Principles for Development

18. The construction of the development hereby permitted (including deliveries to and from the site) shall only take place between the hours of 8.00hours in the morning and 18.00hours in the evening from Mondays to Fridays and between 9.00 hours in the morning and 13.00 hours in the afternoon 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 Principles for Development

19. 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.

1080.P4 House 1 Floorplans	1080.P7 House 2 Floorplans
1080.P5A House 1 Elevations	1080.P8 House 2 Elevations
1080.P6 House 1 Elevations	1080.P9 House 2 Elevations
1080.P10B House 3 Ground Floor Plan	1080.P15 House 2 Sections &
1080.P12B House 3 Elevations	
1080.P13B House 3 Elevations	
1080.P11B House 3 First Floor Plan	
Tudor Roof Tiles Bat Access Tile Set	1080.P1 Site Location Plan (r
1080.P3B Site Plan	1080.Sk1 Perspectives
1080.P19A Reptile Mitigation Plan	1080.P14 Site Sections
1080.P18 Plan of North West Driveway	1080.P19 Visibility Splay Diaç

Gould Ecology, Ecological Environmental Impact Assessment May 2010  
Protected Species Survey, 25/9/2009, by S. Laurence  
Orchids survey, by David Tullis  
Landscape and Visual Impact Assessment, Plan A, April 2010  
Arboricultural Method Statement DJP, 16/3/2010

Reason: For the avoidance of doubt

Councillors Britton and Randall requested that their votes against the resolution be recorded.

79. **Urgent Items**

There were no urgent items

(Duration of meeting: 6.00 - 7.10 pm)

The Officer who has produced these minutes is Pam Denton, Senior Democratic Services Officer, of Democratic Services, direct line (01225) 718371, e-mail [pam.denton@wiltshire.gov.uk](mailto:pam.denton@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115