

## **PL/2022/04875 – Land at Salisbury Retail Park, London Road Salisbury SP1 3YX**

### **Points of clarification regards officer report**

Members should note that the applicant have asked that the following points are clarified with respect to the scheme and the officer report. These clarification points do not affect the recommendation or considerations.

1)The description on the front page of the report omits the ‘use class E’ reference after the “coffee shop unit”, so should read:

*Proposed commercial development comprising a Use Class E foodstore (including the sale of non-food goods) and drive thru coffee shop unit (Use class E); petrol filling station; provision of open space / landscaping including a new pedestrian and cycle link between London Road and Green Lane; access, parking, and associated infrastructure and development.*

2)In Section 5, The Proposal, the floor areas refer to the retail store size. The covered service yard of 1,693 sq m GIA is in addition to the retail store of 4,657 sq m GIA. As is shown on the plans and will be explained during the officer presentation, 54 cycle parking spaces will also be provided, and the scheme also includes the widening and extension of the Pearce Way footpath to provide a cycle / footway.

3)In Section 6, for clarity, the Wiltshire Core Strategy (2015) and Laverstock and Ford Neighbourhood Plan are part of the Development Plan.

4)Section 9.1, for clarity the previous approved scheme on the site met the requirements of the NPPF at that time and also the policy requirements of the Wiltshire Core Strategy (2015), which are the same local plan policies that remains part of the Development Plan.

5)Where officers advise that ‘significant weight’ be given to the previous planning permission, for clarity, the current application scheme is considered to be in accordance with the Development Plan on its own merits, notwithstanding the previous permissions.

6)References to the “2014 consent” relate to planning application reference S/2014/04756/FUL, which was submitted in 2014, and was approved in 2017.

#### 7) Section 9.2 Retail Planning Matters

- For clarity, whilst comparisons are made between the previously approved scheme, and the current scheme, the retail impacts of the application proposal has been assessed afresh by the applicant and the Council and is considered acceptable on its own terms in relation to retail impact and sequential matters against national and local policy.
- Where reference is made in the report to the Council’s ‘retail assessment’ or ‘retail report’, this relates to the independent review by an external consultant (Emery Planning) commissioned by the Council to advise in relation to retail policy matters. The references to a second version (April 2024) refer to a further report following the initial advice (October 2023) and in response to third party objections.
- In Section 9.22, the Spatial Planning Officer Comments are in the sequential section, but to confirm, the spatial policy advice relates to both sequential and retail impact matters.
- In 9.22 the report confirms that the drive through is below 200 sq m and therefore below the impact threshold. For clarity, the scheme as a whole is of course above this threshold, and is captured by the requirement to assess impact As clearly referred to in the report, this is

covered by the applicants Planning, Economic & Retail Statement which has been assessed by the Council as covered in the detailed report, where it is concluded that the scheme as a whole would not have a significantly adverse retail impact.

- In 9.22, reference is made to Class E of the Use Classes Order 2020. Members should note for clarity that E(g)(iii) which refers to industrial processes is missing from that list. However, this does not make any difference to the officers consideration of the appropriate use class to be conditioned.
- In section 9.23, the report makes clear that the impact on vitality and viability has been assessed and is acceptable. For clarity, the impact on investment has also been fully assessed, and is considered to be acceptable, in that it satisfies the impact test and would not be likely to have a significant adverse impact against one or more of the impact considerations in paragraph 94 of the NPPF. The proposal therefore complies with the aims of paragraph 95 of the NPPF also, which indicates that a retail scheme should only be refused on impact grounds if it fails to satisfy the sequential test or is likely to have a significant adverse impact on one or more of the considerations in paras 94.

8)Section 9.3 – Additional Footpath Along Pearce Way. For clarity, as is shown on the plans and will be explained as part of the officer presentation, the footpath is extended and is widened across the entire length to 3 metres.

9)Section 9.4 Summary - refers to the 'draft' Wiltshire Design Guide. As the remainder of the report confirms, the Wiltshire Design Guide is now adopted.

10)Section 9.7 and elsewhere, reference is made in the report to the adjacent Country Park by a number of names. As Members will know, this area has been known locally under several names including Bishopdown, Hampton Park, and Riverdown. For clarity the current name of the Country Park is Castle Hill Country Park.

11)Section 9.7 Biodiversity, the officer comments refers to "no net loss". Core Policy 50 seeks a "net gain" in biodiversity, which is understood to relate to only a 1 percent gain.

12) Condition 16 – this has a minor typo and should read as below (change highlighted):

## **Contamination**

*16. In accordance with conclusions of the submitted Preliminary Risk Assessment report, no development shall commence on site until a more detailed site investigation and risk assessment **has been carried out** in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.*

*If the report submitted pursuant to above indicates that remedial works are required, full details must be submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.*

*Reason: Core policy 56, To reduce the risks associated with land contamination*