

STRATEGIC PLANNING COMMITTEE

DRAFT MINUTES OF THE STRATEGIC PLANNING COMMITTEE MEETING HELD ON 11 FEBRUARY 2015 AT COUNCIL CHAMBER - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Andrew Davis (Chairman), Cllr Tony Trotman (Vice Chairman), Cllr Glenis Ansell, Cllr Trevor Carbin, Cllr Stewart Dobson, Cllr Charles Howard, Cllr David Jenkins, Cllr Bill Moss, Cllr Christopher Newbury and Cllr Jerry Wickham (Substitute)

Also Present:

Cllr Horace Prickett and Cllr Jonathon Seed

8 Apologies for Absence

Apologies for absence were received from Cllr Terry Chivers and Cllr Fred Westmoreland, who was substituted by Cllr Jerry Wickham.

9 Minutes of the Previous Meeting

Resolved:

To confirm and sign the minutes of the previous meeting held on 21 January 2015 as a correct record.

10 Declarations of Interest

There were no declarations of interest made at the meeting.

11 Chairman's Announcements

There were no Chairman's announcements.

12 Public Participation and Councillors' Questions

There were no questions received from members of the Council.

Mr Francis Morland, an interested party, spoke against the proposals as set out in Minute Nos. 14 and 15 below.

Other members of the public addressed the Committee as set out in Minute Nos. 13 – 15 below.

13 **14/05997/FUL - Former Autechnique Site, London Road, Salisbury, SP1 3HN - Demolition of existing buildings and erection of Class A1 foodstore (1,585 sq.m. gross) and associated access, decked car parking and landscaping and additional Park and Ride parking for ALDI Stores Ltd.**

The following person spoke in support of the proposal:

Mr Dan Templeton, Director of Turley Associates Ltd, the agent.

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. The report was introduced which recommended that planning permission be granted subject to conditions and a suitable Section 106 legal agreement.

The Committee also received late representations from:

- Turley, agent for Aldi, and the response from transport consultant, Entran to comments from RPS, agent for Asda.
- Letter from RPS raising concerns about the recommendation on the grounds of the Aldi format and transport considerations.
- Letter from Cllr Colin Froude, Salisbury City Councillor for St Marks & Bishopdown, objecting to the proposal on transportation and highway safety grounds.
- Letter from Mr David Morgan, a local resident, in support of the application.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received a statement from a member of the public as detailed above, expressing his views regarding the planning application.

Cllr Bill Moss, as a local Member, supported the application but considered that a left hand turn on exiting the site should be imposed for motorists in the interests of highway safety. The Case Officer drew the Committee's attention to the views of the Highways Officer who raised no objection subject to the provision of a legal agreement to secure a financial contribution towards the footway/cyclepath and conditions to secure the right turn lane, crossing points, access to the site, turning, parking and servicing areas.

After some discussion,

Resolved:

To refer the application to the Secretary of State, under the terms of the 2009 Consultation Directive (paras.5.1.(ii) and 2 (d)) thereupon, subject to the views of the Secretary of State, to delegate the Area Development Manager to approve the application, subject to:

(a) A Section 106 legal agreement being entered into with respect to the provision of a financial contribution for and the provision of a footway/cycle link that is required between the "Park & Ride" bus stop and Cheverell Avenue, and

(b) the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission. (WA1)

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. The development shall be implemented in accordance with the schedule of materials listed in the approved schedule on plan ref 110591 P(1) 06 received 18th June 2014.

No development shall commence on site until sample wall panels for the flint rubble block and the red facing brickwork for the walls, not less than 1 metre square, have been constructed on site, inspected and approved in writing by the Local Planning Authority. The panels shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved samples.

REASON: In the interests of visual amenity and the character and appearance of the area.

3. No development shall take place until large scale (1:10) details of the windows / doors / entrance canopies 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 order to ensure that the architectural details of the scheme are of an acceptable quality.

4. The development shall be operated in accordance with approved scheme for the storage and control of customer trolleys. The coin operated scheme and shopping trolley storage shall be maintained in working condition for customer use thereafter.

REASON: To limit the impact of the development on adjacent residential amenity and to prevent the removal of shopping trolleys by customers from the car park area.

5. Before the development hereby approved commences a scheme of external lighting, including the measures to be taken to minimise sky glow, glare and light trespass, shall be submitted to and approved in writing by the Local Planning Authority. The external lighting scheme shall be designed so as to meet the criteria for Environmental Zone E3 as defined by the Institute of Lighting Professionals 'Guidance Notes for the Reduction of Obtrusive Light' 2012. The approved scheme shall be implemented before the development is first brought into use and shall be maintained in effective working order at all times thereafter.

REASON: To limit the impact of the development on adjacent residential amenity

6. External lighting shall be turned off at all times when the store is not open to the public, with the exception of one hour before store opening time and one hour after store closure.

REASON: To limit the impact of the development on adjacent residential amenity, and to enable safe access and egress by staff.

7. (i) No deliveries shall be made to or collections made from the development hereby approved except between the hours of 06:00am and 22:00pm Monday to Saturday and 07:00am and 17:00pm on Sundays.

(ii) There shall be no use of reverse beepers on delivery or collection vehicles between 06:00am and 07:00am Monday to Saturday and between 07:00am and 09:00am on Sundays. All deliveries between these approved hours shall be direct via the loading and unloading dock shown on the approved plans.

REASON: To limit the impact of the development on adjacent residential amenity and prevent undue disturbance

8. The retail unit hereby permitted shall not be open to the public except between the hours of 08:00am to 22:00pm on Monday to Saturday, 09:00am to 18:00pm on Sunday & Public Holidays.

REASON: To limit the impact of the development on residential amenity

9. The Aldi customer car park shall be made inaccessible to public vehicles between the hours of 23:00pm and 07:00am on any day of the week.

REASON: To limit the impact of the development on residential amenity and prevent undue disturbance by vehicles at night.

10. No on-site cooking or baking shall take place until a scheme of works for the control and dispersal of atmospheric conditions (in particular

emissions from the cooking or baking of food) has been submitted and approved in writing by the LPA. The approved scheme shall be implemented before any on-site cooking or baking takes place and shall be maintained in effective working condition at all times thereafter.

REASON: In the interests of neighbouring amenities.

11. The development shall be carried out in full accordance with the internal layout of the retail unit shown on the plans hereby permitted. There shall be no subdivision of any of the unit or any additional internal floor space created (including any insertion of mezzanine floors) not covered by this permission.

REASON: In order to limit the impact of the development on the vitality and viability of Salisbury city centre, including the planned Maltings and Central Car Park development, and surrounding small scale neighbourhood retail shops.

12. No development shall take place until a scheme of landscaping for the site, including planting around the proposed cycle/footway along the south west boundary, the screening of the concrete wall on the west boundary of the decked car park, and replacement hedge planting for the west side of the realigned London Road section has been submitted to and approved in writing by the Local Planning Authority, including times of planting, species and size, and a long term maintenance scheme. The landscaping shall be carried out and maintained in accordance with the approved scheme.

REASON: To limit the impact of the development on visual and residential amenity and the surrounding natural habitat.

13. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. (WC2)

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

14. No construction or demolition work shall take place on Sundays or Bank Holidays or outside the hours of 07:30am to 18:00pm on Monday to Friday and 08:00am to 13:00 pm on Saturdays.

REASON: To limit the impact of the development on residential amenity

15. No development shall take place until a scheme for the discharge of surface water from the buildings, car parks, realigned section of London Road and new footway/cycleway hereby permitted has been submitted to and approved in writing by the Local Planning Authority and the drainage scheme shall be carried out and retained in accordance with the approved details. The scheme submitted shall limit surface water run-off and shall involve safe management and on-site storage of surface water in excess of the design capacity of the drainage system.

REASON: To limit the impact of the scheme on the drainage system and surrounding natural habitats.

16. No development shall commence until full details of the right turn lane on the A30 road and associated vehicular access (including the pedestrian crossing and road realignment in accordance with the approved plans) have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be first brought into use until that right turn lane and access (including the pedestrian crossing and road realignment) has been completed in accordance with the approved details.

REASON: In the interests of highway safety.

17. No part of the development hereby permitted shall be first brought into use until the servicing area, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

18. Before development commences, a Construction Method Statement shall be submitted to the local planning authority for written approval. The method statement shall provide details of the measures that will be implemented during the construction phase to prevent any harm or injury to protected species (namely reptiles and breeding birds). Development shall be carried out in full accordance with the method statement).

Reason: To control risks to birds and reptiles during construction

19. No 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, shall take place until a scheme that includes the following components 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:

i) 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.

ii) 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.

iii) 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.

iv) 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 written consent of the local planning authority. The scheme shall be implemented as approved.

Reason: To protect controlled waters from pollution.

20. The development hereby permitted shall achieve a BREEAM (Building Research Establish Environment Assessment Method) rating of 'very good'. No unit shall be occupied until the post-construction state assessment and subsequent BREEAM Certificate certifying that 'very good' status has been achieved has been issued.

REASON: In order to produce a scheme with a high level of sustainable design

21. The development hereby permitted shall be carried out in accordance with the following approved plans listed in schedule. (WM14)

Site Location Plan 110591P(1)01 June 2014 received 18/6/14

Block Plan 110591P(1)11 June 2014 received 18/6/14

Site Plan Aldi Level 110591P(1)03B April 2014 received 18/6/14

Site Plan Park and Ride Level 110591P(1)04A April 2014 received 18/6/14

Proposed Site Sections 110591P(1)10 May 2014 received 18/6/14

Proposed Street Elevations 110591P(0)08A June 2014 received 27/1/15

Proposed Store Elevations 110591P(1)07A June 2014 received 27/1/15

Proposed Roof Plan 110591P(1)06 June 2014 received 18/6/14

Proposed Floor Plan 110591P(1)05 June 2014 received 18/6/14

Transport Statement by Entran, June 2014 received 18th June 2014 and updated by response to GCC highways comments received 17/11/14.

Ecological Appraisal and Interim Bat Report by RSK June 2014, received 18/6/14

Historic Environment Appraisal by RSK June 2014 received 18/6/14

Arboricultural Impact Assessment and Tree Protection Plan by BoSky Trees, 17th June 2014, received 18/6/14

Noise Assessment (Rating of Industrial Noise affecting Mixed Industrial and Residential Areas) by KR Associates 17th June 2014, received 18/6/14
Design and Access Statement Kendall Kingscott received 18/6/14
Drainage Strategy by Craddy Pitchers Davidson received 18/6/2014
Drainage Layout Aldi Level 9573-0050B received 18/6/2014
Drainage Layout Park and Ride Level 9573-0051B received 18/6/2014
Site Waste Management Plan 5th June 2014, received 18/6/14
Planning Statement, Turley June 2014, received 18/6/14
Geo environmental Assessment Report, Brownfield Solutions ltd 2014, received 18/6/14
Retail Assessment, Turley June 2014, received 18/6/14

REASON: For the avoidance of doubt and in the interests of proper planning.

22. The site shall be used by a discount food supermarket operator and for no other purpose (including any other purpose in Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification). The following services shall not be operated from the land:

i) Butcher, fresh fish, bakery, delicatessen or cheese counters

ii) Hot food

iii) Banking facilities

iv) Dispensing pharmacy

v). Dry cleaning or post office services

vi). Photographic shop or booth

vii) Cafe restaurant

viii) Sales of cigarettes or tobacco

No more than 20% of the net sales floor space shall be used for the sale of non food comparison goods.

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposals to change the range and types of goods sold from the premises having regard to the circumstances of the case and the impact on the vitality and viability of the city centre.

- 14 **14/10797/FUL - Greenacres Mobile Park, Semington, Trowbridge, BA14 6HL - Change of use of agricultural land to create 7 additional Gypsy and Traveller pitches with associated ancillary development**

The following people spoke against the proposal:

Mr David Randell, a local resident

Mr Martin Costello, a local resident

Cllr William Scott, representing Semington Parish Council

The following person spoke in support of the application:

Mr Tony Phillips, Director, Thurdleigh Planning Consultancy, the agent

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application. The report was introduced which recommended that planning permission be granted subject to conditions.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Jonathon Seed, the local Member, objecting to the proposal. He stated that the application was unacceptable in its proximity to the West Wiltshire Crematorium and was contrary to the views expressed by the Planning Inspector in his decision regarding an earlier application in which he restricted development to the east of this site so as not to infringe upon the crematorium.

Members were also advised of a planning application that had been allowed on appeal in 2013 by the Secretary of State in respect of a gypsy site in the vicinity of the Leatherhead (Surrey) crematorium.

A number of Members expressed their concerns about the suitability and size of the proposed development and after further discussion,

Resolved:

To defer consideration of the application pending the holding of a site inspection and to request copies of the Secretary of State's and the Planning Inspector's appeal decision letters be made available to all members of the Committee prior to a decision being made.

- 15 **14/11256/VAR - The Poplars Residential Park, Poplar Tree Lane, Southwick, BA14 9NB - Variation of Condition 1 of planning permission W/12/00537/FUL to state the site shall not be occupied by any persons other than gypsies and travellers**

The following people spoke against the proposal:

Mr Stephen Jones, a local resident
Mr Philip Harcourt, a local resident
Cllr Stephen Carey, Chairman of Southwick Parish Council

The following person spoke in support of the proposal:

Mr Tony Phillips, Director, Thurdleigh Planning Consultancy, the agent

The Committee received a presentation by the Area Development Manager and the Case Officer which set out the main issues in respect of the application. The report was introduced which recommended that planning permission be granted.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Horace Prickett, the local Member, who objected to the proposal on the grounds that the Planning Inspector had decided on a previous application for this site that permission should be restricted to the family of Mr & Mrs Cash.

After discussion,

Resolved:

To refuse permission for the following reason:-

In coming to his decision as recently as March 2013, the Planning Inspector concluded that that the personal circumstances of the Cash family were an important factor in the determination of the appeal and the decision to grant a personal planning permission. The proposed variation to Condition 1 would allow general gypsy/traveller occupation of the site in perpetuity and would therefore be contrary to the Planning Inspector's decision and to the intended effect of Condition 1 to ensure restoration of the land in the event that the land was no longer occupied by Mr Laurence (Lawrence) Cash and Mrs Theresa Cash and their resident dependants. There have been no relevant significant changes in circumstances since the determination of the appeal to justify setting aside his findings and to vary the terms of the permission to remove the personal condition and replace it with a wider one allowing occupancy by any gypsy and traveller,

16 **Date of the Next Meeting**

Resolved:

To note that the next meeting was scheduled to be held on Wednesday 11 March 2015 at County Hall, Trowbridge, starting at 10.30am.

The Officer who has produced these minutes is Roger Bishton, of Democratic & Members' Services, direct line 01225 713035, e-mail roger.bishton@wiltshire.gov.uk

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