

City Area Committee

Planning & Licensing

Minutes

24 July 2003 6.00pm
Alamein Suite,
City Hall
Salisbury

These minutes should be kept for use by District Councillors at the next Council meeting

Present:

Chairman: Councillor Ms S C Mallory
Vice Chairman: Councillor J R L Nettle

Councillors: Councillors Mrs P Brown, Mrs E A Chettleburgh, P M Clegg, J M Collier, D A Culver, S R Fear, S J Howarth, D J McCarthy, M J Osment, P V H Paisey, I R Tomes, Miss M A Tomlinson and J M Walsh

Apologies: Councillors K A Cardy, B E Dalton, Mrs I M Evans, P W L Sample, Mrs S A Warrander and C R Vincent (County Councillor)

MINUTES NOT REQUIRING COUNCIL APPROVAL

29. CHAIRMAN'S ANNOUNCEMENTS

There were no announcements.

30. PUBLIC STATEMENT / QUESTION TIME

There were no public questions or statements.

31. COUNCILLOR STATEMENT / QUESTION TIME

There were no Councillor questions or statements.

32. DECLARATIONS OF INTEREST

The following interests were declared :-

Councillor D A Culver declared a Personal interest in Planning Application S/2002/0802 for the fact that he was an observer on the Playhouse Board of Directors. Councillor Culver did not leave the room but contributed to the debate and voted.

33. MINUTES

RESOLVED - that the minutes of the special meeting, held on 26 June 2003 be approved as a correct record and signed by the Chairman.

34. CREATING MORE AFFORDABLE HOUSING IN SOUTH WILTSHIRE – MAKING IT HAPPEN AND DELIVERING THE ACTIONS

Owing to Councillor Leo, Vice Chairman of the Community & Housing Overview & Scrutiny Panel and Andrew Reynolds, Head of Strategic Housing, not being present at the meeting, it was agreed that this item would be considered at the City Area (Planning & Licensing) Committee meeting of 21 August 2003.

35. S/2002/2117 – FULL APPLICATION -ERECTION OF A MIXED USE DEVELOPMENT COMPRISING A 4812 METRES SQUARED GROSS (2787 M SQUARED NET) FOODSTORE (CLASS A1) WITH COFFEE SHOP SEPARATE COLLEAGUE & CUSTOMER CAR PARKS SERVICE YARD & VEHICULAR & PEDESTRAIN ACCESS TOGETHER WITH 1254M SQUARED GROSS (930M SQAURED NET) OF OFFICE ACCOMMODATION (B1) & A 890M SQUARED RETAIL PARADE (A1) & ASSOCIATED LANDSCAPING AT BISHOPDOWN FARM (LAND ADJACENT) LONDON ROAD SALISBURY FOR MGLAGEN INVESTMENTS

Alistair Macdonald, Forward Planning Officer, provided the Committee with background planning policy information relevant to the above application prior to Richard Hughes, Principal Planning Officer, presenting the application to the Committee.

Mrs McCarraher, Chairman of Bishopdown Residents' Association, informed the Committee that the Association objected to the proposed development.

Mr Green, a resident of Bishopdown Farm, informed the Committee that he objected to the proposed development.

Mr Diamont, agent for the applicant, spoke in support of the application.

Mr THomas, a member of Laverstock and Ford Parish Council, but speaking on behalf of himself, spoke in support of the application.

Following the receipt of the above statements the Committee considered the previously circulated report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that

(1) the Planning and Regulatory Panel be recommended to refuse the above application for the following reasons :-

- (i) Policy S7 of the adopted Salisbury District Local Plan allocates the site specifically for comparison retailing and employment use. Conversely, the site has not been allocated for food retail use, which was omitted during the recent Local Plan.

The applicant has failed to demonstrate an identifiable need for new food retail development in the Salisbury area that could not be met through existing allocations or alternative central sites within or on the edge of the City Centre. It is therefore contrary to national policy guidance on need expressed in the speech of 11 February 1999 by the Planning Minister, Richard Caborn and as more recently clarified in a Parliamentary Statement on 10th April 2003, and fails to adopt a sequential approach

to site selection, as required by Planning Policy Guidance Note 6. In addition, the proposal, either by itself or cumulatively with other proposals, could affect future private sector investment required to safeguard the vitality and viability of the City Centre by reducing the attractiveness of proposals to redevelop the Maltings area.

The proposal is therefore considered to be contrary to Policy S4 & S7 of the Salisbury District Local Plan and Policy DP6 of the Adopted Wiltshire Structure Plan 2001.

- (ii) This proposal is located on a prominent site at the gateway to the historic city of Salisbury. The submitted design statement and landscape assessment fail to justify the proposed built form or the materials, and also fails to demonstrate how the proposal would fit into the surrounding landscape.

It is considered that on the basis of the information submitted, the proposal would result in a built form which would be of significant bulk and massing, which would dominate surrounding area. The visual impact of the main building would be further exacerbated by the proposed materials and colour which would be of a highly visible and industrial appearance, which would be unsympathetic to the surrounding area.

Given this substantial scale and choice of materials, it is considered that the proposed building would be highly visible from both the immediate environment, and from the wider landscape and adjacent hills, from where the main building and associated hard surfaced parking area would be an incongruous and alien urban feature in the landscape. The overall design of the proposed office buildings adjacent to the northern boundary of the site is also poor, with no justification provided for its design approach or divorced location.

Consequently, it is considered that the scheme would adversely affect the appearance and character of the surrounding area and wider landscape contrary to policy D1 and C7 of the adopted Salisbury District Local Plan.

- (2) that, should the Planning & Regulatory Panel be minded to approve the application, the following points be taken into account by the Panel :-
 - (i) The site is located in the approach to the historic city and should, therefore, be landscaped to adequately maintain the visual quality of the approach. [The Panel is asked to refer to the landscape treatment applied to a similar development in Taunton];
 - (ii) Before any decision on the proposal is reached, a legally-binding agreement relating to the installation of a coin-operated shopping trolley management scheme should be obtained;
 - (iii) The development should seek to incorporate sustainable and 'environmentally friendly' materials in preference to none sustainable and none 'environmentally friendly' materials;
 - (iv) The preference for a selection of small 'neighbourhood' shops and services to serve the area as opposed to a single large food retail outlet, as proposed.

36. S/2002/0802 - FULL APPLICATION - REDEVELOPMENT OF EXISTING FOODSTORE AND DECK CAR PARK AT THE MALTINGS SALISBURY FOR T C S LEASEHOLD INVESTMENTS:

Ms Mooreland, Executive Director of Salisbury Playhouse, informed the Committee of the Playhouse's concerns regarding the proposed development. Namely; the effect on the staff and patrons of the Playhouse during the estimated 40 week construction period and the consequences of sharing a narrow and constrained access road with the proposed supermarket and Shopmobility.

Following the receipt of the above statement the Committee considered the previously circulated report of the Head of Development Services together with the schedule of late correspondence circulated at the meeting.

RESOLVED – that

- (1) the Planning and Regulatory Panel be recommended to approve the above application subject to the following conditions :-
 - (a) the applicant and any other relevant parties undertake under Section 106 of the Town and Country Planning Act 1990 (as amended) to pay commuted sums for the provision of street cleansing and enter into agreements to manage and maintain areas of land and watercourses, resurface and landscape car parks provide and maintain street furniture, resurface and maintain areas for use as areas of public art, provide seasonal fountains, lighting and pedestrian areas, carry out appropriate off site drainage and highway works including the provision and management of temporary car parking areas to serve the City Centre prior to the demolition and construction stages of the development and ensure that the development is commenced and completed in accordance with an agreed phasing and programme of works.
 - (b) that a final consultation with Government office be carried out to ensure that this City Centre Redevelopment scheme is accepted in terms of current National and Regional Policy.
 - (c) that the following issues be delegated to the Head of Development Services to conclude
 - (1) That the developers be required to confirm that phasing and details of the required off site highway improvements, cycleway improvements and car parking improvements will be carried out to approved standards and time tables;
 - (2) That the developers be required to confirm levels of predicted water usage, surface water drainage details means of sustainable drainage provisions and foul water disposal for submission and comparison with existing usage of the site and
 - (3) that the requirement for temporary car parking provision to meet town centre parking shortfalls resulting from the loss of parking spaces in the Central Car Park at the construction stage of the development be.

- (d) that the development is subject to the appropriate assessment under the Habitat Directive by the competent authority or its advisory body and no issues of concern are raised and
- (e) that the Planning and Regulatory Panel consider this report and recommendation of the City Area Committee at the next available meeting (currently scheduled for 6 August 2003).

then the application be approved subject to the following conditions together with such additional conditions as may need to be imposed following the further submission of information that is required by Section (c) of this recommendation:-

1. The development hereby permitted shall be begun before the expiration of five years from the date of this permission.
2. Before any car parking spaces are lost or any car park is closed as a result of development works, a scheme for temporary short stay, long stay and staff parking arrangements, together with a programme for implementation, including all signing and variable message signing ensuring that effective use is made of other car parks, shall be submitted to and approved in writing by the Local Planning Authority and such arrangements shall be put in place prior to the loss of any spaces and in accordance with the approved scheme and programme.
3. Prior to the commencement of each stage of construction of the development hereby approved a programme of works shall be submitted to and approved by the local planning authority before work commences on each stage. The said programme shall contain an assessment of the traffic implications of the construction and measures for mitigating any adverse effects on the local highway network, resulting from or made worse by the development works. The programme of works for the construction stage shall include such items as ,times and volumes of trucks entering and leaving the site, methods for mitigating debris falling on to the live carriageway of the A36 and route management for construction traffic to include route diversions and signage on the A36. The construction of each stage shall then be carried out in accordance with that programme.
4. Prior to any car parking spaces being lost details of traffic signing proposals including variable message signing proposals as may be required by the construction programme referred to in condition 3, shall be submitted to and approved by the local planning authority. All approved signing proposals as may be agreed shall be put in place and retained in accordance with the approved details prior to any car parking spaces in the Central Car Park being lost.
5. Prior to the commencement of development a scheme indicating the provision for disabled access to all parts of the development shall be submitted to and approved by the local planning authority. The works shall then be carried out in accordance with that approval.
6. No demolition works shall commence on site until a detailed programme for the phasing of demolition, the subsequent storage of materials and removal of such materials from

the site has been submitted to the Local Planning Authority and subsequently agreed by them in writing. The demolition works shall then be carried out in accordance with the agreed programme.

7. Prior to the retail store being brought into use, a servicing management scheme, to include arrangements for vehicles waiting, details of lorries to be used, refrigeration noise, likely delivery times and details of service facilities at the interface between the lorries and the buildings, shall be submitted to and agreed in writing by the Local Planning Authority. All subsequent servicing shall be carried out in accordance with the agreement.
8. Prior to the commencement of the development of the retail store, a plan showing in detail the location of all associated plant and machinery together with details of noise generation and attenuation shall be submitted to and approved by the Local Planning Authority. All approved works as may be agreed shall be carried out and completed in accordance with the approved details prior to the retail store being brought into use.
9. The noise levels from delivery and servicing activity or from plant and machinery associated with the retail development and retail store as measured on the boundary of the development site defined by this planning application shall not exceed the prevailing night-time background noise level by more than 3dBA after 9.00pm and before 7.00am.
10. No goods for sale or display shall be placed on the pavements and pedestrian or amenity areas within the curtilage of the retail store and associated parking decks and accessways.
11. Before development is commenced, a schedule of external facing materials shall be submitted, and, where so required by the Local Planning Authority, sample panels of the external finishes shall be constructed on the site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.
12. Prior to the retail development being brought into use, details of the position and specification of any external lighting and security lighting for the whole of the development shall be submitted to and approved by the Local Planning Authority. All works as may be approved shall be carried out and completed in accordance with those details prior to the development being brought into use.
13. No signage or advertising shall be erected on the site or on any of the buildings structures or accessways hereby permitted without the prior written consent of the Local Planning Authority.
14. The retail store shall not be brought into use before the roof deck car park and other associated car parking areas including the shopmobility facilities have been constructed and made available for use in accordance with the programme of construction as required by condition 3 of this consent.
15. Any CCTV cameras to be erected on any part of the development shall be subject to a scheme of provision to be submitted to and approved by the Local Planning Authority prior to the commencement of the retail use on this site. The scheme shall include the

positions where the cameras are proposed to be sited, the type and size of the cameras and the specifications and position of any associated communications system and shall be agreed in writing with the Local Planning Authority. The work to site the cameras and associated communications systems shall be carried out and completed in accordance with the approved scheme before the commencement of the retail use on the site.

16. No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved prior to the first use of the development hereby permitted. These details shall include [proposed finished levels or contours; means of enclosure; car parking layouts; other vehicle and pedestrian access and circulation areas; hard surfacing materials; minor artefacts and structures (eg. furniture, play equipment, refuse or other storage units, signs, lighting etc); proposed and existing functional services above and below ground (eg. Drainage, power, communications cables, pipelines etc. indicating lines , manholes, supports etc); retained historic landscape features and proposals for restoration, where relevant).
17. A landscape management plan, including long term design objectives, management responsibilities and maintenance schedules for all landscape areas, including the provision for the eradication of Japanese Knot weed from the locality, shall be submitted to and approved by the Local Planning Authority prior to the occupation of the development or any phase of the development, whichever is the sooner, for its permitted use. The landscape management plan shall be carried out as approved.
18. No development shall take place until a schedule of landscape maintenance for a minimum period of 5 years has been submitted to and approved in writing by the Local Planning Authority. The schedule shall include details of the arrangements for its implementation. Development shall be carried out in accordance with the approved schedule.
19. Details of any floodlighting shall be submitted to and approved in writing by the Local Planning Authority before [the use hereby permitted commences] [and] [the building(s) is/are occupied]. Development shall be carried out in accordance with the approved details.
20. Prior to the commencement of development, a plan defining the point of entrance and exit to the site for construction traffic, means of temporary surfacing for that point and position of wheel washing facilities and means of wash waste disposal shall be agreed in writing with the local planning authority. All works shall be carried out in accordance with the agreed plan and construction traffic shall only use the entrance and exit so approved.

The applicant be informed that:

- (i) This permission has been taken in accordance with the following policy/policies of the replacement Salisbury District Local Plan (G2 S3 S6 C10 C17 and C18).
- (ii) Measures should be taken to protect the infrastructure of both Network Rail and Wessex Water.

1 that the Planning & Regulatory Panel take the following points into account when considering the above application :-

- i). The needs of shoppers should be considered in terms of the provision of shoppers buses. (The scheme currently run by Waitrose to be used as an example).
- ii). Pedestrian links to the redevelopment site from the housing development planned at the Eastern Goods Sidings site should be investigated.
- iii). The separate needs of pedestrians and cyclists wishing to access the site OR to pass through it, en route to another destination, should be considerably and adequately catered for.
- iv). An overarching 'Green Travel Plan' (to include plans for addressing the above recommendations) should be drafted and agreed prior to the commencement of any works.
- v). The Central Carpark Public Conveniences (owned and operated by the Council) should be retained.
- vi). The effects on businesses and residents living in and around the Maltings area should be considered during the redevelopment (especially during the demolition and the construction phases) and a scheme of mitigation measures to protect businesses and residents (for example, from noise and disturbance, dust, fumes and minimising the impact on pedestrian routes etc) agreed. In addition, conditions restricting the hours of work on the redevelopment should be imposed and, if necessary, enforced.
- vii). The means by which the access of pantechicons to the stage door of the Playhouse could be improved should be investigated.
- viii). A system of traffic-calming measures, both in the covered and open parking areas should be included in the redevelopment so as to prevent these areas from being used as out of hours racetracks.
- ix). The need for adequate and safe access by Shopmobility, to their premises, should not be overlooked in the layout of the proposed development.
- x). The Public Realm works requested of the applicant should include facilities for young people (not just children). For example, the provision of skate and BMX parks as part of the redevelopment.
- xi). Before any decision on the proposal is reached, a legally-binding agreement relating to the installation of a coin-operated shopping trolley management scheme should be obtained.
- xii). Before any decision on the proposal is reached, further in-the-round schematic/photomontage depicting the impact of the proposed development of views of the Cathedral, should be submitted by the applicants.

xiii). The developers should be encouraged to further explore, in liaison with the Council (including the Architect's Panel) the design impact of the proposed building, with particular attention being given to the appropriateness of the proposed 'aerial spars'.

xiv). The development should seek to incorporate sustainable and 'environmentally friendly' materials in preference to non-sustainable and non-'environmentally friendly' materials;

Finally, and in addition to the above recommendations, the Committee requested that (1) the letter drafted by the Executive Director of the Playhouse and circulated as part of late correspondence at the meeting, be circulated to the members of the Planning & Regulatory Panel in advance of their meeting of 6 August 2003 and (2) that the Wiltshire County Council Highways Officer be invited to attend the Panel meeting to provide advice and explanation about highways issues relating to the proposed development.

The meeting closed at 2025hrs