

Agenda Item 4

Democratic Services Unit
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Minutes

Meeting of : Northern Area Committee
Meeting held in : Antrobus House, Amesbury
Date : Thursday 10 April 2008
Commencing at : 4.30 pm

Present:

Councillor C Mills – Chairman
Councillor M Hewitt – Vice-Chairman

Councillors: J Broom, D Brown, S Dennis, M Lee, I Mitchell, J Noeken, J Spencer, I West, F Westmoreland, G Wright

Apologies: Councillors K Wren

Parish Councillors: N Bayne (Tilshead) G Burt (Bulford), R Fisher (Amesbury), S Stubbs (Newton Toney), P Sweet (Shrewton).

Officers: A Madge (Principal Planning Officer), Lucy Flindell (Senior Planning Officer), J Ferguson (Legal and Property Services) J Hibberd and P Trenell (Democratic Services)

117. Public Questions/Statement Time:

There were none.

118. Councillor Questions/Statement Time:

Councillor Noeken informed the committee that a group of travellers had moved from Archer's Gate onto a site close to Solstice Park. The matter was being dealt with amicably by the landlord and was considered to be under control.

119. Minutes:

Resolved: that the minutes of the meetings held on 13th March 2008 and 27th March 2008 (previously circulated) be approved as a correct record and signed by the Chairman.

120. Declarations of Interest:

There were none.



Awarded in:
Housing Services
Waste and Recycling Services



121. Chairman's Announcements:

The Chairman informed the committee that he had received an acknowledgement letter from Wiltshire County Council in response to his letter regarding Richard Munro's non-attendance of Northern Area Committee on 13th March 2008.

The Vice-Chairman informed the committee that Councillor Wren had suffered a setback in his recovery from a stroke and encouraged councillors to maintain contact with Councillor Wren.

122. Northern Area Committee Local Development Framework Consultation Response:

The committee considered the previously circulated letter from Councillor Mills to the Forward Planning and Transportation Unit. Parish Councillor Baynes expressed his appreciation to the officers who had produced the Core Strategy document and the Northern Area Committee for their involvement and advice on the project.

Resolved: that:

- 1) The following point be added to the letter: "Preferred Option 40 has been formulated to address the requirement to meet the Regional Spatial Strategy Housing number of 12,400. To adopt any scenario within Preferred option 40, taking into account the constraints in many villages, would result in expansions in others that would be contrary to the Golden Thread underpinning the Core Strategy document in that it would damage rather than enhance community identity and sustainability"
- 2) the bullet point regarding the A303 be strengthened to include the following: "It is felt that the Position Statement issued by the Highways Agency on 10th April 2008 is contrary to the objectives in the Core Strategy (as outlined at 10.25 on p114) and does not go far enough to reflect the needs and aspirations of the people in the Northern Community Area."
- 3) the requirement to build 12,400 homes within Salisbury District be referred back to central government via Extraordinary Council on 23rd April 2008 as it is a disproportionately high number of the total houses to be built in the South West region.

123. Release of R2 Financial Contributions:

The committee considered the previously circulated report of the Development Services Support Officer.

Resolved: that £48,652 of 'R2' contributions be released by the council to assist the funding of the outdoor recreation scheme outlined in the officer's report and that the release of the monies be made following receipt of invoices for the works undertaken.

124. Enforcement Report - Dance studio at Paddock View, 17 Beechfield, Newton Tony:

The committee considered a presentation from the Principal Planning Officer in conjunction with the previously circulated report of the Enforcement officer.

Resolved: that:

- 1) Members note the report;
- 2) the applicant be given until the 20th May to complete all outstanding work and informed that failure to do so will result in legal proceedings against the applicant;
- 3) a further report be brought to a Northern Area Committee within the next three months, to update Members regarding progress to remedying the above breaches of planning control.

125. Stonehenge Monitoring Group:

Councillor West notified the committee that he had attended a meeting regarding Stonehenge in the previous week and undertook to circulate the minutes to members of the Northern Area Committee.

Parish Councillor Fisher requested the committee's view on the potential closure of the A344 in order that he could report back to the Stonehenge Management Plan and English Heritage.

Resolved: that the issue of the possible closure of the A344 be brought before the Northern Area Committee with sufficient supporting material to enable an informed debate.

126. Community Leadership & Governance:

The committee were informed that Councillors Westmoreland, Brown, Broom and Hewitt were all serving on Joint Overview and Scrutiny Transition Groups looking into the issues of Planning, Waste, Community Involvement and Parishes respectively. Councillor Westmoreland informed members that there was to be a meeting at the Assembly Room in Devizes Town Hall at 6:00 pm on 24th April 2008 at which the issue of development control under the unitary authority would be discussed.

127. Community Update:

Councillor Mitchell informed the panel that the Salisbury Vision Implementation Steering Group had backed the request for Community Operational Research supported by the Northern Area Committee. He also noted that the work of the Amesbury Community Partnership was ongoing and that the partnership was currently looking at the needs of young people in the Amesbury community area.

Councillor Brown informed the committee that he was to attend a meeting with the developers of the Archer's Gate community centre on Tuesday 15th April and that he hoped that work would be complete by the end of the month.

128. S/2008/0064 – Conversion and alterations to barn (including substantial reconstruction) for use as one unit of self catering holiday accommodation at Rollerhouse Barn, opposite 1 & 2 Crabtree Cottages, High Post Road, Winterbourne Dauntsey, Salisbury, SP4 6HG for Mr R Bruce-White:

The committee considered a presentation from the Senior Planning Officer in conjunction with the previously circulated report, information included in a schedule of additional correspondence circulated at the meeting and a site visit held earlier in the day.

Mr R Bruce-White, the applicant, spoke in favour of the application.

Resolved: That the above application be refused for the following reasons:

- 1) The level of works proposed involves substantial reconstruction of the barn and the domestication of site (with the addition of paving/decked seating area) which is not considered to respect the rural setting and landscape character of the surrounding countryside and as such will adversely affect the rural character and appearance of the countryside, contrary to saved policies G1, G2, C2, C22, C6, T6 of the Salisbury District Local Plan, and saved policies C1, C9, DP1, DP14 of the Wiltshire Structure Plan 2016, and Government Guidance contained within PPS1 (Delivering Sustainable Development) and PPS 7 (Sustainable development in rural areas)
- 2) The proposal, located remote from services and being unlikely to be well served by public transport, will encourage the use of the private car, and is contrary to the key aims of PPG 13, which seeks to reduce growth in the length and number of motorised journeys and contrary to saved policy G1 of the Salisbury District Local Plan and saved policy DP1 of the Wiltshire and Swindon Structure Plan 2016.
- 3) Visibility for emerging vehicles is substantially restricted by the hedgerows located along this C class road, which is subject to the National speed limit of 60mph, and therefore the increase in vehicular traffic emerging from the access point in connection with the proposed development will cause a serious hazard to road safety contrary to saved policy G2 of the Salisbury District Local Plan.

129. S/2007/1616 – Demolition of existing vacant mechanical workshop and the erection of a Lidl neighbourhood foodstore with associated parking at Land at Minton Distribution Park, London Road, Amesbury, Salisbury, SP4 7RT for Lidl Foodstores:

The committee considered a presentation from the Senior Planning Officer in conjunction with the previously circulated report and information included in a schedule of additional correspondence circulated at the meeting.

Mr N Smith of the Co-operative Group spoke against the application. Mr J Mitchell, of Lidl, spoke in favour of the application.

Resolved: that subject to the applicants entering into:

- (1) A legal agreement between the developer and Wiltshire County Council under Section 278 of the Highways Act 1980 to secure the installation of new transport infrastructure prior to the occupation of the site as follows:
 - (a) A new ghost island right turn junction with required carriageway realignments
 - (b) A new bus shelter on the development side of London Road (details to be agreed in writing with Wiltshire County Council)
 - (c) A new pedestrian refuge between the proposed bus stops footway to link the existing bus stop to the refuge and associated dropped kerbs with tactile paving (details to be agreed in writing with Wiltshire County Council)
 - (d) A 3m wide, segregated pedestrian/cycle route to link from Porton Road, to the south of the Porton Road/London Road roundabout, running along the frontage of the development, across the site access and ending at the access road into the Wiltshire

County Council depot (the site access immediately to the west of the Minton Distribution Depot security fence), (details to be agreed in writing with Wiltshire County Council).

- (2) A legal agreement with Salisbury District Council to restrict the range and type of goods to be sold from the premises (to enable the Local Planning Authority to exercise adequate control over the range of goods sold from the premises in the interests of maintaining the vitality and viability of the town centre).

The application be approved for the following reasons:

There are no 'saved' policies in the adopted Salisbury District Local Plan, which relate to the location of retail development in Amesbury. The relevant 'shopping' policy in the Development Plan for the principle of new retail development in this location is therefore policies DP5 and DP6 of the Wiltshire Structure Plan 2016. These policies support growth and development in existing centres and are in accordance with Central Government Policy objectives, which place an emphasis on the need to enhance the vitality and viability of existing centres, now encompassed in PPS6.

The guidance within PPS6 states that in order to deliver the Government's objective of promoting vital and viable town centres, retail development should be focused in existing centres in order to strengthen and, where appropriate, regenerate them. In selecting sites for development, local planning authorities should, assess the need for development, identify the appropriate scale of development, apply the sequential approach to site selection, assess the impact of development on existing centres, and ensure that locations are accessible and well served by a choice of means of transport.

Guidance in PPG13 is also consistent with the key objectives of PPS6, endorsing the broad principles of the sequential approach and the need to ensure that wherever possible new shopping is promoted in existing centres, which are more likely to offer a choice of access, particularly for those without a car.

It is considered that there is quantitative capacity for the development and in particular a qualitative need for a deep discount food retailer in Amesbury. The former Co-op building is considered unsuitable for modern food retail needs and due to the expensive refurbishment/refit costs is in particular unsuitable and unviable for occupation by a deep discount food retailer. It is considered that the development is of an appropriate scale; that the projected levels of impact on Amesbury town centre are acceptable and there are no sequentially preferable sites.

The development is considered to be in compliance with the relevant design policies and guidance and appropriate to the overall appearance of the site and area by reason of the design and materials, and the proposed additional landscaping.

It is considered that adequate car parking is proposed and subject to the agreement of a travel plan to seek to promote alternative modes of transport and include the provision of cycle parking, it is considered that the proposal will be able to promote sustainable modes of travel to and from the site and is an accessible location well served by a choice of a means of transport.

Due to the extent of existing development in the catchment and the existing land use on the subject site, the site has a low level of interest for nature conservation and biodiversity.

Wessex Water can accommodate the likely foul water inputs and surface runoff within the sewerage network, and also provide the potential long-term demand for water within their abstraction licenses. It is therefore considered that the proposal will not (either alone or in combination with other plans or projects) be likely to have a significant effect on the important interest features of the River Avon Special Area of Conservation (SAC), or any of the features of special scientific interest of the River Avon System Site of Special Scientific interest (SSSI).

For the reasons stated above it is considered that the proposal is in accordance with development plan policy and in particular Policies DP5 and DP6 of the Structure Plan 2016, which reflects government advice on retail developments in PPS6 and PPG13.

And subject to the conditions and informatives as follows:

- (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 section 51 (1) of the Planning and Compulsory Purchase Act 2004

- (2) The net retail floor space shall be restricted to that shown in the approved plans and no additional retail floorspace shall be created whatsoever, whether by insertion of a mezzanine, by use of the ground floor or mezzanine storage areas hereby approved or otherwise, without written permission of the Local planning Authority upon submission of a planning application on that behalf.
Reason: To enable the Local Planning Authority to exercise adequate control over the creation of additional retail floorspace, in the interests of maintaining the vitality and viability of the town centre and to restrict the adverse implications of store generated traffic.
- (3) The development shall be implemented in accordance with the following amended plans: (Plan refs SK02 RevC, SK05 and SK04 received by this office on the 4th January 2007) unless otherwise agreed in writing by the Local Planning Authority.
Reason: For the avoidance of doubt.
- (4) 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 the satisfactory implementation of all approved landscaping works, in the interests of visual amenity.
- (5) If within a period of 5 years from the date of the planting of any tree that tree, or any tree planted in replacement for it, is removed, uprooted or destroyed or dies, [or becomes, in the opinion of the Local Planning Authority, seriously damaged or defective,] another tree of the same species and size as that originally planted shall be planted at the same place, unless the Local Planning Authority gives its written consent to any variation.
Reason: To ensure the satisfactory establishment of the approved scheme for the landscaping of the site.
- (6) The development shall be implemented in full accordance with the approved details and drawings for the car parking spaces layout and shall be made available at all times, and used for no other purpose
Reason: To ensure adequate off-road parking is available for customers and staff.
- (7) Before the start of development the detailed design for the main access junction, the proposed island near the bus stops, the bus stops and the pedestrian/cycle route shall be approved in writing by the planning authority and the main access Junction and additional works shall be constructed in accordance with the approved drawings before the first use of the development.
Reason: In the interests of highway safety
- (8) No development shall commence until a Travel Plan has been submitted to and approved by the Local Planning Authority. No part of the development shall be occupied prior to the implementation of the approved travel plan (or those parts identified in the approved travel plan as capable of being implemented prior to occupation). Those parts of the approved travel plan that are identified as being capable of being implemented after occupation shall be implemented in accordance with the timetable contained therein and shall continue to be implemented as long as any part of the development is occupied. The records of the implementation shall be made available to the Local Planning Authority if requested.
Reason: In order to promote sustainable modes of travel to and from the site, and to reduce reliance on the private car.
- (9) No development shall commence until a construction management plan is submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the agreed plan.
Reason: In order to mitigate the impact of construction traffic on the Strategic Road Network.
- (10) Before commencement of the development hereby permitted there shall be submitted to and approved by the Local Planning Authority a scheme for the control of noise arising from compressors, refrigeration plant, extractors and any other similar equipment. Such scheme as is approved in writing by the local planning authority shall be implemented to the satisfaction of the Local Planning Authority before any part of the development is brought into use.
Reason: To minimise the potential for noise disturbance from the proposed development.
- (11) No works of construction or demolition shall be carried out outside of the following hours:

Monday to Friday: 7am- 6pm

Saturday: 8am-1pm

No work Sundays or bank holidays

This condition shall not apply to works of fitting out and decoration.

Reason: To minimise the potential for noise disturbance from the proposed development.

- (12) There shall be no burning of demolition or construction waste on the site at any time.
Reason: In the interests of the environment.
- (13) There shall be no deliveries between the hours of 10.30pm and 6am.
Reason: In the interests of amenity.
- (14) Before commencement of the development hereby permitted there shall be submitted to and approved by the Local Planning Authority a scheme for the lighting of external areas of the development site. Such scheme as is approved in writing by the Local Planning Authority shall be implemented to the satisfaction of the Local Planning Authority.
Reason: To enable the Local Planning Authority to exercise control over the appearance of the lighting installation and the level of illumination in the interests of visual amenity and highway safety.
- (15) Prior to commencement of 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 the applicant shall commission the services of a competent contaminated land consultant to carry out a detailed contaminated land investigation of the site and a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved in writing by the Local Planning Authority. That scheme shall include all of the following elements unless specifically excluded in writing by the Local Planning Authority:
- 1) A full desktop survey of historic land use data, identifying 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.
 - 2) A site investigation scheme based on (1) to provide information for an assessment of the risk to all receptors that may be affected including those off site
 - 3) The results of the site investigation and risk assessment (2) and a method statement based on those results giving full details of the remediation measures required and how they are to be undertaken.
 - 4) A verification report on completion of the works set out in (3) confirming the remediation measures that have been undertaken in accordance with the method statement and setting out measures for maintenance and further monitoring and reporting.
- The remediation programme shall be fully implemented and the validation report shall be forwarded to the Local planning authority prior to use of the premises.
Reason: The site overlies a Major Aquifer therefore groundwater is considered to be a potentially sensitive receptor and the site should be subject to appropriate assessment in order to determine the risks. Activities carried out at this site may have caused contamination of soil subsoil and groundwater present beneath the site and may present a threat to nearby surface waters especially as a result of the proposed development. The above condition will enable the local planning authority to ensure that appropriate measures are taken to avoid any threat, which the proposed development might pose to health and safety and the environment.
- (16) No development approved by this permission shall commence until a scheme for water efficiency has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the agreed details
Reason: In the interests of sustainable development. Salisbury District Council's Supplementary Planning Guidance on "Achieving Sustainable Development" promotes the prudent use of natural resources. It is necessary to minimise the local demand for water to protect future supplies.
- (17) 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 roof 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.
- (18) Before development commences, full details of the cycle storage provision to include the design, siting, numbers of and timing for provision and the allocation to users shall be submitted to, and approved in writing by the Local Planning Authority, and the development shall subsequently accord with the approved scheme.

Reason: To ensure that adequate and suitable cycle parking spaces are available in accordance with the requirements of policy TR14 of the Adopted Salisbury District Local Plan.

- (19) Before development commences 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. The approved scheme shall be implemented prior to the first occupation of the building and shall thereafter be retained in relation to the development hereby permitted.

Reason: In the interests of visual amenity.

INFORMATIVE: Policy

This decision has been taken in accordance with the following 'saved' policies of the Salisbury District Local Plan:

G1 (Sustainable development)
G2 (General development criteria)
G5 (Drainage)
D1 (Design)
TR11 (Parking standard guidelines)
TR12 (New development)
TR14 (bicycle parking spaces)
C12 (Protected species)

INFORMATIVE: Environment Agency

Contaminated Land

Although generic remedial options are available to deal with the risks to controlled waters posed by contamination at this site further details will be required to ensure that risks are appropriately addressed. The historic activity and assessment of the associated potential contamination should have been assessed in the Factual and Interpretative Report. It would be prudent to assess the condition of the subsurface in the area identified as a vehicle repair workshop and/or any associated infrastructure (2) in order to better understand the contamination condition of the site. The Site Investigation has thus far not examined the condition of the site in the area where a previously potentially contaminative activity (workshop) was undertaken.

The above practice is considered important so that the site operator owner the regulatory authorities and other parties such as the general public potential purchasers or investors can have confidence in the outcome and any subsequent decisions made about the need for action to deal with any contamination at the site.

We recommend that developers follow the risk management framework provided in CLR11 Model Procedures for the Management of Land Contamination when dealing with land affected by contamination. It provides the technical framework for structured decision making regarding land contamination. It is available from www.environment-agency.gov.uk

We also recommend that developers use BS 10175 2001 Investigation of potentially contaminated sites Code of Practice as a guide to undertaking the desk study and site investigation scheme

The development should include water efficient appliances fittings and systems in order to contribute to reduced water demand in the area. These should include as a minimum dual flush toilets, water butts, spray taps, low flow showers, no power showers, and white goods where installed with the maximum water efficiency rating. Greywater recycling and rainwater harvesting should be considered.

The submitted scheme should consist of a detailed list and description including capacities water consumption rates etc where applicable of water saving measures to be employed within the development. Applicants should visit <http://www.environment-agency.gov.uk> Subjects Water Resources How We Help To Save Water Publications Conserving Water in Buildings for detailed information on water saving measures. A scheme of water efficiency should be submitted in accordance with the information supplied on the website. The following may also be helpful <http://www.savewatersavemoney.co.uk>

Surface Water Drainage

Surface water from car parking areas less than 0.5 hectares and roads should discharge to watercourse via deep sealed trapped gullies. For car parks greater than 0.5 hectares in area oil

interceptor facilities are required such that at least 6 minutes retention is provided for a storm of 12 5mm rainfall per hour. With approved by pass type of interceptors flows generated by rainfall rates in excess of 5mm hour may be allowed to by pass the interceptor provided the overflow device is designed so that oily matter is retained. Segregation of roof water should be carried out where possible to minimise the flow of contaminated water to be treated. Detergents emulsifiers and solvents must not be allowed to drain to the interceptor as these would render it ineffective.

Pollution Prevention During Construction

Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover the use of plant and machinery oils chemicals and materials the use and routing of heavy plant and vehicles the location and form of work and storage areas and compounds and the control and removal of spoil and wastes. We recommend referring to our Pollution Prevention Guidelines found at: <http://www.environment-agency.gov.uk/business/444251/444731/ppg/>

Sustainable Construction

We strongly recommend that the proposed development includes sustainable design and construction measures. In a sustainable building minimal natural resources and renewables are used during construction and the efficient use of energy is achieved during subsequent use. This reduces greenhouse gas emissions and helps to limit and adapt to climate change. Running costs of the building can also be significantly reduced.

INFORMATIVE: Wiltshire Fire and Rescue Service

The applicant should be made aware of the letter received from Wiltshire Fire and Rescue Service regarding advice on fire safety measures. This letter can be found on the file, which can be viewed at the planning office between the hours of 09:00 and 17:00 Monday to Friday.

INFORMATIVE: Protected Species

Certain species are protected under Part 1 of the Wildlife and Countryside Act 1981 and others are protected under the Habitats Regulations. Some are protected under their own legislation. The protected species legislation applied independently of planning permission, and the developer has legal obligations towards any protected species that may be present.

Planning permission if granted does not absolve applicant's from complying with the relevant law including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of the Circular 06 2005.

INFORMATIVE:- Travel Plan

For more information about setting up a travel plan you are advised to contact Wiltshire County Council's Travelwise Team by email at: travelwise@wiltshire.gov.uk or by telephone on 01225 713388.

130. S/2008/0241- Single storey conservatory to side elevation with brick gable end and parapet wall (retrospective) at Hazelhead, Robin Hill Lane, Durrington, Salisbury, SP4 8DN For Conservatory Sales Ltd:

The committee considered a presentation from the Principal Planning Officer in conjunction with the previously circulated report, information included in a schedule of additional correspondence circulated at the meeting and a site visit held earlier in the day.

Mrs McElligott, a local resident, spoke in objection to the application. Mrs Holmes, the applicant, addressed the committee and expressed her willingness to submit revised plans in light of the objections of the residents of neighbouring properties.

Resolved: that

- (1) the above application be deferred for the applicant to submit revised plans;
- (2) the power to approve the above application be delegated to the Head of Development Services subject to no objections being received to the revised plans;
- (3) the application be brought back before the Northern Area Committee at their meeting of 5th June 2008 should objections to the revised plans be received.

The meeting closed at 18:34
Members of the public present: 21