

Schedule of Planning Applications for Consideration

In The following Order:

Part 1) Applications Recommended For Refusal

Part 2) Applications Recommended for Approval

Part 3) Applications For The Observations of the Area Committee

With respect to the undermentioned planning applications responses from bodies consulted thereon and representations received from the public thereon constitute background papers with the Local Government (Access to Information) Act 1985.

ABBREVIATIONS USED THROUGHOUT THE TEXT

AHEV	-	Area of High Ecological Value
AONB	-	Area of Outstanding Natural Beauty
CA	-	Conservation Area
CLA	-	County Land Agent
EHO	-	Environmental Health Officer
HDS	-	Head of Development Services
HPB	-	Housing Policy Boundary
HRA	-	Housing Restraint Area
LPA	-	Local Planning Authority
LB	-	Listed Building
NFHA	-	New Forest Heritage Area
NPLP	-	Northern Parishes Local Plan
PC	-	Parish Council
PPG	-	Planning Policy Guidance
SDLP	-	Salisbury District Local Plan
SEPLP	-	South Eastern Parishes Local Plan
SLA	-	Special Landscape Area
SRA	-	Special Restraint Area
SWSP	-	South Wiltshire Structure Plan
TPO	-	Tree Preservation Order

LIST OF PLANNING APPLICATIONS TO BE SUBMITTED BEFORE THE FOLLOWING
COMMITTEE NORTHERN AREA FOR 8TH MAY 2008

Note: This is a précis of the Committee report for use mainly prior to the Committee meeting and does not represent a notice of the decision

Item Page	Application No	Parish/Ward Officer Recommendation Ward Councillors
1	S/2007/1865	AMESBURY EAST
4-31	Mr A Madge	REFUSAL
Site Visit 16:10	G L HEARN 140 LONDON ROAD LAND & BUILDINGS TO REAR AMESBURY SALISBURY SP4 7EQ DEMOLITION OF ALL BUILDINGS & REDEVELOPMENT TO FORM A CLASS A1 FOODSTORE WITH ASSOCIATED PARKING & LANDSCAPING AND ALTERATIONS TO ACCESS	AMESBURY EAST WARD Councillor Brown Councillor Mitchell Councillor Noeken
2	S/2007/2226	AMESBURY EAST
32-58	Mrs J Howles	REFUSAL
Site Visit 15:50	MR JOHN LITTMAN PLOT C1, SOLSTICE PARK AMESBURY SALISBURY SP4 7SQ DEVELOPMENT OF A 6131SQM STORE (CLASS A1) TOGETHER WITH ANCILLARY SERVICING AND PARKING WITH HIGHWAYS IMPROVEMENTS AND ALTERATIONS TO THE ROUNDABOUT AT PORTON ROAD AND SUNRISE WAY TO INCREASE CAPACITY	AMESBURY EAST WARD Councillor Brown Councillor Mitchell Councillor Noeken
3	S/2008/0572	AMESBURY EAST
59-87	Mr A Madge	REFUSAL
Site Visit 16:10	G L HEARN 140 LONDON ROAD LAND & BUILDINGS TO REAR AMESBURY SALISBURY SP4 7EQ REVISED APPLICATION TO S/2007/1865 DEMOLITION OF ALL BUILDINGS & REDEVELOPMENT TO FORM A CLASS A1 FOODSTORE WITH ASSOCIATED PARKING & LANDSCAPING & ALTERATIONS TO ACCESS INSTALLATION OF WIND TURBINE	AMESBURY EAST WARD Councillor Brown Councillor Mitchell Councillor Noeken

4	S/2008/0251	AMESBURY EAST
88-91	Mrs S Appleton	APPROVED WITH CONDITIONS
Site Visit 15:50	THE AMESBURY PROPERTY COMPANY LTD END OF SOLAR WAY WHICH RUNS NORTH-EAST TOWARDS THE A303 SOLSTICE PARK AMESBURY SP4 7SQ ERECTION OF A SCULPTURE	AMESBURY EAST WARD Councillor Brown Councillor Mitchell Councillor Noeken
5	S/2008/0343	DURRINGTON
92-104	Miss L Flindell	APPROVE SUBJECT TO S106
Site Visit 15:25	MR G STEER 192 BULFORD ROAD DURRINGTON SALISBURY SP4 8HB ALTERATIONS AND DEMOLITIONS TO EXISTING HOUSE, FURTHER DEMOLITION OF GARAGES AND OUTBUILDINGS: CONSTRUCTION OF FOUR THREE-BEDROOM HOUSES WITH ASSOCIATED NEW GARAGING AND ENABLING WORKS	DURRINGTON WARD Councillor Ms Broom Councillor Lee Councillor Wright
6	S/2008/0558	GREAT WISHFORD
105 - 111	Mrs S Appleton	APPROVED WITH CONDITIONS
Site Visit 14:45	RELPH ROSS PARTNERSHIP STADDLESTONES STATION ROAD GREAT WISHFORD SALISBURY SP2 0PA OUTLINE APPLICATION FOR THE ERECTION OF A NEW DWELLING	LOWER WYLYE & WOODFORD VALLEY WARDS Councillor Mrs Dennis

Agenda item:

Planning application no S/2006/1698 Land between Netheravon Road and High Street
Durrington – Footpath link

PLEASE NOTE:

Planning applications S/2007/1865, S/2007/2226 and S/2007/0572 all refer to the same appendix 1 (GVA Grimley Review of Proposed Food Superstores, January 2008) and 2 (Letter from Chris Goddard to Sarah Hughes). To save duplication these appendices are attached only once, following on from the report for application S/2007/0572.

Planning applications S/2007/1865 and S/2007/0572 also both relate to a third appendix (letter from GL Hearn to Adam Madge). Again, this appendix is attached only once, following on from the report for application S/2007/0572.

Part 1

Applications recommended for Refusal

1

Application Number:	S/2007/1865		
Applicant/ Agent:	G L HEARN		
Location:	140 LONDON ROAD & LAND & BUILDINGS TO REAR AMESBURY SALISBURY SP4 7EQ		
Proposal:	DEMOLITION OF ALL BUILDINGS & REDEVELOPMENT TO FORM A CLASS A1 FOODSTORE WITH ASSOCIATED PARKING & LANDSCAPING AND ALTERATIONS TO ACCESS		
Parish/ Ward	AMESBURY EAST		
Conservation Area:	LB Grade:		
Date Valid:	14 September 2007	Expiry Date	14 December 2007
Case Officer:	Mr A Madge	Contact Number:	01722 434541

Members should note that should they wish to vote to approve this development the application would need to be brought before the council's planning and regulatory committee because it is considered that the impact the proposed store would have would go beyond that of the Northern area boundaries. Members should also note that should the council wish to approve the application it would need to be referred to the Secretary of State under the terms of the Shopping Directive.

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The site is partly that of a former transport and haulage depot and partly a number of other industrial buildings located to the North of Amesbury on what was previously railway land. The site also includes 6 houses known as railway cottages which sit at right angles to London Road.

The largest building on site is that of the former transport depot which is of two storey height and clad in corrugated steel. This has a large parking and loading area situated to the front of it and is accessed past Railway Cottages from London Road.

The cottages, which date from the early Edwardian period, are typical of the area being two storey red brick under a simple tiled roof. Parking for the cottages currently takes place in the access way to the transport depot.

To the rear of the transport depot is an existing ambulance station and council gritting yard along with a number of other smaller industrial and light industrial units predominately of brick or steel clad construction again of two storey height.

The surrounding area to the site is in part residential and part employment use. Directly to the East of the site is the large and very prominent Naafi site now called the Minton Distribution Park which is used for a variety of storage and employment uses.

To the rear of the site is Wiltshire County Council's recycling centre. The main centre serving Amesbury.

To the west of the site lies a residential area of 1950's terraced and semi detached properties of brick and render construction. Houses situated on James Road back onto the site with their rear gardens.

At the front of the site (North) is London Road and beyond that further industrial and distribution buildings.

THE PROPOSAL

The proposal is for the erection of an A1 retail foodstore of 5564 square Metres with an additional 461square metres of under cover delivery area. It includes car parking and landscaping.

In more detail the proposal includes the provision of a new roundabout at the front of the site to provide the main access to the store, access to two existing garages and a changed access to existing industrial buildings on the opposite side of London Road. This roundabout leads into the main parking area.

There are 358 parking spaces in the car park. 20 of these spaces closer to the store will be reserved for customers with disabilities, whilst a further 16 spaces would be reserved for parent and toddlers. Included in the parking area is an area for recycling.

Running along the North Eastern boundary is an access road to the rear delivery yard which is part single vehicular width part two vehicle width. This will be operated on a traffic light control system.

The building itself is a two storey building extending to eight metres at its highest point. It is set down from the surrounding land by varying amounts. The store is of a modern architectural appearance with full height glazing to the front and part South West and part South East elevations. Further high level glazing is shown on the other elevations. The building is shown as being clad in a white cladding.

To the rear of the store is a bulk storage area and main loading and unloading bay. A turning space for vehicles is provided in the rear yard.

Internally on the ground floor is the main sales area including customer toilets, a bakery and the bulk storage area.

There is an additional 'mezzanine' or first floor level which includes a customer café, staff canteen and other staff and office areas. An area is also set aside internally for a combined heat and power plant.

PLANNING HISTORY

90/1059	Change of Use ie: Intensification of existing use for the manufacture of Fibre glass products to General Industrial use at 174 London Road	R Appeal WD	20.09.90 18.03.91
90/23ENF	Enforcement Notice against Change of Use from Class B1 (business) to class B2 (general industrial) at Land at 174 London Road	Effective from Period of time	31.01.90 12 months
91/0300	Appeal against Enforcement Notice to cease use of building for any purpose other than a use within class B1 at 174 London Road	WD	18.03.91
98/1277	Change of Use from Industrial to Car & Van Hire plus administration for the company at 174 London Rd	AC	08.09.98
99/0546	Change of Use from Car & Van Hire to B1 (light industrial) & B2 (warehouse) No 174 London road		

99/0702	Cladding of existing building in Heritage Green with flashings in Poppy red No 174 London road	APFP	14/06/99
02/2174	Demolition of existing building and redevelopment for Residential	WD	3. 01.03
03/1052	Change of use from B1 to B2 No 174 London road	AC	26.06.03
05/0252	Outline planning permission for demolition of existing Building and redevelopment of part of site for residential	WD	25.04.05
05/0254	Outline planning permission for demolition of existing Building and redevelopment of part of site for residential	WD	25.04.05
05/1290	Outline application for demolition of existing building and redevelopment of part of site for light industrial (B1) use	Refused	25.8.05
05/1291	Outline application for demolition of existing building and redevelopment of part of site for residential use (20 dwellings) and associated works	Ref	25.8.05
05/1543	Erection of six bay vehicle garage. No 170 – 172 London rd Approved	A	23.9.05

CONSULTATIONS

WCC Planning (Original letter) – The application relates to the redevelopment of a site located on the edge of Amesbury within its urban area as indicated by the Housing Policy Boundary defined in the Salisbury District Local Plan (Adopted June 2003). The site is not identified for any particular use in the Local Plan and currently comprises mainly of employment uses. The covering letter to the application indicates that the net floorspace is for 3,853 sq m of which 3,372 sq m comprises net retail floorspace (2,972 sq m retail sales area plus 400 sq m checkout space).

It is noted that the recently completed Salisbury District Council Retail and Leisure Needs Study 2006 (2006 Study) considers there to be no need for additional net convenience floorspace at Amesbury by 2011 or 2016. However there is an overall need within the District of 1,516 sq m net convenience floorspace, rising to 2,623 sq m in 2016. Paragraph 8.55 of the Study recognises that this is based on current market shares.

The Executive Summary of the 2006 Study, notwithstanding the concern of unacceptable impact on Amesbury Town Centre, does recognise that Amesbury could support additional foodstore development through claw back and uplift in market share and generate more sustainable travel patterns (paragraphs 52 to 55). This approach would be in line with Policy DP3 of the Wiltshire and Swindon Structure Plan 2016 (Adopted 1 April 2006) that seeks to provide for appropriate level of services and facilities in all settlements to promote more sustainable communities and reduce the need to travel (paragraph 4.9). In principle therefore additional convenience retailing at Amesbury, as the District's principal settlement outside of Salisbury City, should be supported. Amesbury is relatively well placed to enable the main food shopping needs of surrounding rural communities to be met more locally thus minimising the need to travel longer distances to other destinations.

Notwithstanding the above, the application site is an out of centre location and as such must meet the tests of Planning Policy Statement 6: Planning for Town Centres (PPS6) as set out in paragraph 3.4, in line with policy DP6 of the Structure Plan. A retail Assessment has been prepared by G L Hearn and submitted in support of the application that seeks to meet the

requirements of PPS6. However, I am concerned that the Retail Assessment is not sufficiently robust, for the following reasons:

Given the proximity of Salisbury to the South of Amesbury, Tidworth and Andover to the East and Devizes to the North West, the defined catchment area is considered to be too large.

Convenience goods expenditure per head of between 1,727 and 2053 in 2011 are used compared to levels of between 1,427 and 1,710 in 2011 for comparative zones (zones 1, 2 and 6) within the 2006 Study. This indicates that available expenditure could be overestimated.

The proposal is essentially justified on the basis of what is considered by the GL Hearn to be a reasonable uplift in market share from within the catchment area, from 22% to 48% (paragraph 5.16). This effectively increases the market share of Amesbury within the catchment area by 218%. This is considered high, particularly in light of the concern already expressed about the extent of the catchment area and new Tesco being developed at Tidworth.

The new Co-op in Amesbury had only been trading for a short period when the household survey was undertaken. A longer settling in period may have provided different survey results in terms of the effect of the new store on the town centre. For instance, additional convenience stores to those identified in the RA were noted following a recent visit to the town centre.

Paragraphs 6.1 to 6.3 do not adequately justify the overall scale of the development. A smaller store would be more appropriate to the role and function of Amesbury and still enable claw back to be achieved while minimising risk of harm to the town centre.

It is not considered that sufficient flexibility has been demonstrated in applying the sequential approach (section 7). For example, further consideration could be given to the scope for disaggregation of convenience and comparison elements of the proposal and the potential to assemble a site around the former Co-op store that is currently vacant.

Although the Tesco at Tidworth is mentioned within the Assessment, only limited consideration has been given to how this is likely to change the nature of retail activity within the catchment area. Only the effect on Zone 3 that is tightly defined around Tidworth has been considered when the impact is likely to be wider.

In summary while in principle it is accepted that additional retail development at Amesbury could achieve greater levels of trade retention there is some concern about the size of the store proposed in relation to Amesbury and the overall robustness of the Retail Assessment as submitted.

(Second letter)

The County Council as strategic planning authority responded to the application as originally submitted in the letter dated 30th October 2007. This letter raised a number of issues about the robustness of the Retail Assessment including the need to give further consideration to the sequential approach and the overall size of the store in relation to the role and function of Amesbury. As you are no doubt aware, in assessing retail planning applications paragraph 3.4 of PPS6 requires, inter alia, that the development should be of an appropriate scale and that there are no more central sites for the development.

It is understood that an application has recently been submitted to Salisbury District Council for a town centre store of around 1,858 sq metres net retail floorspace. This indicates that a more central site is available for retail development at a scale more appropriate to the role and function of Amesbury that is better placed to support the vitality and viability of the town centre. It is understood that the application is not speculative and is being progressed by a named operator thus providing a good degree of certainty that the site is viable from the market perspective.

In light of the above consideration, the proposed development would be contrary to Policy DP6 of the adopted Wiltshire and Swindon Structure Plan 2016 (April 2006). In line with PPS6, this seeks to maintain and enhance the role of Amesbury's town centre by making appropriate provision that promotes its vitality and viability and only making provision for out of centre sites

where need cannot be met on more central sites. Accordingly, the County Council as strategic planning authority raises an objection to the application.

WCC Highways

I have raised concerns about the orientation of the store from the outset and those concerns remain. Contemporary guidance advises against proposals that place foodstores at the rear of sites, especially those that put car parks at the front thereby introducing a significant barrier for all but car users. Pedestrians, cyclists and public transport users are therefore particularly disadvantaged. This has been raised frequently with the applicant but they do not wish to modify the proposals.

The initial application (S/07/1865) was submitted with a number of individual junction assessments having been undertaken. As with the Solstice Park ASDA application, it was felt necessary for the applicant to submit a wider model covering the local network which would check the functioning of the network as a whole, including the interactions between the junctions. Although not supplied with the original Transport Assessment, a VISSIM¹ model was later submitted by the applicant's agent for consideration.

The main junction of concern with this application is the traffic signals at the A345/London Road junction. This junction nears capacity at peak periods now so would therefore be very sensitive to increases in traffic. There have been considerable discussions with the consultant to try to produce a revised junction design here but it has not yet been possible to agree a design which was felt to be both safe and with sufficient capacity.

The VISSIM network model has been considered by our consultants, Mouchel, and they have said they do not feel it to be robust. The Design Manual for Roads and Bridges (DMRB) guidance sets out what is required. Initially a base year traffic model (which is a model based on observed traffic flows) is set up; this is then validated by comparing the model with actual traffic behaviour (eg queue lengths, journey times) and when this is sufficiently robust future year models can be created. We have serious concerns with the modelling in that a base year traffic model and a detailed validation report have not been produced.

Discussions have also been held on other issues such as public transport services, pedestrian and cycle facilities and the main site access but final agreement has not yet been reached on these as the focus has been trying to resolve the issues with modelling.

Given these serious concerns, I am not yet satisfied that the impact on the surrounding network could be adequately catered for. I would therefore recommend that the applications are refused for the following reason:

Insufficient evidence has been submitted to demonstrate that the traffic generated by the proposed development would not have an unacceptable effect on queues delay and safety on the local highway network.

Highways Agency

The Highways Agency previously reviewed this application in October and December 2007. We concluded that it was content that the proposed development would have no adverse impact on the Strategic Road Network. We directed a planning condition to be attached to any planning permission which may be granted to provide a travel plan with updated information as specified by us.

Bus Service Information

The Highways Agency required additional information regarding extra bus services. The applicant has provided this information in Paragraph 4.1.8 of the Non-Technical Summary.

Developer contributions of £250,000 have been detailed by the applicant for a new off-peak local bus service to serve the site, local employment and residential areas. We are content with these details and do not require any further information.

Travel Plan

An updated Travel Plan is required by the Highways Agency with additional points on Travel Plan targets, measures and enforcement mechanisms. This is conditioned under the grant of planning permission; we would like to be consulted with any additional information and the status of the Travel Plan.

Conclusions

Having reviewed the additional documentation, the Highways Agency is content with the updated information. We would like to be kept informed of any updates to the Travel Plan which is directed under a planning condition with any grant of planning permission.

WCC Library/ Museum As part of the previous planning application on the above site a series of ground investigations were made across the site. These identified the infilling of railway sidings after their closure in 1961.

The depth of infill shown in the ground investigations indicate that it is extremely unlikely any archaeological features will survive in the area. I therefore have no comments to make on the application.

Wessex Water Authority

Foul Drainage-

There is a public foul sewer in the vicinity of the site.
There is a possibility of public sewers crossing the site which currently serve Railway Cottages.
The foul dewaterage system should have adequate capacity to serve the proposals, however flow calculations to be submitted in due course.
No trees/large shrubs to be planted within 6m of public sewers.

Surface Water Drainage

There is no public surface water sewer in the vicinity of the site.
The use of soakaway/SUDS system should be possible.
No trees/large shrubs to be planted within 6m of public sewers

Sewage Treatment-

There is sewage treatment capacity available.
There is adequate capacity at the terminal pumping station.

Water Supply

There are water mains in the vicinity of the site which have the capacity to serve this development.
There are water mains crossing the edge of the site, normal easements to be maintained.

Environment Agency

We have no objection to the proposed development subject to the following conditions and informatives being included in any planning permission granted.

Flood Risk

We can confirm that the Flood Risk Assessment (FRA) is considered to meet the requirements of Planning Policy Statement 25- Development and Flood Risk (PPS25) and that the proposed development is in accordance with the guidance contained therein.

CONDITION:

No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

INFORMATIVE:

The surface water run-off limitation scheme should be designed to ensure that a 1 in 100 year event, including an allowance of 20%

increase in peak rainfall intensity, as set out in Table B.2 of PPS25 for climate change over a 60 year design life, is managed on site without putting assets at risk.

The Environment Agency does not accept any liability for the detailed calculations contained within the FRA. This letter does not constitute approval of those calculations nor does it constitute the Environment Agency's consent or approval that may be required under any other statutory provision, byelaw, order or regulation.

Flood risk cannot be eliminated and is expected to increase over time as a result of climate change, this letter does not absolve the developer of their responsibility to ensure a safe development.

Groundwater and Contaminated Land

Thank you for the submission of the 'Combined Phase I and Phase II Environmental Assessment report (Delta-Simons, September 2007). The report provides a useful introduction to the environmental setting and contamination condition of the site.

We note that some parts of the site were inaccessible at the time of the above investigation, including existing above- and under ground storage tanks. We concur that subsequent to appropriate intrusive investigation of these areas QRA and remediation may be required. Therefore we request the following condition.

CONDITION: *Prior to the 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), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved 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 desk study 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, further monitoring and reporting.*

Any changes to these agreed elements require the express consent of the local planning authority.

REASON: *To protect controlled waters from pollution*

CONDITION: *No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.*

REASON: To protect controlled waters from pollution

The report has identified areas of potential contamination which require further investigation and assessment in order to understand the implications for controlled waters. We would welcome the opportunity to consider the findings of appropriate further works in due course. The following condition is considered appropriate, based on the identification of potential contamination sources which require further investigation:

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.

This 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.

The Environment Agency recommends 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

The Environment Agency also recommends 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 submitted report is considered to fulfil(1), further works are required to fully assess the site.

Construction Environmental Management Plan (CEMP)

CONDITION: *No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.*

REASON: To prevent pollution of the water environment

INFORMATIVE: *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,

Water Efficiency *We strongly recommend water efficiency measures be incorporated into this scheme. It would assist in conserving natural water resources and offer some contingency during times of water shortage. Please note the following condition has been supported by the Planning Inspectorate (North Dorset District Council Public Inquiry, APP/N1215/1191202 & APP/N1215/1191206, decisions dated 12 February 2007).*

CONDITION: *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 and prudent use of natural resources.

INFORMATIVE:

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 the environment Agency website. 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/>.

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.

In order to maintain our records please could you send us a copy of the decision notice issued for this application.

English Nature

Provided that the conditions recommended by the Environment Agency are applied to the planning permission should it be granted we have no further comments to make to our previous responses to planning application no S/2007/1865. **1. Under Regulation 48(3) of the Habitats Regulations 1994²** and based on the information provided, Natural England is of the opinion that, the proposals, either alone, or in combination with other plans or projects, would not be likely to have a significant affect 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)**.

NB. I note that the potential impact of the development on water resources and water quality (both in terms of surface and foul water) on the integrity of the River Avon SAC and River Avon System SSSI is not considered directly in relation to the Habitat Regulations by the EIA (section 4.4.114-4.4.118). These impacts are however addressed

adequately under Surface Water Drainage (section 4.8) and I am satisfied that there is not likely to be a significant affect.

If the application is amended, Natural England should be re-consulted for a further 21 days in accordance with Circular 08/2005.

Wiltshire Fire and Rescue Service

Having studied the proposals, the following comment relating to necessary and appropriate fire safety measures, is forwarded to you for consideration and inclusion within the proposed development.

Fire Appliance/ Firefighting Access

Consideration is to be given to ensure that access to the site for the purpose of firefighting, is adequate for the size of the development and the nature of the proposed use.

Reference should be sought from guidance given in Building Regulation Approved Document B.B5- Access and facilities for the Fire Service.

Water supplies for firefighting

Adequate consultation is to be undertaken between the Fire Authority and the developer to ensure, that the site is provided with adequate water supplies for use by the fire service in the event of an outbreak of fire. Such arrangements may include a water supply infrastructure, suitable siting of hydrants and/or access to appropriate open water. Consideration should be given to the National Guidance Document on the Provision of Water for firefighting and specific advice for the Fire Authority on location of fire hydrants.

Sprinkler protection to Commercial premises

The nature of the proposal gives reason for the Wiltshire Fire & Rescue Service to strongly advise the consideration of appropriate sprinkler system protection for these premises. The advantages of automatic sprinkler systems are listed below.

Test Valley Borough Council

I can confirm we have no comments to make.

REPRESENTATIONS

Advertisement	Yes Expired 24/01/08
Site Notice displayed	Yes Expired 24/01/08
Departure	Yes
Neighbour notification	Yes Expired 16/01/08
Third Party responses	Yes

Amesbury Community Partnership –

Within the community there is a great concern as to which of the two major supermarkets will be chosen and the feedback we are getting is positively in favour of one in particular.

Applicant reference S/2007/2226 which has no outlets in the local area has already indicated to both business and resident associations that it is willing to work in partnership with them for the benefit of the community as a whole. This was shown as early as last June when it sponsored the Amesbury Carnival queen float. It has also stated that it has no intension to open sub-units within its store. It has a proven record of continuing its involvement with the communities long after start up.

Applicant reference S/2007/1865 already has three large outlets in the local area, so why is another one needed? It has not shown any interest in the approaches of local business and resident associations and has clearly stated that it will have sub-units within its store. These would jeopardise those businesses within Amesbury town centre of a similar nature. A town

centre that after a number of years languishing in the doldrums, has in recent months been revitalised by the opening of no less than six new businesses and is now starting to thrive.

The ACP board recognises that the option for another supermarket is not within the current area plan but since that was published Amesbury has grown and in growing the needs of the community has changed and we must accept those needs and adapt plans accordingly. The town is now in a situation where it needs a second supermarket and the right one will help our town grow and prosper. Another supermarket for Amesbury would have little or no effect on retail trade generally within Salisbury as it has a good selection of shops not available within the town.

There is considerable concern about the volume of traffic between Amesbury and Salisbury, where a large number of people from Amesbury travel to shop for food due to lack of choice within the town. If another supermarket is not allowed this will continue to grow with all of the environmental consequences that go with it, whereas, if one is allowed, it would be a means to reduce carbon emissions and therefore improve the environment for all.

The consequences of not allowing either would not be good for Amesbury. Any community confidence that the District Council does care about our town would evaporate and there is already high feeling within the community that the SDC is only concerned with Salisbury and that Amesbury come's a poor second, yet we are the second largest town in South Wiltshire and contribute greatly to the economy of the area.

I would remind members of the SDC that the Amesbury Market Town Partnership Community Strategic Plan, published in March 2007, was agreed and adopted by them. In this document the people of Amesbury spoke out on their hope and aspirations for the future and the one point that came up time after time was the overwhelming need of another supermarket in addition to our existing one, which it was felt has had a monopoly for far too long. I would urge you and all members of the District Council to listen very carefully to the voices of both the public and traders of Amesbury on this matter. Traders are showing their preference visually by placing posters in the shop windows.

Great care must be taken in the choice of a successful applicant and it is felt that the one that offers the most benefit to the whole community and has the least social and physical impact on the existing community should be your preferred option and we trust that all avenues in this direction will be explored during the planning process. Think Amesbury not Salisbury as we are not a threat to your city but a partner making South Wiltshire a place where people want to come to visit and stay, not just pass through.

Salisbury and District Chamber of Commerce and Industry

Strenuously object to the application on the following grounds:

It is proposed on valuable employment land which is in short supply in the district of Salisbury. The specific application for certain features of the store will have significant negative impact upon the trade and the ability to trade within the Town of Amesbury,. This is contrary to the understanding that Amesbury is attempting to re-invigorate it's town centre, making the process that much harder if at all possible.

The dominance of one Supermarket in the District of Salisbury is detrimental to the quality of life enjoyed by businesses and residents, thus competition must be encouraged.

The Stonehenge Chamber of Commerce

Consider that Amesbury needs much better retail shopping, but a supermarket such as Tesco would damage the town centre.

With Tesco on London road and already a Focus DIY and possibly a Lidl, it seems a retail park is emerging here which it is totally unsuitable for this volume of traffic.

The chamber believe that Tesco would harm the town centre, by having sub units within the store such as a pharmacy, post office, optician and dry cleaning. Tesco has demonstrated across the country their lack of concern for town centres. Tesco already dominate the area as a

recent government report confirms, Salisbury is one of sixty towns dominated by one provider – Tesco, with a 58% market share. Tesco have furthered that dominance with their store in Tidworth. London Road is mainly residential and should be developed for housing.

The proposed site for a Tesco store would encourage HGV's to use London Road to and from the town centre. Access to the Tesco site would be very poor and the proposed roundabout would not work, vehicles emerging from Holders Road will not be able to see vehicles exiting the proposed roundabout, it is dangerous enough now!

Also HGV's servicing the Tesco supermarket will be turning in and out very close to the proposed roundabout which will be very busy. The proposal is for all HGV's to u-turn on the proposed roundabout, with say ten lorries per day having to do this would be very dangerous, therefore HGV visibility when leaving the Tesco site would be poor and thus dangerous.

The proposed roundabout would be very congested; on the eastbound arm for instance, vehicles will not have a clear view of the central island.

Tesco's proposals for buses is also dangerous, as buses stopping in the lay-by going to Amesbury will obstruct visibility of vehicles emerging from Holders Road. The bus lay-bys are too close to the roundabout so the bus drivers will find it difficult pulling out.

Our concerns are also for the residents, although sound barriers are proposed, the noise coming from metal cages being loaded and unloaded on lorries will travel, especially at night time. We must also think of the increased CO2 emissions in a residential area. Also we cannot see that having a supermarket next to a recycling centre is very appealing or healthy.

Letters in support covering the following issues the main points of which are –

- 1) Regularly shop every week in Amesbury because of work and do not have time to trek into Salisbury and like to support shops in the town centre. Have been bitterly disappointed with the new Co-op store as I am sure many other shoppers are. It does not have the range of products we were expecting and in some areas has less choice. It also appears to be more expensive to shop there. From a shoppers point of view it is not easy to see what is in the upright freezers and the air conditioning is too cold.
- 2) It is about time this derelict site is redeveloped and it would give the Co-op some competition they have been complacent with what the shopper is looking for in a store because they have had the monopoly too long. I would wholeheartedly support the scheme to build a new Tesco store, it is what the shoppers in Amesbury and the surrounding villages need, some choice in where they shop locally.
- 3) Aware that there are various arguments that this store will take away business from Amesbury town centre and in particular the existing Co-op considers this to be untrue. Have found that it is not possible to do a full weekly shop in the Co-op supermarket. The Tesco store would provide much needed competition for the Co-op and would provide a supermarket to the new residential estates. Tesco would provide much needed employment in Amesbury.
- 4) The proposed roundabout at the front of the store would act as a device for slowing the boy racers who race up and down London road at present.
- 5) This is just the thing for Amesbury fed up with the Co-op this would be greener by cutting down the journeys to Salisbury, cant come quick enough.
- 6) The Co op has been the sole source for food supplies to the local residents and has been expensive with limited supplies. The lack of competition has allowed them to keep the prices sky high. Elderly and young families and one parent families have had to shop there as they've had no choice. The council has allowed this to continue for the last 30 years plus. By doing this they have successfully turned the village into a ghost town. If the villages are to be changed back from ghost towns let the locals have the facilities, shops they'll use rather than what you want us to use.
- 7) Proposed site is currently an eyesore and the proposal would tidy it up. Considers that the government has always taken the stance that no one should have a monopoly and this is what has existed with the Co op in Amesbury and it is time for shoppers to have a change.
- 8) Welcome the introduction of a bus service to the store the improvements to bus and cycle facilities and the new puffin crossing on London road. Houses on London road

used to back on to a railway station years ago and therefore would have suffered noise and disturbance at that time.

Letters objecting covering the following issues the main points of which are –

- 1) Crime prevention advice would suggest that solid screen walls or fences with trees or shrubs should not be erected as it will give any burglar cover into rear gardens. Therefore where this situation is proposed along the rear of gardens of properties fronting James's road this will provide cover for burglars wishing to enter properties on James road.
- 2) The siting of the store will substantially increase traffic volumes along London Road with vehicles making one off stops, regular shoppers parking and through traffic increasing. This will make turning into or out of Holders road even more difficult or hazardous. London road is already busy as those who know it, use it to avoid the A303 during busy periods to enter or pass through Amesbury. A traffic study carried out in late 2006 already shows a high rate of traffic in the area and a new supermarket will increase that significantly. Road noise levels will increase. Any development should provide speed deterrents along the main roads and acoustic barriers to properties.
- 3) Tesco advise that the store will open between 8am and 10pm from Monday to Saturday with Sunday opening hours, however they could not confirm that in future the store would not be turned into a 24hr store. The large car park at the front of the store which would back onto houses in James Road would not be secured and this would make it a target for local youths to turn it into a race track which would afford easy access onto the A303 which would make it difficult for the local police force to manage. This may cause hazardous egress into and out of the car park for those travelling down London road at night.
- 4) As the car park will back onto properties in James Road there will be increased noise caused by vehicle traffic from car doors closing, vehicles revving and general pedestrian noise for seven days a week, 364 days a year. There will also be noise levels from delivery lorries that might deliver at night and would therefore ask for there to be controls between 11.00pm and 6.00am in the morning.
- 5) The quality of the air will decrease due to vehicle pollution. Since purchasing the property twenty years ago the site to the rear of the property has always been used for commercial business. This part of Amesbury does not have sufficient commercial enterprises and we feel that the site would be better developed into small commercial sites rather than retail or residential. A new retail outlet is required within Amesbury but would better serve the community if it was on the outskirts and away from residential properties.
- 6) Concern is expressed at the proposal to build a path along the rear of properties fronting James's road as this could provide an area for youths for smoking, drinking and vandalism. The path should be properly policed.
- 7) Concern is expressed about the robustness of the retail assessment prepared by GL Hearn in particular it is considered the statement in paragraph 7.19 of the G L Hearn Retail assessment to be incorrect as the Archers Gate development S106 does not preclude the development of a supermarket.
- 8) The developers of Archers gate are actively engaged in discussions about developing a supermarket at Archers Gate, the reserved matters for which will be submitted shortly.
- 9) The GL Hearne retail statement fails to consider the impacts of the proposed development upon the vitality and viability of the permitted Archers Gate local centre and the threat posed to its vitality and viability by the development of a large out of town foodstore on London Road must be carefully assessed and considered prior to the determination of the application.
- 10) Considers that the inspector in the local plan concluded that the proposed foodstore in the town centre was large enough to meet the needs of residents until 2011 and therefore recommended the foodstore at Archers Gate to be sized to meet local needs only. In reaching these conclusions full account was taken of the extent of proposed new housing and employment facilities in the town which are being delivered. Given the completion of the town centre store and the absence of any substantive windfall sites there has not it is considered been any material change in circumstances that would justify the need for a large retail facility.

- 11) Developers of Archers Gate are putting forward as part of the LDF a significant extension to Archers Gate between 2011 to 2026 and they have also requested that Salisbury District Council give consideration for the development of an appropriately sized out of town foodstore which would be developed as an integral part of any future south easterly expansion of the town. This would be located next to existing and potential future residential areas and bus routes with access to cycleways, footpaths and the Amesbury link road. It is considered favourable determination of planning application S/07/1865 would therefore be premature pending the LDF's adoption.
- 12) People will travel from Porton, Boscombe, Winterbournes and villages of the Woodford Valley causing more traffic on what will be the main link road (link road through Archers Gate).
- 13) Proposal runs counter to encouraging the principles of town centre growth and would be at odds with the viability of Amesbury Town centre. Proposal would devastate the town centre.
- 14) Light pollution from floodlights may effect houses in James road.
- 15) Vehicles will produce a substantial amount of CO2 and CO within close proximity of housing.
- 16) Building works may cause subsidence to properties in James Road.
- 17) Slow worms have been found at the end of gardens in James Road and therefore survey submitted is incorrect.
- 18) Developer is to pull down affordable housing which is in short supply in the area.
- 19) Consider the proposal is better placed within the Solstice Park development which is not being suitably populated.
- 20) Tesco have a history of growing small stores, building stores larger than allowed, adding new services and extending opening hours.
- 21) Note that Tesco is to use Gregory buildings opposite for storage. This will also cause an increase in traffic creating a further noise and pollution issue for residents.
- 22) Would wish to make sure that both customer and delivery traffic approaches the store from the Folly Bottom or Porton Road roundabout rather than from the Countess Road end.
- 23) Concern is expressed that in the future the occupiers will open a pharmacy, drycleaners, opticians with little or no regard for existing small businesses trading locally. It is important that local people enjoy choice from a number of retailers and service providers to create a vibrant sustainable and economic town centre.
- 24) There are already two Tesco stores in Salisbury, two in Andover and a brand new store in Tidworth. The Southampton road store in Salisbury causes regular chaos and congestion on the ring road and if permitted to build in Amesbury would quite likely do the same for the residents of the town. Considers Asda would provide more competition.
- 25) Concern is expressed over the wind turbine which will obscure views and cause potential disturbance.
- 26) Proposed store will devalue properties in London Road.
- 27) Is Tesco serious about building a store or do they intend to land bank it in order to prevent further competition?
- 28) Objection on behalf of Somerfield Stores in that the proposals are not in accordance with any site specific allocation in the adopted local plan and are not consistent with the Councils Retail and Leisure Needs Assessment by GVA Grimley.
- 29) The proposal does not demonstrate either qualitative or quantitative need, in particular the forecast increase of Amesbury's market share is unreasonable and is considered unlikely to occur; the proposed increase in market share is considered to be self fulfilling and there is only qualitative need due to the forecast claw back of expenditure.
- 30) The sequential test has not been appropriately applied and the disaggregation of convenience and comparison elements of the proposed store should have been considered separately: in addition the assessment should have considered Tidworth since this is within the GLH catchment area and is at the same level in the shopping hierarchy as Amesbury.
- 31) The level of impact forecast by GL Hearne will result in a material harm to the vitality and viability of Amesbury in any event we consider that the improvement in Amesbury's marketshare is unlikely to reach the levels forecast so the levels of impact being shown are likely to be an underestimate.
- 32) Within the Annexe submitted by Roger Tym and Partners on behalf of Somerfield careful consideration is given to retail planning arguments in support of the planning application. The evidence provided, suggests that the planning application is contrary to

national and development plan policy. Urge the council to refuse the planning application on these grounds.

- 33) Consider the HGV entrance onto London road will create a traffic hazard. Proposal for up to ten HGV's per day to perform U turns on the new roundabout on London road would be dangerous.
- 34) Observations in the past at the Salisbury store have shown a markedly high number of plastic carrier bags being blown around in adjacent fields. Concern is expressed that this would happen in Amesbury. This would compound the already massive widespread discharge of litter generated from the KFC outlet at Solstice Park by anti social customers.
- 35) The proposal would be in close proximity of Stonehenge school. Holders road may become a rat run from Boscombe road to London road. The increased traffic up and down this road would be a danger to children leaving Stonehenge school. Increased traffic would create a danger to pedestrians using Holders road
- 36) Owners of the Minton Distribution park consider the proposal is of such a scale as to impact substantially on traffic management in the immediate vicinity. The close proximity of the proposed access to that on London road could impact on vehicles entering both sites so causing congestion.

Town Council response Yes, No objection

Further to our response of no objection we would like to make the following comments:

Other than the road improvements outlined there is no indication of any other planning gain. We have three requests/proposals regarding opportunities that should not be missed.

Access to the recycling centre (to the rear of the site) to encourage re-cycling.
Improved cycleways along London Road between the Solstice Park network- past the application site to Kitchener Road to connect with the town centre.

A suggestion that the site and or shop should give indication to the history of the site (as a once busy railway station and goods yard) perhaps an artefact or interpretation board at the entrance with information supplied by the Amesbury Society would be appropriate.

Also, No objection – a new retail outlet is long overdue and urgently required in the town.

MAIN ISSUES

1. Principle of development, Impact on the vitality and viability of the city centre
2. Loss of existing employment uses
3. Design issues
4. Noise and Disturbance
5. Noise/air pollution/contaminated land
6. Light Pollution
7. Highways and access issues
8. Sustainable measures
9. Archaeology
10. Ecology
11. Appropriate assessment
12. Crime prevention
13. Flooding
14. Loss of Housing

POLICY CONTEXT

Central government guidance

PPS1-Sustainable development, PPS1 Planning & Climate Change Supplement to PPS1 PPG4 - Industrial and commercial development, PPS6 – Planning for Town Centres, PPS9 Biodiversity and Geological Conservation, PPG13 Transport, PPG16 Archaeology and planning PPG24 planning and Noise PPS25 Development and Flood Risk.

Manual For Streets

Relevant Policies contained within the Wiltshire Structure Plan 2016 'saved policies'.

DP1 (Sustainable development)

DP2 (Infrastructure)

DP5 & DP6 (Shopping development)

T5 & T6 (Sustainable transport modes/alternatives to private car use)

Salisbury District Council adopted Design Guidance – Creating Places.

Policies contained within the Salisbury District Local Plan (Saved policies). Including policies G1- General principles, G2- General policy, G4 – Flooding, G5 –Water Services, G9 – Developer contributions, D1- Extensive development, E8A- Employment, E16- existing employment use, CN21- Archaeology, CN22 – Archaeology, CN23 - Archaeology, C14 – nature conservation, C10-SSSI, C12- protected species, TR12- transport measures, TR14 Cycle Parking,

PLANNING CONSIDERATIONS

Principle, Impact on the vitality and viability of Amesbury Town Centre

Policy S4 of the Salisbury District local plan included impact criteria to safeguard the vitality and viability of town centres, introducing the concept of need and sequential approach. However, the Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory purchase Act 2004 has directed that paragraph 1(2)(a) of schedule 8 applies to policy S4 which does not become a saved policy and therefore does not continue to have statutory effect as a development plan policy.

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 in response to 'widespread concern about the impact of out-of- centre superstores' (para 4.50) 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.

In order to deliver the Government's objective of promoting vital and viable town centres, 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:

- a) assess the need for development, (paragraphs 2.32-2.40);
- b) identify the appropriate scale of development (paragraphs 2.41-2.43);
- c) apply the sequential approach to site selection (paragraphs 2.44-2.47);
- d) assess the impact of development on existing centres (paragraph 2.48); and
- e) ensure that locations are accessible and well served by a choice of means of transport (paragraphs 2.49-2.50).

Guidance in PPG13 is also consistent with the key objectives of PPS6. It endorses 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.

Wiltshire County Councils planning department have commented as above.

Advice from the councils own forward planning department is as follows –

Northern Area Committee 08/05/2008

Need

The RLNS originally identified turnover in Amesbury of 18.2m rising to 19.6m in 2011, however GVA (Grimley) have accepted that these figures are an overestimate, and have revised the figures to 14.4m and 15.6m respectively. (Appendix 6 table 8 refers)

The deductions in the main report for committed floorspace also include an arithmetical error, which overstates the potential turnover of commitments. This generates a notional surplus of £7.7m, which if the old co op were wholly occupied for convenience retailing would largely accommodate the identified capacity. The turnover of the proposed Tesco is £27.5 million and therefore is way in excess of the need in Amesbury.

Sequential test

Para 2.44 PPS 6 states that

“first, locations in appropriate existing centres where suitable sites or buildings for conversion are, or are likely to become, available **within the development plan document period**, taking account of an appropriate scale of development in relation to the role and function of the centre;

The applicants have assumed in their statement that the old co op store would not be reoccupied by a food retailer, but evidence has been received with the planning application for the Lidl application 2007/1616 refers) from Aldi stating that they have agreed terms with the co op to lease the whole of the old unit for convenience shopping.

A planning application has been submitted but not yet registered by Frobisher retail for the demolition and redevelopment of the old co op store for a larger food store. Although not registered this is a material consideration that needs to be taken into account when assessing this application as it can be argued that this demonstrates that there is an alternative site within the town centre that is deliverable and the letter from the co op demonstrates that the site is or will be available for this proposed scale of store.

As part of the preferred options that are currently out for public consultation and the preferred option in the report is for the promotion of a new supermarket for Amesbury in the town centre. This is in direct response to the issues and options responses, which were as follows:

Question	Agree / strongly agree	Neither agree or disagree	Disagree / strongly disagree
An out of town supermarket is needed in Amesbury	32%	40%	28%
An out of town supermarket would add to the decline of Amesbury town centre	46%	38%	16%
We should try and find a site for a new supermarket in Amesbury town centre	40%	42%	18%

Therefore the LDF process may allocate a site for a supermarket in Amesbury town centre, commensurate with its role.

Para 3.19 of PPS 6 states

Where it is argued that otherwise sequentially-preferable sites are not appropriate for the particular development proposed, applicants should provide clear evidence to demonstrate why such sites are not practicable alternatives in terms of: Availability: the sites are unavailable now and are unlikely to become available for development within a reasonable period of time (determined on the merits of a particular case). **Where such sites become available unexpectedly after receipt of the application the local planning authority should take this into account in their assessment of the application;**

Impact

As shown in the attached Grimley Report, the impact of the proposed Tesco if assessed using the data put forward by G L Hearn (consultants on behalf of Tesco) the impact of the proposed Tesco store on Amesbury's convenience goods sector would be about 33%. This compares with the Asda impact of 48%. Grimley conclude that using their figures the impact for each is approximately 40% or more.

Councillors also raised at the Northern Area Committee in December about the possibility of Amesbury increasing its market share. In order to make it worth the while of a retailer to increase the market share, they would have to propose a large store, like the Tesco proposal. The knock on effect of increasing the market share would be the impact that this new store would have on the existing town centre.

Para 3.22 of PPS 6 is also of relevance. It states that "in particular, local planning authorities should consider the impact of the development on the centre or centres likely to be affected, taking account of:

- the **likely effect on future public or private sector investment** needed to safeguard the vitality and viability of the centre or centres;
- the likely impact of the proposed development on **trade/turnover and on the vitality and viability** of existing centres within the catchment area of the proposed development
- changes to the **range of services** provided by centres that could be affected;
- **likely impact on the number of vacant properties** in the primary shopping area;
- potential changes to the **quality, attractiveness, physical condition and character of the centre** or centres and to its role in the economic and social life of the community; and
- the implications of proposed leisure and entertainment uses for the evening and nighttime economy of the centre (see also paragraph 2.24)."

Conclusions

This application will have a significant impact on the vitality and viability of Amesbury, and if consented could undermine investment in the centre, and there is a need to protect existing employment allocations, therefore I raise a **POLICY OBJECTION** to the proposal.

In accordance with Section 54A of the Town and County Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application should be **refused**.

Need

Please see the attached report, 'Review of proposed foodstores in Amesbury', by GVA Grimley (appendix 1) for the full assessment of this proposal, on need and impact.

The RLNS originally identified turnover in Amesbury of 18.2m rising to 19.6 m in 2011, however GVA have accepted that these figures are an overestimate, and have revised the figures to 14.4m and 15.6m respectively.

The deductions in the main report for committed floorspace also include an arithmetical error, which overstates the potential turnover of commitments. This generates a notional surplus of £7.7m, which if the old Co-op were wholly occupied for convenience retailing, would largely accommodate the identified capacity. The turnover of the proposed Asda is £27.5 million and therefore is way in excess.

Scale

Although it has been demonstrated that the proposed turnover of the store is in excess of requirements, the guidance in PPS6 indicates that local planning authorities should also consider whether there are qualitative considerations that might provide additional justification for the development.

In order to support the scale of additional floorspace, both (ASDA and Tesco) proposals rely on a significant increase in market share. Clearly there is no reason why Amesbury cannot or should not seek to increase its market share – the key issue is the impact arising from a larger

store outside the town centre on the vitality and viability of the town centre. GLH on behalf of Tesco rely on a significant increase in market share in order to generate capacity. They have carried out their own independent household interview survey and undertaken a more detailed assessment of current shopping patterns. This suggests that following the opening of the replacement Co-op store Amesbury's market share has apparently fallen (although the difference identified could readily be accounted for by the margins of error inherent in such surveys). GLH highlight they have employed a larger sample size than the survey which underpins the RNLS and in our view any difference between the market shares is more likely to be accounted for by this factor than any actual decline in Amesbury following the opening of the replacement store.

Given the level of main shopping that is taking place away from Amesbury Town Centre, it is evident that in the absence of any alternative option, a large modern foodstore would provide additional choice and competition to the Co-op in Amesbury Town Centre and by reducing the need to travel for main food shopping, would be likely to reduce overall travel demand and achieve a more sustainable shopping pattern. Moreover, letters of representation from nearby residents have welcomed such a store within walking distance. In this respect the potential benefits of the proposals are not disputed. However, these benefits have to be considered against any alternative options and the impact of the proposals on Amesbury Town Centre.

The issue of scale even if it does claw back trade to the Amesbury area and the Grimley report demonstrates that this will be at the expense of , rather than benefit to the town centre.

Sequential test

The applicants have assumed in their statement that the old Co-op store would not be reoccupied by a food retailer, but a planning application has been submitted but not yet registered by Frobisher retail for the demolition and redevelopment of the old Co-op store for a larger food store.

Although not registered this is a material consideration that needs to be taken into account when assessing this application as it can be argued that this demonstrates that there is an alternative site within the town centre. The most recent letter from the Co-op states that if Lidl is granted (which it has been in principle), Aldi are likely to withdraw their offer to reoccupy the former Co-op and the Co-op will not support the Frobisher scheme as the cumulative impact of Lidl and a new town centre supermarket would be so high as to damage its interests.

However, it is considered that an out of town supermarket would also impact upon the Co-op, if it diverted 40% of trade away from the town centre and furthermore would impact upon the town centre as a whole.

In addition the existing Co-op store has an A1 use and it is unlikely that the LPA would view any change of use away from A1 favourably owing to the prominent location of this building within the prime-shopping frontage of Salisbury Street, as such a change would be likely to be contrary to saved policy S1.

Therefore it is considered that this letter cannot therefore at present, be taken as evidence that a town centre site is not deliverable.

PPS 6 advises that in applying the sequential approach, developers and operators should be able to demonstrate that they have been flexible about their proposed business model in terms of its scale, format, car parking provision and scope for disaggregation. Local Authorities should be realistic in considering whether sites are suitable, viable, and available, and take into account genuine difficulties, which the Applicant can demonstrate are likely to occur in operating its business model from the sequentially preferable site.

Confirmation was received from the Co-op that they were willing to let the whole store to a convenience food retailer, although the situation may have changed since the resolution to grant Lidl.

It is still clear that there is a sequentially preferable site in the town centre, which will mop up the identified capacity in the RLNS and meets the town centre first principles set out in PPS6.

It is therefore considered that this site has not been sufficiently explored by the applicants, nor has the possibility of a town centre site through disaggregation- for example of food/non food. Therefore even if it is accepted that there is a need for a food superstore in Amesbury, of the size proposed, it has not been demonstrated that there is no sequentially preferable site within

or on the edge of the centre, bearing in mind the advice in PPS6, it is evident that the applicant has not thoroughly examined the potential for redevelopment of the former Co-op store. The potential future of the former Co-op store has a bearing on the need and impact issues raised by the food superstore proposals,

Impact

The Grimley report attached runs through the arguments in detail as regards the impact that the Tesco store is likely to have on the town centre. In particular G L Hearne have estimated the convenience goods turnover of the proposed Tesco to be some £27.5m of which £5m of the stores turnover would be diverted from existing retailers in Amesbury. They therefore conclude the impact on the town centre to be in the region of 33% on the towns convenience sector. G L Hearne consider that even with this impact the Co op would still be expected to trade above its companies average level.

The Grimley report suggests that the impact from either Asda or Tesco would be in the region of 40% and the impact on the non food sector to be less significant. At these levels Grimley state that there would be a concern in respect of the overall vitality and viability of the town centre. However most of the direct impact would be on the Co –op and this would be unlikely to close even at the levels predicted.

Importantly though Grimley conclude that there would be a wider impact on other convenience retailers partly as a result of the indirect effect of lost linked trips arising from the impact on the Co-op

Conclusion

It can be seen from the above responses from both the councils own forward planning department, Wiltshire County Council and the councils retained retail consultants (GVA Grimley) (see attached report) that the proposal is likely to have a significant impact on the vitality and viability of Amesbury Town centre and as such could undermine investment in the town centre.

Members should note the letter received from Co Op stating that they are unlikely to allow their former site in the town centre to be used for retail use for any other retailer if planning permission is granted for the Lidl foodstore on the Minton distribution park (which it has been). This letter is a material consideration. However it should be borne in mind that the site could be compulsorily purchased should members be minded to do so. As such it is considered a sequentially preferable site is available in the town centre.

In summary therefore the proposal represents a development that is likely to have a significant impact on the vitality and viability of the town centre as evidenced in the Grimley report and for which there is a sequentially more preferable available site

Loss of existing employment uses

This application envisages the building on existing employment land. The forward planning department of this council has commented as follows -

The employment land review (ELR) forecasts the land required to 2026 and has identified that 25-30 ha of new employment land will be required before that date. The recently published panel report into the RSS has recommended that this be increased to 37 hectares of employment land. This demonstrates that current employment land needs to be protected.

The ELR also identifies Amesbury as being strategically important for the whole of Salisbury's economy and not just the local community area that it is located in, and therefore given its strategic importance land should be retained for employment (B1,B2,B8) use. This is backed up by the RSS panel report which states that Amesbury will need to provide a continuing supporting role to Salisbury for the provision of employment land.

Evidence given to the EiP by SWERDA/DTZ in their employment land supply appraisal Addendum for the Salisbury SSCt identified that only 36ha of employment land was available compared with a demand of 37ha, therefore a shortfall of 1 ha. This assumed that the 18ha of Solstice Park would remain in employment generating use. Again given the supporting role of

Amesbury, it is important that all existing employment land is protected, so that this shortfall is not exacerbated and results in the allocation of more Greenfield land elsewhere for employment use.

The relevant retained planning policy to this proposal is policy E16 which states that –

E16 – On land allocated or currently used for employment purposes, the construction, change of use or redevelopment of premises for other purposes will only be permitted where the proposed development is an acceptable alternative use that provides a similar number and range of job opportunities. The only exceptions to this are where the land or premises are no longer viable for an employment generating use and/or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.

The applicants have stated that the new store will provide a new source of employment within Amesbury with the provision of between 200 and 220 full time equivalent jobs, with usual employee numbers between 317 and 340 full and part time.

Changing the use of the site to retail would in officers opinion conflict with policy E16. The range in terms of types of jobs available is likely to be significantly different to that which could otherwise be available if the site was left with its current use designation. The site is a large one which currently contains a range of buildings which could and have been until recently or still are providing a diverse range of job opportunities. Whilst numerically the number of jobs to be provided by the new store may well be greater than that which are provided on site at present the range of jobs being within a single retail store and primarily consisting of low paid and many part time jobs are not consistent with the policy.

The policy states that employment uses may be replaced where there are environmental improvements brought by the new development. Several third party representations consider that there would be environmental improvements brought by this proposal. It is officers opinion that this is not the case. Whilst the proposal in terms of its visual appearance is considered to be acceptable by officers this is primarily due to the fact that much of the building will be 'hidden' by placing it at the rear of the site at a point where the land is lower and therefore the store will appear as less intrusive. The design of the store itself is not considered to be significantly better than that which it replaces and certainly does not bring the environmental benefits that would be required in order to outweigh the loss of the range and quality of jobs even considering the environmental measures proposed by the applicants as part of the proposal.

None the less notwithstanding this the application does propose a substantive number, of new jobs to the local economy, a number of jobs that would seem unlikely to exist even if the site were developed for alternative employment uses, therefore whilst the range and quality of jobs is likely to be lower than might otherwise exist if the site was developed for employment uses, the number of jobs created is likely to be at the high end of what could be expected at the site, this coupled with the fact that the existing uses on site have on the whole either moved or are intending to move to new premises, in part as a result of this new development and in part for other reasons, means that it is considered in this case that notwithstanding the comments of the forward planning department and the conflict with policy E16 there are significant job opportunities this use will provide which in officer's opinion outweigh the local plan policy. Members should note that a similar stance was taken to employment uses and policy E16 when assessing the nearby Focus DIY store.

Design Issues

The proposal in design terms needs to be assessed against the relevant retained policies of the local plan these include -

D1 Extensive Development

New development will be permitted where the proposals are compatible with or improve their surroundings in terms of the following criteria:

- (i) *the layout and form of existing and the proposed development, and where appropriate the historic pattern of the layout;*

- (ii) any features or open spaces, buildings and/or structures of character on or adjoining the site;
- (iii) the scale and character of the existing townscape in terms of building heights, building line, plot size, density, elevational design and materials ;
- (iv) the scale and use of spaces between buildings;
- (v) views/vistas afforded from within, over and out of the site; and
- (vi) any existing important landscape features and the nature and scope of new landscaping proposed within and around the edges of the site; and
- (vii) the roofscape/skyline long or medium distance views.

And

D2 Infill Development

Proposals for street and infill development will be permitted where proposals respect or enhance the character of appearance of an area in terms of the following criteria:

- (i) *the building line, scale of the area, heights and massing of adjoining buildings and the characteristic building plot widths;*
- (ii) *the architectural characteristics and the type, colour of the materials of adjoining buildings; and*
- (iii) *the complexity and richness of materials, form and detailing of existing buildings where the character of the area is enhanced by such buildings and the new development proposes to replicate such richness.*

In addition members will be aware that the district council has adopted it's own SPG, Creating Places which is a design guide for the district. The SPG contains many policies relevant to this planning application but of particular note are –

Commercial and Industrial development, Part 17, Part 6, Sustainable Design and construction and Part 12, Designing Out crime.

Prior to submission the applicants took their proposal to the local authorities design forum it was then brought back to the design forum when the application was submitted.

On the latest occasion the design forum commented as follows –

The Forum welcomes the general design and appearance of the store noting that it is now a simple, unapologetically modern and uncluttered building, fit for its intended purpose. It represents a significant improvement over the initial proposal. Our only slight concern was in regard to the modular aluminium cladding that would cover most of the store's elevations. We have no objection to the use of such cladding, but having noted the close proximity of many of the properties bordering the site and in keeping with our general view that 'less is more' it was thought that it would be better if the aluminium cladding had a silver-grey finish rather than brilliant white.

Given the proximity of neighbouring dwellings to the site it is essential that the site section drawings (which were included in the presentation) are submitted to supplement the other drawings already submitted for the application.

We welcome the integration of renewable energy technology in addition to energy conservation measures which we hope will generate significant reductions in on site CO2 emissions and help to raise public awareness. We are particularly glad that effective but low- profile technology, such as the tri-generation micro-CHP unit is proposed to be installed as this will, of itself, reduce much otherwise anticipated on- site CO2 emissions.

In response to the forums comments the applicants have amended the colouring of the cladding on the outside of the building from White to grey and included the sectional drawings as part of the planning application.

The forum having considered the scheme felt it was appropriate to the site. The applicants have chosen a contemporary store design which officers would suggest is appropriate to this mixed use location. The store itself will be set at the rear of the site with car parking to the front. Whilst

officers have raised concerns about this previously with the applicant due to having the car parking as the main view of the site down London road rather than the building fronting the site, the applicants have stated that they have designed it in this way in order that the building can be located at the rear of the site where the land levels are lower and the building will therefore appear less prominent.

In view of the design forums comments on the application and the less prominent location of the store towards the rear of the site it is considered that the proposal in design terms is considered acceptable.

Noise and Disturbance

Clearly a supermarket dependant on factors such as it's design, Size, layout and operation has the potential to have an adverse effect on it's neighbours. Planning policy as contained within the retained policies of the local plan covers this issue under policy G2 (Vi) where it states that - *New development will be considered against the following criteria: (vi) avoidance of unduly disturbing, interfering conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers;*

The chosen site for the supermarket lies in an area of mixed uses, to the North and East are other commercial/industrial uses and it is considered in terms of noise and disturbance that the supermarket is unlikely to have a significant effect on these types of uses. However to the west along one whole side of this long site lies a long row of houses and the supermarket has the potential to have an impact on these properties.

James Road and Annetts Close are both accessed off Holders Road which joins London Road at a point close to the front of the site. Houses in this road back on to the site and have rear gardens abutting parts of the new development. In places there is a significant drop in land levels between the back gardens of these properties and the adjoining supermarket site. Depending on where each residential property is situated will depend on the type of possible noise or disturbance that could be encountered by neighbours. The types of potential disturbance include

- Noise from cars and vehicles entering and exiting the site
- Noise from trolleys and their usage
- Noise from delivery vehicles both entering the site and in the delivery bays (including reversing beepers)
- General noise from people including talking and shouting
- Noise from plant and machinery associated with the site
- Noise from the loading bay.

All of these noises are likely to be associated with the site to a greater or lesser extent at some point and several neighbours have raised potential concerns regarding these. The degree to which they will effect neighbours and that they are acceptable is to a large extent dependant on their intensity, the time that they take place and the mitigation measures that are put in place.

In considering the effects that any noise and disturbance may have on neighbouring properties members must have regard to both the existing use of the site and the potential uses that could be made of the site without the further grant of planning permission. It is considered that the majority of the site is currently in B8 (wholesale, warehouse, distribution centre etc) use or B1 use (light industry). Within these classes office use can also be permitted without the further specific grant of planning permission.

The applicants proposal includes as a mitigation measure along the boundary a 2m high acoustic fence to help prevent sound travelling into the backs of properties in James Road and Annetts Close it is also proposed to provide planting between the site and the boundary of properties which will help more screen the proposal than reduce sound emission although planting is known to help baffle sound transmission to a limited extent.

The applicants intend to open the store between the hours of 7am to 11pm Mondays to Saturdays and 10.00am to 5pm on Sundays. The applicants have suggested that they will require delivery vehicles to be able to enter the store between the hours of 6am and 11pm.

Particularly with regard to the late opening hours as proposed at the store there is the potential for there to be conflict between neighbouring residential properties and the application site.

The councils environmental health department have assessed the proposal and have stated the following –

That if members are minded to grant planning permission the following condition be imposed

“Before commencement of the development hereby permitted there shall be submitted to and approved by the local planning authority a scheme for the insulation against noise emissions from wind turbines, combined heating/power plant or any other similar plant or equipment. Such scheme as is approved shall be implemented to the satisfaction of the local planning Authority before any part of the development is brought into use opens for trading.”

The environmental health officer also recommends a condition restricting the noise level of the ventilation and refrigeration plant.

The environmental health officer also recommends that the acoustic barrier provision both between neighbours and the store and between the service road access and the store is conditioned.

The environmental health officer is still concerned (despite further work by the applicant) about the potential noise from the loading bay which is proposed at the rear of the site. He has suggested that were members minded to grant permission that again this be conditioned requiring a separate scheme of noise control for the loading bay area and that deliveries be limited between the hours of 7am and 10pm

Clearly this development has the potential to have effects on surrounding property for the reasons outlined above however given the mitigation measures proposed by the applicants, the comments made by the environmental health officer and positioning of the building on the site with its main wall facing neighbours (at a lower level) and the enclosed building part of the delivery bay facing neighbours meaning that noise emanating sources are situated some distance from neighbours, it is considered that noise issues can be successfully controlled where they exist.

Many supermarkets operate successfully in residential areas and it is usually down to the management of the store and the effective enforcement of conditions that ensures the store will operate in a manner that does not effect neighbours in view of this it is not considered that the application will have a significant effect on neighbouring amenity such to warrant refusal of planning permission.

Light Pollution

Policy G2 (VI) (see above) is also relevant to the potential for light pollution from this development. The proposed store opening hours are such that the store will need illumination both internally and externally in the car park and loading bay during non daylight hours. Clearly the amount of illumination can be controlled by condition as can the intensity of illumination and the hours of illumination. The environmental health officer has therefore stated that he is satisfied that the scheme could continue with the application of the following condition –

“There shall be no spillage of light into residential dwellings adjacent to the development hereby consented greater than 10 lux before 11pm and 2 lux after 11pm.

It is considered that the levels of lighting at the site can be sufficiently controlled with the use of appropriate conditions as recommended by the environmental health officer and given the proposed fencing, landscaping and site levels of the store that this issue can be controlled.

Highways and access issues

Members will note that although The Highways Agency was consulted in view of the potential impact on the A303 after initially objecting to the initial application the Highways Agency have withdrawn their objections to the scheme and submitted the view as above.

The application proposes 358 parking spaces for the new store and this is in line with the councils own retained maximum parking standards. This is acceptable to both the County Council and the Highways authority.

- It is proposed as part of the development to make improvements to the London road/Porton Road roundabout.
- Proposed improvements are also to be made at the junction of London Road and Countess road.
- A new puffin crossing will be constructed on London Road and a new cycle/footway will be provided between the site and Solstice Park.
- It is proposed that improved bus stops and improved crossing facilities for pedestrians are provided at the site.
- A contribution of £250,000 will be provided by the developer to fund a new off-peak bus service for five years to link the site with surrounding residential and employment areas.
- A green travel plan will form part of the development proposals in order to promote sustainable means of access to the store for both customers and staff.

It can be seen from the above that various sustainable measures have been introduced by the applicant in order to ensure that the new store although located away from the town centre has limited impact on the surrounding road network and that travel options such as walking, cycling and using public transport are available to the public who are likely to use the store.

WCC have as can be seen above raised concerns with regard to the proposed improvements to the A345 junction with London road in particular the modelling that the applicants have used on this junction which the County highways consultants do not consider to be robust. This junction is clearly an important consideration in the overall strategic highway network surrounding the site. Given the concerns that Wiltshire County Council have regards to this particular issue and their recommendation that the application be refused on this basis. It is recommended refusal of the application on this basis.

Sustainable measures

The councils own retained policies and new guidance as issued by central government in the form of a companion guide to PPS1 both place requirements on the local authority to consider the effect that the development will have on the environment and any environmental measures that the applicant may propose to offset it's carbon emissions.

With this in mind, the applicants have proposed a number of measures that could help to offset carbon emissions –

It is proposed to use a combined heat and power plant which uses waste heat from electricity production to provide heat for space and water heating. The scheme proposes a gas powered combined heat and water system. This system could potentially reduce the carbon emissions of the development by 11.24% of the total.

The application also proposes the installation of a 14M high wind turbine close to the boundary with the adjoining Minton Distribution Park. This has the potential to make a small reduction to CO2 emissions.

The third type of sustainable measure that the applicants are considering is the installation of photovoltaic panels on the roof of the building these generate electricity and will help reduce the overall Co2 footprint of the building.

These three potential measures will help Carbon emissions at the site. If members were minded to grant consent and considered that these measures were crucial to the reasons for granting consent they should be conditioned to ensure that they are carried out as part of the development.

It should be noted that concerns have been raised in relation to the proposed wind turbine and possible noise disturbance, however the design is such that noise disturbance from the wind turbine will be minimal or insignificant as such officers raise no objections to this aspect of the application.

Archaeology

This site was formerly part of the railway that ran through Amesbury and as such it appears likely the ground was substantially disturbed at that time from its construction. Since then the ground was infilled and the current buildings built on the site. Previous ground investigations were made as part of a previous planning application at the site and these showed that there was unlikely to be anything of any archaeological significance at the site. Given all this the County archaeologist has stated that they wish to make no comments on the scheme.

As the prospect of finding any significant archaeology appears to be low it is not considered appropriate to make any further requirements of the applicant in regard to this issue.

Ecology issues

The site has been shown to have protected species present at the site including slow worms and common lizard as such the applicants are proposing a translocation exercise to move the protected species if planning permission were granted. This is considered an appropriate way to ensure that these species remain protected and that they are not harmed or killed as a result of the redevelopment of the site. Natural England have raised no objections to the development.

Appropriate Assessment

An appropriate assessment is not required because 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. The proposal is not, therefore, either alone or in combination with other plans or projects, 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). This is a view supported by Natural England (see above).

Crime prevention

Issues surrounding crime prevention have been raised by neighbours to the development, specifically neighbours have queried the potential for the car park at the front of the site to be used for anti-social activities at hours outside of the main operation of the store. Officers have consulted the police architectural liason officer as part of this application and she has commented as follows –

The only comments I have were made directly to the architects during a presentation of the scheme at a recent Design Forum. My concern was that security of the car parks should be considered and born in mind when security/safety measures were put in place.

Clearly the police architectural liason officer's concerns are similar to that raised by residents and whilst there will be a security presence at the site at out of store opening hours. It may also be prudent if members were to be minded to grant planning permission for this development that a condition be added requiring lockable barriers to be installed and used at out of store hours in order to prevent anti social behaviour at the site.

Flooding

Planning Policy Statement 25 as published in 2006 requires in annexe D that developers consider the risk of flooding from their development if that development site exceeds 1 hectare.

As this site does exceed one hectare the applicants have submitted a flood risk assessment. This assessment runs through and considers what the main risks from flooding to the development would be. It concludes that of all the types of flooding if there was any risk from flooding it would come from overland flow, that is to say that a redevelopment of this type needs to be assessed in terms of flooding from the existing drainage systems due to increased surface water flow.

The report concludes that there will be a decrease in the amount of impermeable surface area after the new store is developed (that decrease being 1,690square metres). It therefore concludes that this decrease will reduce the risk of flooding from overland flow and given that the site is located within flood zone one as identified by the Environment Agency where the risk of flooding is less than one in a thousand years the risk of flooding is low.

Loss of housing

The proposal involves the loss of six houses on site. Whilst these properties are of some age being associated as they are with the former use of the land as a railway, they are not in officer's opinion, of any very significant architectural merits that makes their retention fundamental. Given this, in architecture and design terms their loss is considered acceptable.

As units of accommodation their loss is regrettable and they are not being replaced by other units elsewhere. However their position on this site surrounded as they are by unrestricted employment uses which could operate at late/ early hours and have the potential to generate a considerable amount of noise and disturbance is highly undesirable. Given that the units are currently situated in such a low quality environment and that their retention as part of any supermarket scheme would also be undesirable it is considered that in this case that their loss is acceptable as part of the overall scheme.

CONCLUSION

The need for a new supermarket in Amesbury is clear. It is a well known long held ambition of much of the population of Amesbury to provide a supermarket that represents real competition to the existing in town retailer (see preferred options questionnaire above). This proposal is likely to provide just such competition and choice on brownfield land within the existing settlement. It is a stated aim of the Amesbury Community Strategic Plan to address the "lack of choice and diversity in retail shopping" and to promote "another supermarket to provide competition for the existing Co-op". This proposal would meet those aims.

However this proposal has to be judged in planning terms against national policy which requires Supermarkets to be located as close to existing town centres as is possible. PPS6 makes it clear that if sequentially preferable sites closer to the town centre are available these sites should be used prior to other sites further out of the town centre being pursued. The former Co op site within the town centre currently sits empty and can be reused as a retail unit alone or in combination with other land. Of most concern is the councils own retail consultants who conclude that the impact on convenience shopping in Amesbury town centre is likely to be in the region of 40%. This is in officers opinion significant and must be a matter of considerable concern to anyone wishing to continue to see Amesbury town centre as a vibrant, functioning retail destination.

It is officers opinion that the adverse impacts outweigh the benefits of this new supermarket and as such the planning application is recommended for REFUSAL.

RECOMMENDATION: REFUSAL

REASONS FOR REFUSAL

- 1) It is considered that the proposal for this A1 Foodstore conflicts with the aims and objectives of Planning Policy Statement six in that it represents a proposal for retail development outside of the existing town centre where a more sequentially preferable site exists in the town centre (the former Co-op store on Salisbury Street) as such and in view of its out of centre location it is considered the proposal could have an adverse

impact upon the vitality and viability of Amesbury town centre as outlined in the report prepared for the district council by GVA Grimley dated January 2008.

- 2) It is considered that the proposal has the potential to significantly adversely effect traffic flow at the junction of London road and the A345 in Amesbury. This junction presently nears its traffic capacity at peak periods and is therefore sensitive to increases in traffic as could be the case from the proposed retail store. The proposals put forward by the applicant for this junction are not considered to constitute a safe junction with sufficient capacity for the predicted traffic levels as such the proposals are considered to be contrary to policy G2 (ii) of the adopted local plan.

Application Number:	S/2007/2226		
Applicant/ Agent:	JOHN LITTMAN		
Location:	PLOT C1 SOLSTICE PARK AMESBURY SALISBURY SP4 7SQ		
Proposal:	DEVELOPMENT OF A 6131SQM STORE (CLASS A1) TOGETHER WITH ANCILLARY SERVICING AND PARKING WITH HIGHWAYS IMPROVEMENTS AND ALTERATIONS TO THE ROUNDABOUT AT PORTON ROAD AND SUNRISE WAY TO INCREASE CAPACITY AMESBURY EAST		
Parish/ Ward			
Conservation Area:	LB Grade:		
Date Valid:	5 November 2007	Expiry Date	4 February 2008
Case Officer:	Mrs J Howles	Contact Number:	01722 434379

COMMITTEE REPORT

Members should note that should they wish to vote to approve this development the application would need to be brought before the councils planning and regulatory committee because it is considered that : -

The proposal would constitute a departure from policy E8A

The impact the proposed store would have would go beyond that of the Northern area boundaries. Members should also note that should the council wish to approve the application it would need to be referred to the Secretary of State under the terms of the Shopping Directive and because it is a material departure from policy E8A.

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

Part of the Solstice Park site. The site is currently bare chalk, slopes down towards the north and has an access on its southern side off Sunrise Way.

The site boundaries, all unfenced are: to the north to the strategic landscape area which slopes north to solstice Park Avenue, to the west Porton Road and to the south- Sunrise Way. The land to the east is undeveloped.

THE PROPOSAL

To erect a 6131 sqm gross superstore with associated service yard, car park and vehicular access to Sunrise Way. Separate pedestrian accesses are to be provided to Sunrise Way and Porton Road. The Planning Statement submitted with the application indicates that the net floorspace is for 3,344 sq m, of which 2,415 sq m is for net convenience goods floorspace and 929 sq m for comparison goods.

It is also intended now to operate 'home shopping' i.e. internet shopping deliveries from the store.

The application site also includes the 2 roundabouts on Porton road (capacity is to be increased at the Sunrise Way roundabout) and two proposed pedestrian toucan crossings on Porton Road and a controlled crossing opposite the pedestrian access on Sunrise Way.

PLANNING HISTORY

For the whole of Solstice Park:

Northern Area Committee 08/05/2008

99/0721	Proposed comprehensive development of site for employment and leisure purposes (including within use class B1 B2 B8 C1 and D2) together with roads, footpaths, cycleways, landscaping, sewers, alteration of ground levels and associated works generally in accordance with the principles illustrated on approved development brief master plan L.269 – 14/1E	AC S106	26.1.00
02/485	Section 73 application to vary condition No 3, 4, 14 and 20 on consent No. S/1999/721 to provide (1) Specified dates for the approval of reserved matters (2) To permit commencement of any approved Earth works and landscaping scheme before works have commenced on the Folly Bottom Junction (3) To permit earth works and landscaping on land in excess of 22.75 hectares.	AC S106	30.07.02
02/1714	Reserved matters application to address planning conditions 7 & 8 on consent S/02/485 (structural landscaping)	AC	03.02.03
03/2481	Variation to planning condition 9 on consent ref S/2002/485 to permit Commencement of built development in advance of the implementation of the structural landscape planting.	AC S106	01.06.04

For this site:

03/0029	Approval of Reserved Matters Proposed development of B1 uses together with detailed drainage Proposals and associated parking, landscaping and access roads At Solstice Park.	AC	02.04.03
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CONSULTATIONS

WCC Highways Following extensive discussions with the consultants acting on behalf of ASDA, I am writing to set out our final observations on this application.

Principle

In transport terms, you will be aware from previous discussions that I wish to lodge an ‘in principle’ objection to the proposal based on the proposed location of the store and the proposed layout. I am of course aware that Solstice Park is an allocated business park, which has been designated for B1, B2 or B8 uses. Aside from obviously not conforming to that allocation/permission, I do not believe that the site’s location is conducive to non-car access having regard to both distance and barriers to movement. This is further compounded by the proposed siting of the building to the rear of the site. Contemporary guidance (and in my view good sense) would suggest it should be located to the SW of the plot so as to remove the barrier of the car park for public transport users, pedestrians and cyclists. The consultant has told us that it would “...not be possible...” to orientate the store as we have suggested for operational reasons, but I do not believe that a serious attempt has been made to explore the opportunity for improvement.

On that basis, I recommend that the application be refused for the following reason:

The proposed foodstore, located within a site allocated for employment purposes is remote from the community it is likely to serve to an extent that is not conducive to anything other than car borne customers. Furthermore, the proposed orientation and siting of the building at the rear of the site is such that it introduces a further barrier to non-car users by producing an avoidable conflict with cars entering exiting and circulating the proposed car park.

Detail

Having regard to detail and in terms of the transport impact of the development, a full transport assessment (accompanied by extensive modelling) has been undertaken by the developer. I have been party to a lengthy round of discussion, and on a without prejudice basis, have reached agreement on the detailed conclusions of the TA and the modelling. If your Members were minded to set aside the 'in principle' objection, I have set out below a number of issues that I believe are necessary and relevant conditions and/or planning obligations.

Conditions

Prior to the commencement of any development on site, and in general accordance with diagrams 0719/44_1_500, 0719/45B, 0719/7A and 0719/27A, a detailed scheme of works to cover access to the site by vehicles, pedestrians/cyclists and buses shall have been submitted to and agreed in writing by the Local Planning Authority. For the avoidance of doubt, the measures are to include the vehicular site access, service yard, pedestrian/cycle crossing facility on Sunrise Way, bus facilities on Porton Road (both next to the site and to the north of London Road) and 2 pedestrian/cycle crossings on Porton Road. Development shall be carried out in accordance with the approved details.

Reason: In the interests of highway safety and servicing of the site.

Prior to the commencement of any development on site, a comprehensive programme for the undertaking of the off-site highway works, shall have been submitted to and approved in writing by the Local Planning Authority. All necessary off-site highway works shall be provided and undertaken strictly in accordance with the approved programme or any changes to the programme as may subsequently have been agreed by the Local Planning Authority.

Reason: In the interest of ensuring that the required infrastructure is provided at the appropriate times

Prior to the commencement of development, a comprehensive construction phase programme shall have been submitted to and approved in writing by the Local Planning Authority. The plan will include the routing and timing of construction traffic, together with any necessary temporary access arrangements.

Reason: In the interests of highway safety and to mitigate any adverse environmental impact to neighbouring communities.

Prior to occupation of the site, a Travel Plan is to be agreed in writing by the Local Planning Authority.

Reason: In the interests of promoting sustainable travel

Contributions (as agreed with the developer)

- 1) £55,000 per year for a period of 5 years (total £275,000) for a bus service which serves Amesbury and the store
- 2) £18,000 per year for a period of 3 years (total £54,000) for the Solstice Park bus
- 3) £25,000 towards improving pedestrian/cycle facilities on Porton Road in addition to the infrastructure shown on the plans

- 4) £50,000 towards providing a footway/cycleway towards Bulford or, if this proves not to be viable, for other pedestrian/cycle improvements which would benefit those travelling to the site

WCC Planning

The application site forms part of larger site identified within the Salisbury District Local Plan (Adopted June 2003) for employment uses (Policy E8A). It is a greenfield site, located outside of the urban area of Amesbury as defined by the Housing Policy Boundary shown on the Local Plan Proposals Map. The Planning Statement submitted with the application indicates that the net floorspace is for 3,344 sq m, of which 2,415 sq m is for net convenience goods floorspace and 929 sq m for comparison goods. To put some scale to the proposal, the convenience floorspace equates to 90% of the convenience sales floorspace of the Waitrose in Salisbury.

The principle set out in my letter of 30 October 2007, responding to the recent proposal by Tesco Stores Ltd (application ref. S/2007/1865) for a foodstore at Amesbury, about the need for an appropriate level of additional convenience retailing at Amesbury is also relevant to this proposal. This recognised that additional retail development could achieve greater levels of trade retention within Amesbury and generate more sustainable travel patterns by meeting shopping needs locally.

The application site is in an out of centre location and as such should meet the tests of Planning Policy Statement 6: Planning for Town Centres (PPS 6), in line with Structure Plan Policy DP6. The Planning Statement has sought to address retail policy issues but only a very limited assessment has been carried out. The County Council does not consider that a sufficiently robust assessment of retail issues has been provided in support of the application, contrary to Paragraph 3.4 of PPS6 and as such further information from the applicant should be sought. Some detailed comments on the assessment are provided. In summary, while it is accepted that additional retail development at Amesbury may be appropriate, the County Council is particularly concerned about the scale of this proposal and considers that the Planning Statement is not sufficiently robust to enable the proposal to be properly assessed. In addition, this proposal will result in the loss of an allocated employment site for retail use when other sites better related to the urban area may be available.

Additional Comments in light of amended information:

Thank you for your letter of 13 March 2008 informing Wiltshire County Council, as strategic planning authority, of the additional information submitted by Asda Stores Ltd in support of their full planning permission for a 6,131 square metre gross store. Wiltshire County Council as strategic planning authority responded to the application by letter on 14 December 2007. These comments should be read in conjunction with that letter.

Unfortunately, it has not been possible to fully consider the additional information submitted on retail issues since the Revised Planning Statement was submitted earlier this year due to a number of pages missing from your website relating to Chapter 5 of the Revised Planning Statement. I am in the process of obtaining a full copy. However, I am able to make the following comments in response to the covering email dated 19 March 2008 from Hannah Murray to Judith Howles, and the pages that I have seen.

Catchment Area Revisions

Despite the revisions made to the Catchment Area, this still does not adequately take into account competing centres and other main food shopping destinations and does not therefore appear to be an appropriate catchment for the town.

Sequential Approach

In terms of the potential to assemble a site around the former Co-op store, the sequential approach has not been properly applied. It is not acceptable to simply state that: "As matters stand therefore the proposal is not in a position where it can be implemented" (Section 2, Email of 19 March). The fact that an application has been submitted, albeit not yet registered, clearly indicates that a sequentially preferable site is available and as such should be given due consideration. There is no clear evidence to indicate that a second town centre store would have an adverse effect on the existing Co-op or town centre as a whole and given that the Co-op is apparently significantly overtrading (Paragraph 5.41, Revised Planning Statement) should be able to withstand any impact.

The application for a central store shows that, subject to it being registered as valid and permission being granted, it may be possible to meet the need for further retailing at Amesbury through a more sequentially preferable site. Locating new retail development within the town centre is wholly consistent with Government policy on retailing as set out in Planning Policy Statement 6 (PPS6) and will better enable the vitality and viability of the town centre to be promoted. The size of store proposed at 1,858 square metres net retail floorspace is considered to represent an appropriate scale of development for a town the size of Amesbury in accordance with paragraph 2.41 of PPS6.

General Comments

Although it is appreciated that the retail assessment submitted with the application has been revised, it still does not appear to adequately address all of the matters raised in my earlier letter. As such, the concerns raised previously still apply.

The County Council is particularly concerned about the loss of allocated employment land for retail use, for which potential exists to meet any need in a more sustainable town centre location. In addition, as you are no doubt aware, PPS6 in applying the sequential approach to site selection states that for out of centre sites preference should be given to sites "which are or will be well served by a choice means of transport and which are close to the centre and have a high likelihood of forming links with the centre" (paragraph 2.44). The proposal site is not particularly well related to the urban area of Amesbury and offers limited access to its residential population by walking or cycling. If an out of centre store is appropriate for Amesbury it is likely that other sites, as indicated by the Tesco application (S/2007/1865), could be available that are better integrated with the urban area of Amesbury and offer more potential for access by non car modes.

For the above reasons, the County Council as strategic planning authority raises an objection to the proposed development.

**WCC Library/
Museum**

No significant archaeological finds in evaluation trenches in 2000. Northern part of site has been infilled and southern cut to a depth of 3m. Therefore owing to amount of disturbance has no comment to make on the application.

English Heritage

No comments

Highways Agency

No objection subject to conditions relating to a travel plan and no petrol station. Content that the development will have no adverse impact upon the strategic road network.

**Environmental Health
Officer**

3 principal areas of concern are noise from the site- both during and after construction , dust generated by the development (ground conditions are predominantly chalky) and impact on air quality.

Recommendations are addressed by developer however further clarification is needed over what constitutes no noisy working . This information must be supplied to and agreed by the Local Planning Authority before any work commences on site. Further information is also required on the type and location of portable acoustic barriers this information must be supplied to and agreed by the Local Planning Authority before any work commences on site. Air quality recommendations are as developer proposes on pages 91 –93 (paras 7.84 to 7.88).

To revised Environmental Statement

- 1) Proposals to mitigate noise (paras 6.115-6.126 must be adhered to at all times.
- 2) Exception at para 6.1117 to noisy working will only include internal fitting out unless otherwise agreed by LPA.
- 3) Para 6.118 needs further clarification as to the type of acoustic barriers and site hoardings. This needs to be clarified with LPA before start on site.
- 4) Proposals to mitigate dust in paras 7.90 – 7.93 must be adhered to at all times.
- 5) Do not consider there is a need for a noise assessment for the service yard as it is to be enclosed by 3m high walls.

Wessex Water Authority

S104 Agreement in place for sewers which have adequate capacity. Soakaways possible for SW drainage. Adequate water supplies available unless development requires abnormally high levels of potable water. Details of demand should be provided in due course.

Environment Agency

Requires SW drainage, water efficiency and pollution prevention conditions and informatives. On additional information- No objection to the development on the basis of the FRA submitted and are satisfied that surface water drainage information supplied is sufficient to discharge the suggested SW drainage condition. Highlighted previously the need for drainage calculations to incorporate climate change into the design and although the calculations incorporate a safety factor, no specific allowance has been made for this. for the lifetime of the development. EA do not accept liability for the calculations in the FRA. Needs conditions for detailed drainage scheme that incorporates such measures.

Natural England

Originally objected. The development in combination with other plans and projects may result in a likely significant effect upon the Rover Avon Special Area of Conservation (SAC) and an appropriate assessment is required. Objection withdrawn in light of in combination appropriate assessment.

Hampshire CC	HCC has formula for transport contributions. Requires a contribution of £171,350 towards mitigation of the impact of the development upon the highway network in Hampshire. This should be secured prior to occupation of the development.
Test Valley BC	No comment
English Heritage	Should be determined in accordance with national and local policy guidance.
Defence Estates Safeguarding	Buildings including superstructures e.g. aerials shall not exceed 11.5m above ground level. Trees shall not exceed 11.5m above ground level. Landscaping should not be designed to provide a habitat attractive to birds. Street lighting shall be in accordance with the Air Navigation Order. No water features designed to be attractive to birds. Waste management to ensure timely removal of food waste to minimise the risk of bird strike. No safeguarding objections.
SWRDA	None received
Forward Planning	This application will have a significant impact on the vitality and viability of Amesbury, and if consented could undermine investment in the centre, and there is a need to protect existing employment allocations, therefore raise a POLICY OBJECTION to the proposal.

In accordance with Section 54A of the Town and County Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application should be **refused**

REPRESENTATIONS

Advertisement	Yes/ - final expiry date (2 nd advertisement) 10/04/08
Site Notice displayed	Yes final expiry date 10/04/08
Departure	Yes – if approved to E8A
Neighbour notification	Yes
Third Party responses	58 letters of support, 9 letters of support subject to conditions 3 letters of objection and 4 of comment to original notification and advert 8 letters of support, 1 of objection and 1 letter of comment in response to the readvertisement (plus one email purporting to be in support which did not originate from the alleged sender).

The following issues are raised :

Supporters

Choice of supermarket in Amesbury and competition to the Co-op is needed as Co-op also own store on Boscombe Road.
Store will be local shop for Butterfield Down and Stonehenge Estates and within walking distance of them.
Would reduce shoppers travelling to Salisbury or Andover.
Would attract travellers on A303 to break their journey and come into Amesbury- - existing shops in Amesbury could advertise their specialist services in ASDA store.
Would attract more shoppers to Amesbury providing it had no post office or pharmacy.
Will create jobs for local people.
Would provide service for those nearby who have no access to a car and so cannot travel to large supermarkets and would provide access to children's clothing in Amesbury without having to pay high bus fares.

Support - but bus stop needs to be redesigned to provide a lay by- even if this means fewer car parking spaces at the store.

Will improve local job opportunities, population in Amesbury is due to rise.

Need for a new store near Archers Gate. Store in this position will stop Amesbury Town centre being gridlocked with traffic.

Prefer ASDA as it will provide more choice as there are already Tesco stores in the area at Tidworth, Salisbury & Andover plus smaller metros.

Business park has failed to take off & ASDA will bring jobs.

Could alleviate traffic problems on Southampton Rd Salisbury as could attract shoppers from north of Salisbury to travel to Amesbury rather than Southampton Road.

1 letter supports both ASDA and Tesco applications.

Supporters subject to conditions:

Restrictions to opening hours- not 24 hrs- Somerfield already provide this service.

Minimal lighting at night – current lighting proposed is too high

Do not want further delays from roundabout alterations

40 mph speed limit on Porton Road should be reduced prior to contraction work beginning.

Crossing is urgently needed but location of southern crossing is too close to entrances to mobile home parks- needs to be closer to Baptist centre.

Need ASDA bus stop at Beverley Hills entrance – no W & D bus along Porton Road.

HGV restrictions needed on Porton Road

Limitation to hours of construction – no Sundays

Restriction to delivery hours – restriction to parking of refrigerated vehicles. And restriction to use of reversing beepers.

Objectors

Lack of predicted car and lorry numbers – notes map containing percentages from different directions but no volumetric data of either total trips or how many are new or existing journeys.

Road to Bulford inadequate to cope.

Subsidised bus would not operate at weekends.

Bus stop is not by store entrance – would be better if bus came into the car park and stopped at store entrance.

Amesbury is in process of regeneration with several new shops- who would shop there if everything available out of town as ASDA.

Solstice Park is not a retail park and store will take trade away from Amesbury.

Contrary to government policy on town centres PPS6

One letter of objection with the ASDA reference number refers in its contents to the Distribution centre application

Comments

Need for access from Allington Track for cyclists without having to go onto A303 which is unsafe and clogged at bank holidays. This would also facilitate more cycling and less driving to Amesbury from Newton Tony.

Restrictions to opening hours, delivery hours, construction hours, HGV restrictions on Porton Road, Reduction of speed limit on Porton Road, crossings on Porton Road should be provided before construction work starts.

Lower lighting columns.

HGVs to access from north. .

SWEP

Believes that the proposal of a superstore on Solstice Park is at odds with the concept of a high quality business park and the original planning consent for employment use. We must protect existing employment land, we believe there is a serious risk that if this application were approved it would open the door for other retailers to locate to the site, creating another 'Southampton Road' situation.

As the only existing large scale employment site in the district, Solstice Park is of vital strategic importance to the future of the south Wiltshire economy. Solstice Park was envisaged as one of the largest mixed-use business parks in central Southern England, strategically located alongside the A303, providing outstanding links to London and the South West, and an attractive relocation site for large scale national and international organisations.

Currently there are very few large scale private sector employers in Salisbury District and SWEP has long since recognised the need to attract inward investment into the area, one the partnerships aims being the development of Salisbury as a thriving commercial hub. The development of a superstore would deter prominent companies from relocating to the site.

As a result of the Lyons Review, an independent study into the relocation of Government offices from London and the Greater South East, there are plans for the relocation of 20,000 posts. Salisbury District Council has been working in partnership with Wiltshire County Council to promote Wiltshire to government departments. South Wiltshire has a number of attractions in its favour including; excellent road and rail links to London, Bristol, Southampton and the South West, a strong local MOD presence, Salisbury Research Triangle and the outstanding quality of life on offer.

However the district's major weakness is the lack of suitable commercial properties, purpose built modern premises and sites. The size and location of the site presently makes Solstice Park the only feasible option to attract relocating Government departments to the district, and therefore the loss of a large part of the site would be very detrimental to the bid to attract such departments.

The Employment Land Review, produced by the SDC Economic Development team in June 2007, recognises that the majority of property on the market in the Salisbury District is small and that Solstice Park is the only existing location that can offer larger, purpose built property and development land. The ELR identifies Solstice Park as being strategically important for the district economy. It identifies the need for 30 hectares of new employment land in the district over the next 20 years, which does not include employment at Churchfields and Southampton Road that will be displaced through the Vision, and therefore there is a vital need to protect the sites we already have.

While the proposed development states that it will bring in 300 to 350 local jobs, most of these will be low skill and low paid and will not have as positive effect on the local economy than if the site were retained for B1 office purposes. There is also concern about the detrimental effect the development would have on Amesbury town centre.

SWEP recognises the need for improved supermarket facilities in Amesbury but believes it would be better located closer to the town centre. While take up of Solstice Park has not been as quick as originally envisaged, we would urge that patience be employed and consideration be given to the original concept of Solstice Park as a high quality business park.

Chairs of the Salisbury and District Chamber of Commerce, the Federation of Small Business, Salisbury City Centre Management and Salisbury Tourism Partnership. The business community of South Wiltshire has complete agreement that any planning application for Retail Use on Solstice Park should be rejected.

Stonehenge Chamber of Trade

The Chamber has discussed the current supermarkets proposals at length We feel it is clear that Amesbury needs better retail shopping A supermarket such as Asda or Tesco would bring much needed employment choice and competition to our current small supermarket

Although both applications are out of the town centre we accept that this is the only real choice as the town centre doesn't have a suitable site The growing population needs more facilities in jobs, leisure, retail and education A new supermarket will fill two of these areas It is becoming increasingly hard to understand objections from the Salisbury direction this is a tremendous opportunity to help its neighbour The increasing population of both communities will only put more strain on Salisbury s roads Other towns in the County who have similar populations have far more choice for their residents

As for which application we favour our membership has decided that the Asda application is more favourable for Amesbury. There are continuing worries that a retail park would appear on Solstice Park but with Tesco on London Road and already a Focus DIY and possibly a Lidl it seems a retail park is emerging on London Road which is totally unsuitable for this volume of traffic. The Solstice Park site has all the highways in place and certainly wouldn't intrude on local residents. Although Solstice Park has no consent for retail we shouldn't stop this tremendous opportunity to bring a new retail name to the area. The proposed site only takes up a small part of Solstice Park and can only add credibility to this area.

As for the town centre we believe that we can work with Asda. Discussions with Asda have taken place which we have found very encouraging with proposals to promote the town centre within their store and the possibilities of linked trips for shoppers between themselves and the town. The future of Amesbury's town centre lies with specialist independent shops; this is something we have seen in the last six months with 5 of our 6 new shops being independents.

A second letter demonstrating that other areas in Wiltshire with similar populations have a greater number of supermarkets. Consider future of Amesbury Town centre lies with specialist shops. ASDA will only take up a small amount of Solstice Park. It will bring much needed employment, choice and competition.

Salisbury & District Chamber of commerce

Believe ASDA is what is needed in Amesbury.

Solstice Park Marketing Agents- Alder King

Employment land take up at Solstice Park has been slow but this has been mitigated by take up of non-B uses (support uses) such as petrol filling station, hotel and A3/A4 outlets. Asda would provide convenient food and convenience goods outlet to the business park workforce as well as local residents. Successful Business Park is B uses plus support uses.

Durrington Parish Council response No objection. Were under impression no retail outlets would be permitted on Solstice Park

Bulford Parish Council response Have reservations on effect on pedestrian and vehicular traffic on road that connects Bulford with Folly Bottom. This lacks any form of pedestrian way. It is considered that the proposal should be dependant upon improvements to this length of road and the provision of pedestrian facilities at the roundabouts and connecting roads at Folly Bottom.

Amesbury Town Council No objection subject to traffic analysis of London Road/ Countess Road junction, and Town Centre. Pedestrian crossings are very close together and would be better further north and south. Consideration be given to reducing speed limit on Porton Road to 30 mph.

Considered that the Local Plan and policy E8 do not take into consideration the new developments in Amesbury and the requirements of a growing population. Note that 75% of residents in Amesbury and surroundings do their main shop in Andover or Salisbury and the effects of global warming cannot be ignored.

MAIN ISSUES

1, Planning Policy
Loss of allocated Employment land.
Retailing and impact upon town centre.

2. Design

3. Transport & Traffic

4. Asda or Tesco?
5. Environmental Issues as covered in the Environmental Statement
6. Other issues raised by respondents.

POLICY CONTEXT

Policies E8A, of the adopted, Salisbury District Local Plan, Policy DP6 of the Wiltshire Structure plan 2016
PPS 6 – Town centres
Adopted Salisbury District Local Plan June 2003 – E8A, E16, D1, G1
Retail and leisure needs survey (2006) GVA Grimley. (RLNS)
Salisbury District Employment Land Review (2007)
SWERDA/DTZ employment land supply appraisal Addendum for the Salisbury SSCT on <http://www.southwesteip.co.uk/downloads/documents/20070530121125.pdf>

PLANNING CONSIDERATIONS

1 Planning Policy

There are three key issues of relevance to this application. They are the loss of employment land to retail use. the need for the development and the impact that it will have on Amesbury.

A Loss of allocated employment land.

The site forms part of the employment allocation E8A, now known as Solstice Park. This plot has consent for B1 office park (7483 sq m) (2003/0029 refers)

The employment land review (ELR) forecasts the land required to 2026 and has identified that 25- 30 ha of new employment land . This figure is over and above the 64ha of Solstice Park already allocated. The recently published panel report into the RSS has recommended that this be increased to 37 ha of employment land. This demonstrates that current employment land needs to be protected.

The ELR also identifies the site as being strategically important site for the whole of Salisbury's economy and not just the local community area that it is located in, and therefore given its strategic importance, should be retained for employment (B1, B2, B8) use. This is backed up by the RSS panel report which states that Amesbury will need to provide a continuing supporting role to Salisbury for the provision of employment land.

Evidence given to the EiP by SWERDA/DTZ in their employment land supply appraisal Addendum for the Salisbury SSCt identified that only 36ha of employment land was available compared with a demand of 37ha, therefore a shortfall of 1 ha. This assumed that the 18ha of Solstice Park would remain in employment generating use. Again, given the supporting role of Amesbury, it is important that all existing employment land is protected, so that this shortfall is not exacerbated and results in the allocation of more greenfield land elsewhere for employment use.

B. Retailing issues- the need for the development and its impact upon Amesbury town centre.

The Grimley report for SDC is attached in full as appendix 1`. The supplementary letter produced in light of the (unregistered) application on the old Co-op site in the town centre is attached as appendix 2. The response from the spatial planning manager at the County Council detailed under consultations above, is also material to this issue.

Relevant policy guidance is set out in PPS6, published in 2005. The Government indicated its intention to issue a revised policy statement on retailing and town centres during 2007, although this appears to have been delayed pending the conclusions of the ongoing Competition Commission.

However, although the Competition commission has reported, its recommendations have no statutory force and are therefore not a material consideration.

Paragraph 3.4 of PPS6 sets out the key policy requirements. Applicants are required to demonstrate:

- the need for the development;
- that the development is of an appropriate scale;
- that there are no more central sites for the development;
- that there are no unacceptable impacts on existing centres; and
- that locations are accessible.

The guidance indicates that as a general rule, new developments should satisfy all the key policy tests and in reaching a decision Local Planning Authorities should also consider relevant local issues and other material considerations. The guidance indicates at paragraph 3.7 that the level of detail and type of evidence and analysis required should be proportionate to the scale and nature of the proposal.

Need

Please see the attached report, 'Review of proposed foodstores in Amesbury', by GVA Grimley (appendix 1) for the full assessment of this proposal, on need and impact.

The RLNS originally identified turnover in Amesbury of 18.2m rising to 19.6 m in 2011, however GVA have accepted that these figures are an overestimate, and have revised the figures to 14.4m and 15.6m respectively.

The deductions in the main report for committed floorspace also include an arithmetical error, which overstates the potential turnover of commitments. This generates a notional surplus of £7.7m, which if the old Co-op were wholly occupied for convenience retailing, would largely accommodate the identified capacity. The turnover of the proposed Asda is £37.2 million and therefore is way in excess.

Scale

Although it has been demonstrated that the proposed turnover of the store is in excess of requirements, the guidance in PPS6 indicates that local planning authorities should also consider whether there are qualitative considerations that might provide additional justification for the development.

Jones Lang LaSalle (JLL) has undertaken a planning statement on behalf of Asda Stores Ltd dated October 2007 updated January 2008, and further updated March 2008 after adjustments to the catchment area to exclude those areas west of Salisbury and Tidworth (which has a large Tesco) but to include areas to the east of Salisbury. Regrettably, despite requesting that trade diversion to Tesco at Tidworth be considered, this still fails to adequately address the impact of the Tesco store at Tidworth which is equidistant in travel time from much of Bulford as is this site. Asda has also recently opened in Andover and again, this has not been included in the figures.

In order to support the scale of additional floorspace, both (ASDA and Tesco) proposals rely on a significant increase in market share. Clearly there is no reason why Amesbury cannot or should not seek to increase its market share – the key issue is the impact arising from a larger store outside the town centre on the vitality and viability of the town centre. JLL, on behalf of Asda, has undertaken a 'ring fenced' capacity exercise which compares the likely turnover of existing convenience goods shopping facilities within the Amesbury catchment (using a notional 'benchmark' turnover) with total available expenditure within this area to suggest capacity of circa £74.1m of convenience goods expenditure within this area by 2011.

The JLL table shows the following distribution of main food shopping trips in the catchment :

Co-op Amesbury (town centre)	23.3%
Tesco Southampton Road Salisbury	19.2%
Waitrose Salisbury	13.7%
Tesco Andover	9.6%
Sainsbury's Salisbury (city centre)	8.2%
Tesco Salisbury town Centre	5.5 %
Others- including Morrisons Devizes & Asda Frome	4.1%

This is acknowledged to be a relatively crude exercise, and it is clearly unrealistic to expect Amesbury to retain all of the available expenditure generated within this area. However, it must be acknowledged that a large food superstore as proposed by Asda would be capable of increasing Amesbury's market share within this area. The issue, as identified in the RLNS, is the impact of such a development on Amesbury Town Centre.

Given the level of main shopping that is taking place away from Amesbury Town Centre, it is evident that in the absence of any alternative option, a large modern foodstore would provide additional choice and competition to the Co-op in Amesbury Town Centre and by reducing the need to travel for main food shopping, would be likely to reduce overall travel demand and achieve a more sustainable shopping pattern. Moreover, letters of representation from nearby residents have welcomed such a store within walking distance. In this respect the potential benefits of the proposals are not disputed. However, these benefits have to be considered against any alternative options and the impact of the proposals on Amesbury Town Centre.

What also has to be borne in mind is that on the scale proposed, Asda may well attract shoppers from a wider area, particularly Salisbury, not only because this operator is not currently represented locally, but also (as evidenced by letters of representation) owing to congestion on Southampton Road which may make Amesbury more attractive in travel time for food shopping although further in distance. Therefore the purported benefits of a reduction in travel out of the Amesbury area must be offset against potential travel into the Amesbury area.

Therefore the issue of scale is not only an adverse impact upon Amesbury town centre (even if it does claw back trade to the Amesbury area- the Grimley report demonstrates this will be at the expense of rather than benefit to the town centre) but also it weakens the sustainability argument if it attracts car borne trade from a wider area.

In relation to the catchment area JLL consider that the revisions they have made (principally the exclusion of Tidworth and some areas to the west of Salisbury) do not alter their conclusion that there is ample capacity to accommodate this store.

Sequential test

Para 2.44 PPS 6 states that

*"First, locations in appropriate existing centres where suitable sites or buildings for conversion are, or are likely to become, available **within the development plan document period**, taking account of an appropriate scale of development in relation to the role and function of the centre;*

Paragraph 3.13 indicates the sequential approach should be applied to all development proposals for sites that are not in an existing centre or allocated in an up to date development plan document. The relevant centres in which to search for sites will depend on the overall strategy in the development plan, the nature and scale of the development, and the catchment, which it seeks to serve. In this case the main focus of search would be Amesbury Town Centre.

The applicants have assumed in their statement that the old Co-op store would not be reoccupied by a food retailer, but a planning application has been submitted but not yet registered by Frobisher retail for the demolition and redevelopment of the old Co-op store for a Northern Area Committee 08/05/2008

larger food store. Although not registered this is a material consideration that needs to be taken into account when assessing this application as it can be argued that this demonstrates that there is an alternative site within the town centre. The most recent letter from the Co-op states that if Lidl is granted (which it has been in principle), Aldi are likely to withdraw their offer to reoccupy the former Co-op and the Co-op will not support the Frobisher scheme as the cumulative impact of Lidl and a new town centre supermarket would be so high as to damage its interests.

However, it is considered that an out of town supermarket would also impact upon the Co-op, if it diverted 40% of trade away from the town centre and furthermore would impact upon the town centre as a whole.

In addition the existing Co-op store has an A1 use and it is unlikely that the Local Planning Authority would view any change of use away from A1 favourably owing to the prominent location of this building within the prime-shopping frontage of Salisbury Street, as such a change would be likely to be contrary to saved policy S1.

Therefore it is considered that this letter cannot therefore at present, be taken as evidence that a town centre site is not deliverable.

PPS 6 advises that in applying the sequential approach, developers and operators should be able to demonstrate that they have been flexible about their proposed business model in terms of its scale, format, car parking provision and scope for disaggregation. Local Authorities should be realistic in considering whether sites are suitable, viable, and available, and take into account genuine difficulties, which the Applicant can demonstrate are likely to occur in operating its business model from the sequentially preferable site.

Confirmation was been received from the Co-op that they were willing to let the whole store to a convenience food retailer, although the situation may have changed since the resolution to grant Lidl.

It is still clear that there is a sequentially preferable site in the town centre, which will mop up the identified capacity in the RLNS and meets the town centre first principles set out in PPS6.

It is therefore considered that this site has not been sufficiently explored by the applicants, nor has the possibility of a town centre site through disaggregation- for example of food/non food.

As part of the preferred options that are currently out for public consultation and the preferred option in the report is for the promotion of a new supermarket for Amesbury in the town centre. This is in direct response to the issues and options responses, which were as follows:

Question	Agree / strongly agree	Neither agree or disagree	Disagree / strongly disagree
An out of town supermarket is needed in Amesbury	32%	40%	28%
An out of town supermarket would add to the decline of Amesbury town centre	46%	38%	16%
We should try and find a site for a new supermarket in Amesbury town centre	40%	42%	18%

Therefore the LDF process may allocate a site for a supermarket in Amesbury town centre, commensurate with its role.

Para 3.19 of PPS 6 states

Where it is argued that otherwise sequentially-preferable sites are not appropriate for the particular development proposed, applicants should provide clear evidence to demonstrate why such sites are not practicable alternatives in terms of: Availability: the sites are unavailable now and are unlikely to become available for development within a reasonable period of time (determined on the merits of a particular case). Where such sites become available unexpectedly after receipt of the application the local planning authority should take this into account in their assessment of the application;

Therefore even if it is accepted that there is a need for a food superstore in Amesbury, of the size proposed, it has not been demonstrated that there is no sequentially preferable site within or on the edge of the centre, bearing in mind the advice in PPS6, it is evident that the applicant has not thoroughly examined the potential for redevelopment of the former Co-op store. The potential future of the former Co-op store has a bearing on the need and impact issues raised by the food superstore proposals,

Impact

As shown in the attached Grimley Report, (appendix1) the impact of the proposed Asda if assessed using the data put forward by G L Hearn (on behalf of Tesco) the impact of the proposed Asda store on Amesbury's convenience goods sector would be about 48%. This compares with the Tesco impact of 33%. Grimley conclude that using their figures the impact for each is approximately 40% or more.

Councillors also raised at the Northern Area Committee in December about the possibility of Amesbury increasing its market share. In order to make it worth the while of a retailer to increase the market share, they would have to propose a large store, like the Asda proposal. The knock on effect of increasing the market share would be the impact that this new store would have on the existing town centre.

Para 3.22 of PPS 6 is also of relevance. It states that "in particular, local planning authorities should consider the impact of the development on the centre or centres likely to be affected, taking account of:

- the **likely effect on future public or private sector investment** needed to safeguard the vitality and viability of the centre or centres;
- the likely impact of the proposed development on **trade/turnover and on the vitality and viability** of existing centres within the catchment area of the proposed development
- changes to the **range of services** provided by centres that could be affected;
- **likely impact on the number of vacant properties** in the primary shopping area;
- potential changes to the **quality, attractiveness, physical condition and character of the centre** or centres and to its role in the economic and social life of the community; and
- the implications of proposed leisure and entertainment uses for the evening and nighttime economy of the centre (see also paragraph 2.24)."

Grimley report for SDC (attached in full as appendix 1)

5.1 A new large food superstore, as proposed by Tesco and Asda, is potentially supportable based on a significant increase in Amesbury's market share. Consistent with our conclusions in the RLNS, we are satisfied that either proposal would be capable of increasing the level of trade retention in Amesbury, and would trade successfully. We have also previously acknowledged that a new large foodstore would provide additional choice and competition to the existing retail offer, and by reducing the need to travel would lead to potentially more sustainable shopping patterns.

5.2 There is no reason why Amesbury Town Centre cannot and should not aspire to increase its market share. However, we have highlighted that a large food superstore outside the town centre would be likely to lead to a significant impact on the vitality and viability of Amesbury Town Centre. It is also necessary to thoroughly examine whether there are any more central opportunities in Amesbury Town Centre which could contribute to meeting an identified need.

- 5.3 Depending on the future of the former Co-op store in Amesbury Town Centre, and the Council's determination of the current application for a discount foodstore submitted by Lidl on land at London Road, these proposals would be likely to address the modest capacity identified based on Amesbury's current market share and provide additional choice competition to the Co-op store. Clearly in policy terms a replacement foodstore in the former Co-op unit will be the preferred option and would contribute to meeting identified needs. If this option is not available, permitting an out-of-centre discount foodstore may be acceptable in policy terms, and would provide for additional choice and competition without leading to a significant impact on Amesbury Town Centre.
- 5.3 Tesco and Asda estimate the impact of their proposals on the convenience goods sector of Amesbury at between 33% - 37%. Based on the most up-to-date estimate of Amesbury's current turnover, estimated by Tesco at £15.3m, the impact of the Asda store would be significantly higher, i.e. well in excess of 40% on the basis that this proposal incorporates a higher proportion of convenience goods floorspace and Asda have assumed a higher store turnover. In practice we consider the impact of either store will be likely to be circa 35-40% but could be higher.
- 5.4 At these levels of impact, we anticipate the new Co-op store in Amesbury Town Centre would still be likely to trade at or about company average and we would not expect this store to be at risk of closure. Clearly the cumulative impact of one or both of the current proposals, in addition to a replacement foodstore in the former Co-op unit (and/or a discount retailer such as Lidl located outside the town centre) would lead to a much more pronounced impact on this store, although in our experience it is still unlikely that it would be vulnerable to closure.
- 5.5 However, we remain concerned that the impact of either proposal on Amesbury's convenience retail sector would be significant, and that the consequences of a large full line superstore would be a more broad based impact on both the Co-op store and other local retailers who are likely to benefit from linked trips generated by this town centre 'anchor'. In contrast to the more modest impact of a discount food retailer, as previously advised, either of the large food superstore proposals would be likely to include a range of in-store facilities and to largely replicate the every day convenience and services offer of Amesbury Town Centre.
- 5.7 We acknowledge that these concerns need to be balanced against the additional choice and competition and more sustainable shopping patterns which could be achieved by one of the current proposals. In our view in purely retail planning terms we consider the potential harm to Amesbury Town Centre would outweigh these benefits, although we recognise this is essentially a planning judgement which officers and members of the Council need to reach.

5.8 However, we would strongly recommend that further investigations are made to establish the future of the former Co-op unit in the town centre, and that any consideration of the current food superstore proposals also needs to have regard to the Council's position on the other discount foodstore proposals in Amesbury. The Council should carefully consider the opportunities to accommodate further convenience retailing in the town centre, and to have regard to the potential cumulative impact of the current proposals and any other proposals before the Council at the current time.

5.9 The event that the Council decides to support a large food superstore in Amesbury, we do not consider there is any clear retail planning basis to differentiate between the two sites or operators, although the Asda proposals are indicated as having a significantly higher convenience impact. We have not considered other planning policy considerations or material considerations, which may have a bearing on the decision of the Council.

5.10 In the event that the Council resolves to approve a new food superstore in Amesbury, we recommend that the Council determines which proposal it is minded to support, and the planning grounds for doing so, and explores the use of planning conditions governing the size/mix of store, range of in-store facilities etc. to minimise impact on Amesbury Town Centre.

JLL have commented that GVA Grimley do not consider that the approval of either the Tesco or Asda proposals would result in the closure of the Co-op in Amesbury Town Centre, which therefore indicates there is excess trading at the Co-op which could be reduced enabling it to better meet the qualitative needs of Amesbury. They also consider GVA Grimley have not considered that over 3 times as many shoppers would be able to be retained in Amesbury. If only 10% of those made trips to Amesbury Town centre to meet their other retail and service needs this would be to more than replace the effect on the Co-op.

It is considered that the reuse of the town centre site and the potential for land assembly of a larger site than the just the old Co-op store itself has not been adequately considered by ASDA. A smaller ASDA store in the town centre would provide the benefits put forward for the larger out of town store, competition, choice, without diverting trade from the town centre. Whilst Asda say they will advertise the town centre shops in their store, the distance between the store and the town centre is too far for linked trips and so a special journey would be needed. If the town centre were not 'on the way home' from Asda, why would anyone make a special journey to Amesbury Town Centre? What has it got that is not available elsewhere?

If this proposal which includes both food and non food shopping (essentially a 'one stop shop') the comparison and fresh food shopping currently taking place in the town centre with linked trips to the Co-op would not necessarily still take place in Amesbury. Either it would take place within the store itself, which whilst it would be expenditure in Amesbury – would be expenditure lost to the town centre, or it would take place elsewhere in locations convenient to the shopper's lifestyle such as close to his/her workplace.

JLL comment in relation to accessibility that bus route 8 (which serves Amesbury, Bulford, Tidworth and Andover) does not serve Archers Gate or the developments to the south of Amesbury. This is incorrect. It travels along Boscombe Road, thence to the town centre and thence via London Road and Bulford. It therefore provides access to Amesbury Town Centre from both Bulford to the north and the Boscombe Down area to the south.

The supplementary letter from GVA Grimley makes it clear that

In the case of the current out-of-centre food superstore proposals, submitted by Tesco and Asda, we have previously advised that the impact of either proposal is likely to be in the region of 40% on the convenience retail sector of Amesbury Town Centre. At these levels of impact,

we anticipate that the new Co-op Store in the town centre would still be likely to trade at or about company average and would not expect the store to close, although we still remain concerned about the consequence of this level of impact for the vitality and viability of Amesbury Town Centre. The consequence of the partial or total reoccupation of the former Co-op unit in Amesbury Town Centre would be to reduce, to some extent, the current strong turnover of the Co-op Store and as a consequence the impact of a large out-of-town centre on this town centre anchor store would be more pronounced although we still anticipate the store would be unlikely to close or be seriously affected in these circumstances.

In the event that the proposal to redevelop the former Co-op Store to provide a larger unit for a quality foodstore operator like Sainsbury's was approved and implemented, for reasons outlined previously we consider this option would meet the quantitative and qualitative need and would be likely to secure an increase in market share and claw back trade into Amesbury Town Centre in line with national policy guidance. In these circumstances, the policy justification for supporting an out-of-centre large new superstore would be significantly diminished, based on the absence of need and the potential availability of a sequentially preferable site.

We also consider that in the event that the Council concludes the 'Sainsbury's' proposal can be regarded as suitable, viable and available, there must be a significant prospect that the grant of planning permission for a large out-of-centre superstore would be likely to prejudice this investment. We consider that it is extremely unlikely that a retailer like Sainsbury's would be prepared to commit to this development with the prospect of a large out-of-centre food superstore remaining. The prospect of prejudice to such a significant new town centre investment would further undermine the case for an out-of-centre food superstore in this scenario.

If the Council was minded to approve both the current out-of-centre food superstore proposals, and assuming the applications were not "called in" and both operators proceeded to build and open new stores, there would be a significant "mutual impact" between the stores themselves. Both stores would be likely to trade significantly below the retailers normal expectations, and in practice in our view the prospects of both operators building and opening new stores in the circumstances would be remote. However, in the unlikely event of both proposals being permitted and not called in by the Secretary of State, and ultimately being built and occupied, their cumulative impact on Amesbury Town Centre would be significantly above the 40% figure estimated for a single store.

At this level of impact, we consider the impact on the Co-op, and 'knock on' effects on other retailers in Amesbury would be very significant, and would be likely to seriously undermine the vitality and viability of the town centre. In these circumstances, if the Council were minded to support an out-of-centre superstore, we would strongly advise against resolving to permit both.

NAC has resolved to approve the Lidl proposal. Therefore an element of the trade currently leaking from the Amesbury catchment may be clawed back – though not to the town centre. . The location of the Lidl store is such that linked trips with either the Tesco or Asda proposals would be possible with the former more convenient (on the same side of the road) than the latter.

2. Design

The Design Forum considered the scheme at pre application stage. It commented:

The proposed store is a standard value-engineered retail 'box' which while functional, lacks any spark of individuality and imagination

Listening to the presentation, the Forum was encouraged by the apparent commitment of ASDA to sustainable development and noted the references to features incorporated into other new stores to offset their carbon emissions. However, the plans presented for the scheme did not reveal any tangible evidence of sustainable design and construction measures that would go beyond the normal statutory minima. The Forum did not doubt the claims in relation to other new stores but felt that the recital of vague aspirations betrayed a lack of real commitment to sustainability. Given the unconstrained nature of the site in actual and planning policy terms,

sustainability measures could be much more ambitious and visible, for example, a green roof and/or onsite renewable energy technology.

The site layout is indicative of a 'standards' approach and is considered unimaginative. In particular, the combination of the extent of the car park's coverage, the prominence of its siting between the main access into the site and the store and the lack of space allocated within it for tree and shrub planting was disappointing. The perspective images only served to confirm the car park's appearance as an unbroken expanse of asphalt

The standard covering for the main pedestrian walkway through the car park to the store's entrance was felt to be particularly dull and depressing. The Forum felt that more generous and regularly spaced planting, including (but not limited to) trees, is required to better blend the development into the landscape. A more considered siting of the store could, in itself, help to obscure much of the car park from wider views by allowing some spaces to be located to the side and/or rear of it. Furthermore, all the parking spaces could be visually fragmented into smaller pockets and softened with a much more generous landscaping scheme.

Some changes to the building design- principally with reference to materials and the design of the covered walkway have been made in light of its comments, however the site layout, with its expanse of parking to the front of the building, unrelieved by sufficient planting to break it up, remains unchanged.

The design of the building and its materials now follow the design code for Solstice Park. However, the building is to a standard Asda format and does not specifically address the site particularly in terms of its location on the site. The applicants have sought to justify the siting of the building in terms of how a standard Asda store would fit on the site rather than critically look at how Asda's requirements could be amended to more successfully address the site and site the building in the south west corner- closest to the pedestrian access. The design of the car park, despite revisions to introduce a pedestrian access from the Sunrise Way roundabout at the south west corner of the site, is still an expanse of tarmac, unrelieved by much planting, the majority of landscaping being around the perimeter. This is an exposed site and with the building located to the eastern side will remain exposed to westerly winds, with the potential for litter blow etc;

It is therefore considered that insufficient landscaping proposed will result in a development visually detrimental to the locality and the location of the store on the site will be pedestrian-unfriendly and relate poorly to the offices immediately to the south. .

3. Transport and Traffic

A transport assessment has been prepared and revised in light of comments from WCC Asda depots are in Bristol and Didcot and therefore it can reasonably assumed that the majority of HGV traffic will approach from the north, from the A303 . The Highways Agency raises no objection to the proposal subject to conditions.

Although local supplies may approach from the south via Porton Road, WCC Highways have not raised objection on this basis and the transport modelling demonstrates no adverse traffic impact.

It is proposed to install two light controlled crossings on Porton Road to address pedestrian access to the site from the housing estates to the south and west. Whilst, the northernmost crossing is very much on the pedestrian desire line from Butterfield Down, it is unlikely that residents of the Stonehenge estate will seek to cross Porton road twice. They are more likely to drive to the site. or walk along the verge on the eastern side of the road where there is currently no footway (although there is room to accommodate one, except across the frontage of Littleholme.) It is considered that this merits further consideration, since once the H9 link road junction with the A345 is put in, Porton Road will become the route of preference between the A345 and the A303 Solstice Park junction and to install two crossings within a short distance of one another on a through route does not make sense. However WCC highways have advised by email that it could well be a time consuming process to try to "acquire" this land and though it may be desirable, it is not worth pursuing at this time since it is difficult to tell where the highway boundary actually is from the plans and the planting and fence at Littlehome appear long

established. Whilst it could be that it has encroached, it is not impossible that the houses either side may have had some work done and the highway authority may have asked them to set back to enable widening of the road at some point.

What this does demonstrate is that the Asda proposal is essentially on the 'wrong' side of Porton Road, since the majority of residential development and hence pedestrian traffic will be from the west.

WCC highways object to the proposal on the basis that it will attract car borne traffic.

Asda are prepared to contribute to the existing Solstice Park link bus to the town centre and have proposed a bus service which will be funded for 5 years and run around the estates of Amesbury to serve the store. This will only run on the earlier part of the day and will not enter the site but drop the passengers off on Porton road from where they will have to walk through the car park. When this was queried, the applicants advised that to enter the site and turn around takes time and would mean it would not be possible to run a regular interval service with one bus. This rather negates the purpose of providing the bus in the first place since it will be inconvenient and unattractive to passengers- the car will take you nearer the door to the store. It is analogous to a bus not stopping to pick up passengers in order to adhere to the timetable. Consideration has not been given to amending the route in order to achieve the desired frequency or to providing another bus (the latter has cost implications). This, in conjunction with the siting of the store with the car park in the foreground, so that the store lies on the further side of the site, pays lip service to the concept of attracting shoppers by means other than the private car and leads to WCC highways recommending refusal for the reason that the proposed foodstore, located within a site allocated for employment purposes is remote from the community it is likely to serve to an extent that is not conducive to anything other than car borne customers. Furthermore, the proposed orientation and siting of the building at the rear of the site is such that it introduces a further barrier to non-car users by producing an avoidable conflict with cars entering exiting and circulating the proposed car park.

4. Asda or Tesco?

There have been a number of letters of representation preferring Asda to Tesco in that the store is not currently represented in the area. Other letters consider it could reduce traffic on Southampton road. (Salisbury).

This raises valid points in that although the Asda planning statement identifies an overlarge catchment area, (even with the revised changes- which exclude Tidworth) which in terms of local knowledge is unrealistic, conversely it excludes the northern part of Salisbury, whose residents may well choose to travel to Amesbury for supermarket shopping rather than queue in traffic on Southampton Road. Whilst the travel distance may be greater, the travel time may be less. The council's retail consultants view is that:

- 4.1 It remains to be seen whether in the light of the recommendations of the competition commission the forthcoming revised national policy statement on planning for town centres (PPS6) will place more significance on competition, and suggest more weight may be given to the identity of potential operators. In this case neither retailer is currently represented in Amesbury, and therefore either proposal would provide choice and competition to the existing retail offer (notably Co-op). Both are successful retailers and either store would be likely to trade well.
- 4.2 Given that Tesco is already represented in Salisbury, and is one of the stores currently serving the Amesbury area, there may be some differences between the trading patterns of the two proposals. In particular a new Tesco of the size proposed in Amesbury would be likely to retain a higher proportion of trade currently lost to Tesco in Salisbury. Conversely, Asda, which is not currently represented in the area, may

potentially attract trade from further afield, and be capable of attracting trade from the Salisbury catchment.

- 4.3.1 However, in terms of the key planning issues i.e. need and impact on Amesbury, the consequences of these differences are unlikely to be significant. Therefore leaving aside any significant differences between the proposals in terms of their net sales floorspace and food/non-food split, we would not recommend that the Council attaches any particular significance in planning terms to the identity of the operator.

It should also be remembered that planning permission goes with the land- not the applicant and that an A1 use could be operated by any retailer.

Asda have indicated that they will not be incorporating any sub units such as a post office or pharmacy. It would be possible to condition any permission to prevent any such units being incorporated in future. This would reduce the impact on those town centre uses.

Asda have also now opened a store in Andover which delivers to Amesbury and Salisbury (source Asda website) so although the nearest store is some distance away, it is possible to obtain the Asda brand, if a customer wishes, in a sustainable manner.

5. Environmental issues

The application was subject to an environmental statement for reason of potential transfrontier significant effects. The issues covered were ;

Planning policy & land use

Transport & traffic

Noise

Air quality

Landscape and visual impact assessment

Water resources

Ground conditions

Socio economic impacts

Archaeology

Ecology

The ES sets the scene of the proposal, compliance with the Solstice Park Design code, reason for the siting of the store (though this is not convincing), the intention to open 24 hours, no movement of material on or off site, although a small amount of cut & fill will be needed, the likely start on site following the grant of any planning permission and the programming of the off site highway works (to be agreed with WCC highways).

The ES had to modified to address the potential impacts of the development since they were initially only demonstrated post mitigation, without identifying what the unmitigated effects could be and who would be responsible for carrying out the mitigation. These effects relate principally – but not solely to potential pollution, noise dust and impact upon the water environment both during construction and subsequently during the operation of the store.

Planning Policy, land use and alternative development

The issues are covered in the planning policy section of the report above. The ES identifies a town centre site (the old Co-op) but advises that it is too small to offer a qualitative difference to the existing Co-op and therefore would be unlikely to claw back trade from the out of town stores patronised by Amesbury residents. This is a rather simplistic argument since those third parties writing in support of the proposal have mainly been concerned with having a choice of retailer, rather than a bigger store, which currently is not available in Amesbury, where the Co-op is the only supermarket. As noted in the consultation response from WCC Strategic Planning- there has been insufficient analysis of the town centre site and how Asda could adapt its product to what is currently available in the town centre as advised by PPS6.

There is currently permission for offices on the application site. This has not been taken up so far, but accords with 'saved' policy E8a which this proposal does not.

Transport & traffic

This is covered in both the ES and 2 supplementary transport assessments. The traffic flow modelling has been carried out in consultation with WCC and is considered to be satisfactory. This considered volume, speed, time of day and composition of traffic and took into account both the store and the highway improvements proposed. It identified that local traffic will divert from other foodstores, thus reducing journey lengths from nearby residential development who may currently travel south to Salisbury. Revisions to the service yard have been made to accommodate home shopping' (i.e. from the internet) . Currently this operates from Andover Asda and delivers to Amesbury and Salisbury (source Asda website) .

The traffic modelling shows most traffic will approach from Bulford (from the north) and Porton Road/Pendragon Way to the south and predicts a 20% increase in traffic on Porton Road. This road, which is currently subject to a 40 mph limit, will not become so busy as a result of this development as to sever the east and west sides but it does identify the need to provide facilities to enable the road to be crossed safely. 2 controlled crossing points are proposed.

The quality of pedestrian, cycling and bus access to the site were also examined. The ES considers pedestrian access to be good, and this has been enhanced by the provision of a pedestrian /cycle entrance on the corner of Sunrise Way with an associated toucan crossing - along the 'desire line' to access the store from the south. However, the footpath links to nearby residential development is deficient. Firstly, there is a lack of a footway on the eastern side of Porton Road and although two controlled crossing points are proposed to get over this problem- it will be inconvenient to users to cross the road twice, they may well try and walk down the verge- but more likely will get in the car as this 'gap' is a deterrent to safe walking.

The S106 for Solstice Park does include a clause (6.16) requiring best endeavours to secure a footpath link through from the Stonehenge Estate (end of Purvis Close) into the planned footpath/cycleway on the southern boundary of Solstice Park. This would facilitate safer access from the Stonehenge Estate to this site, but in the past such a link has been opposed locally in connection a planning application at the end of Purvis Close .The footpath/cycleway along the southern boundary of Solstice Park is currently unsurfaced (mown) as it does not link with any development yet. This alternative walking route from the Stonehenge Estate (avoiding Porton Road) has not been considered as part of the traffic modelling for this application. The Amesbury Property Company has also sought to provide a link to this footpath from the Beverly Hills Park but this has been declined by Beverly Hills Park.

Secondly, although there is a footpath link down the slope on the northern side of the site to the Solstice Park Services, where there are eating facilities, it is steep, but as the proposed store includes a café, there would seem to be little potential for linked trips on foot.

Mention is made of a footpath/ cycle link to Bulford as the C road currently has no footways. This would be a hilly route and WCC Highways have not supported this in the past and although the development could generate a commuted sum towards such provision, (£ 50,000 is proposed) it would not wholly pay for it and therefore would be unlikely to deliver this before the store opened.

The accession plan shows the walking distance radius from the store. As most of the land to the east is currently undeveloped, this demonstrates that the store would be poorly located in relation to residential development within walking distance.

There is currently no bus route past the site. The nearest bus goes from Amesbury to Bulford (and onward to Tidworth & Andover) over the Solstice Park Bridge. As part of the proposal a half hour frequency bus route around the residential areas of Amesbury is proposed, to be funded at £55,000 p.a, for 5 years and to run Mon – Fri between the hours of 09.00 –15.00. However, this will not deliver its passengers to the door of Asda, but to a bus stop on Porton Road from which passengers will have to cross the car park, albeit within a covered walkway .I n addition there is already a bus provided which links Solstice Park with Amesbury Town centre as part of the

existing S106 Agreement- an agreement which also includes travel planning and contributions from each occupier towards a 'sustainable transport account'. A £54,000 contribution towards this bus would be required by WCC.

Asda propose a travel plan for its employees. There is already a travel plan for the whole Solstice Park site and it would seem sensible to link into that. .

The traffic impacts from the development are therefore considered not to be significantly detrimental, although the potential for pedestrian/vehicle conflict along Porton Road will inevitably increase, and may do so in any event once the Amesbury link road through Archers Gate is joined to the A345, which is not a matter for this development to address. The proposed bus service could indeed, be beneficial to those estates in Amesbury not currently served by public transport, though ironically, the bus would not be ideal for shopping at the proposed Asda owing to the distance from the bus stop to the store.

The construction traffic impacts must be considered against those for the consented office scheme, to which they are substantially similar.

The traffic and transport effects are listed in a summary table which concludes after mitigation- namely improved road geometry, three controlled crossings (2 on Porton road – one on Sunrise Way) measures to encourage non car use – such as travel planning and cycle stands, provision of a new bus service and offsite highway works that the impacts would not be significant. Whilst, this may be the case, what is also demonstrated is that insufficient thought has been given to accessing the store by means other than the private car.

Noise

This was assessed both in respect to during construction and during operation. The site is distant from residential properties, there being vacant land to the east and commercial development to the south and west. Traffic and operating noise was assessed at 57 Carpenters Drive (said to be the nearest residential dwelling but actually that is Fairview Park – the showmen's' quarters) and was found to be within acceptable levels.

Proposed mitigation of construction noise will be: restricting working hours with no noisy working on Saturday afternoons, Sundays or Bank Holidays, site hoardings and portable acoustic barriers. Although there will be an increase in HGV traffic on Porton Road during the construction phase, so there would be with the consented office scheme.

The noise from construction will essentially be short term.

The noise from 24-hour store operation will be long term, but the site is at some distance from residential property and so the effect of plant & machinery has been assessed not to be significant.

Restricting hours of delivery could, however, help mitigate offsite disturbance along approach roads.

Air quality

The site does not lie within an air quality management area.

The principal issue during the construction phase relates to earthworks and the machinery undertaking these. The site is bare chalk prone to windblow, so dust and particulates, loose materials and vehicle movements need to be controlled. Hours of working have already been mentioned in connection with noise above, but conditions requiring dust suppression, siting of plant compound (away from sensitive receptors) no fires, and a construction method statement setting out clearly a protocol for site operation such as no idling engines, vehicles to meet road emission standards, wheel washing to reduce transport of dust etc off the site would be needed to mitigate the effects to a level where they were no longer significant. These are matters that can be addressed by condition.

The air quality issues in the operational phase will arise from car borne customers in terms of vehicle numbers, and a lesser extent from delivery vehicles. The service yard is sited away from the store entrance, but will be visible from it through the recycling area.

Mitigation is therefore through travel planning.

Landscape and visual impact assessment

Photographs are provided which clearly demonstrate the site is most visible from the north and east- especially from a distance. From the north it is elevated above a planted bank. The

landscaping scheme drawings clearly show that even after 5 -7 years tree growth the store will still be very visible. Does this matter? The consented office scheme on this site was designed to be visible as three glass buildings rising above the landscaped bank. However, that was part of the design concept.

The strategic landscaping is already in place and the store has been designed in isolation from it. It is a standard product, with the exterior roof profile and materials changed to conform to the Solstice Park design code. It has not been designed specifically for the site as it lies across the contours (requiring cut and fill) rather than along them. By reason of its siting, which does not align with the office buildings at the Crescent to the south, It will appear as a large bulk of a building, standing in isolation as the car park is sited to the west between the store and the road, and will not read as part of the development to the south.

The requirement for a pedestrian access in the southwest corner has reduced the landscaping in that area and the width of landscaping on the western and southern boundaries is rather sparse. The service yard with associated plant and sprinkler water tank is on the southern side and will be visible from Sunrise Way. The store turns its back on the Crescent Offices. However, that is a local, rather than a wider landscape impact.

Specimen trees are proposed along the Porton Road boundary but care must be taken with species (non fruit bearing and not to grow taller than the proposed building) owing to the proximity of Boscombe Down airfield.

The car park will be unrelieved tarmac with only small ground cover bays at the end of the rows and a covered walkway through the middle to link to the bus stop. This will be bleak and further serve to isolate the building. Although this walkway has now been redesigned to reflect the store canopy and look less like a trolley bay, it is still an incongruous feature, which, if the bus were to enter the site, would not be necessary and could be replaced by planting. Trees within the car park would help soften the impact, but essentially in landscape terms, the building is poorly placed on the site in relation to the existing and proposed neighbouring development.

In terms of views from the A303 and the Solstice Park junction and services which are the last built development adjacent A303 before entering the world heritage area, the store will have no greater visual impact than the consented offices, but is an inferior product and a building of bulk. The site does not lie within any landscape designation and although there are barrows in proximity to the site, the development will not impact upon them. Furthermore when viewed from the north this site is seen with the large structures at Boscombe Down as a backdrop.

From the East the store will, in time, be masked by further development, but in the interim will present a wall and the side of the back of house area and the poor relationship with the offices at the Crescent will be apparent.

At night, the visual impact of the development may be greater by reason of internal and external lighting and the proposed advertising signs (as shown). It is conceded in the ES that before further development takes place on Solstice Park the impact will be adverse but this will reduce as the sites around are developed so the long-term impact will be neutral.

Despite these conclusions of the ES, it is considered that the adverse landscape impact of the current site layout, particularly locally, is sufficient to warrant refusal on those grounds.

Water resources

This splits into effects during construction for which mitigation relates to pollution prevention measures, need to prevent run off and foul drainage to site compound; and operational effects which relate to water use, run off and pollution prevention from the car park and service yard, roof drainage etc;

The Environment Agency has raised no objection to the drainage scheme (to soakaways with interceptors on the parking/service areas) subject to conditions. It is therefore considered that any impacts can be mitigated by condition.

Owing to the potential in combination effect of the proposal upon the River Avon Sac, an appropriate assessment was undertaken (appendix 3) This enabled Natural England to withdraw

its objection. It also identified that any necessary mitigation measures in respect of the water environment and noise & dust could be addressed by condition.

Ground conditions

The ground is chalk, which has been reprofiled, and more cut & fill (though limited) is proposed. To mitigate the impact of dust it will be necessary to condition that the measures detailed in paras 7.90 – 7.93 are adhered to. The potential for pollution of the groundwater can, as mentioned above be mitigated and such mitigation safeguarded by condition.

Socio economic impacts

The impacts examined were population, employment, retail provision, and crime & public safety. This identified that Amesbury serves a wider area as a service centre and also that the population of the area is younger than Salisbury District as a whole with more aged 20 –44 and more infants, which the ES considers reflects the presence of garrisons in the area. It notes that further growth is envisaged in Amesbury.

In terms of employment it is noted that unemployment is low, but the level of qualifications in the area is also low. A higher proportion drive to work than in the district as a whole. It notes that further growth is envisaged in Amesbury .In terms of impact the construction period will provide local employment (around 150 temporary jobs) for the duration of the contract and the store when operating will provide around 300 –350 jobs (many part time) resulting in a net employment benefit.

However, this fails to take into account the number of jobs that could be generated should the consented office scheme be implemented, which may be broadly similar in number, but may be of a higher skill level with fewer at unsocial hours. It also does not take into account retail jobs, which may be lost in the town centre as a result of the proposal. Therefore it is considered that to say the impact is beneficial is flawed. It should be considered as neutral at best.

The ES looks at the retail provision in the area including convenience stores. It identifies that these are principally used for 'top up' shopping.

It supplies figures to show that 91.2% of the non food shopping trips are to outside Amesbury with 72.1% being to Salisbury city centre and argues that the proposal is likely to claw some of this expenditure back to Amesbury. It recognises that owing to the presence of Focus, this is not the case with DIY where a higher proportion is retained in Amesbury. However, what it does not mention is that clawback will be to the proposed store, not Amesbury Town Centre, and could potentially affect the limited comparison (non food) shopping facilities that currently exist there. For example following the grant of permission for Focus, the 2 stores in Amesbury Town Centre that (partly) sold similar DIY goods have both closed.

The ES considers there is no site in the town centre of sufficient size, arguing that the old Co-op site and car park could not accommodate a store of 1400 sqm- (the unregistered Frobisher proposal is 1858 sqm) and does not appear to have considered land assembly. It argues that no other site is sequentially preferable and looks at the proposed Archers Gate local centre but concludes that as the S106 restricts the total retail area to 2100 sq m and any unit to 700 sqm, it is unsuitable. No investigation appears to have been carried out as to whether the S106 could be varied to join 2 units (this would give a size of 1400 sqm – the size identified by Asda in their submission to the competition commission as being the minimum size for one stop shopping). Whilst this site is out of town it would be more sustainable than a site on a business park such as is currently proposed. The ES does not take into account either the impact that the proposal could have on the willingness to invest in the proposed local centre, bearing mind that a local centre was proposed at Butterfield down as part of the original planning permission but has never come to fruition. .

It is admitted that the proposal does not comply with the land uses in the approved Solstice Park masterplan but claims it is a compatible use and argues that as it operates 24 hours, it will bring an element of night time activity to the park. It neglects to observe that a 24-hour filling station with associated shop already exists.

In terms of potential crime from such operation, it is claimed that fewer employees will walk to work at night and that the shop and car park will both be well lit and therefore that this will result in a negligible impact in terms of crime, although it is accepted there may be a small increase in crime during the construction period.

Archaeology

An evaluation was carried out prior to work starting on the Solstice Park site and work has taken place prior to and as part of the reprofiling during which some finds were made. As the site is already reprofiled there is limited archaeological potential and WCC library and Museum service has not requested any further work. The effect on the cultural heritage overall is therefore considered to be minor adverse or neutral.

Ecology

Again the site is reprofiled bare chalk. Ecological Surveys have taken place but the current condition of the site means that any development, if the right species are planted in the landscaped areas has the potential to be beneficial. However, the requirements of Defence Estates, who do not wish to encourage birds close to an airfield, must be taken into account in the choice of species.

In the context of off site ecology, in particular the River Avon system habitat, the greatest potential for damage arises during the construction phase. A construction Environmental management plan (to be agreed with the LPA before commencement) is proposed. Carrying this forward into the Appropriate Assessment, it is considered that any effects can be mitigated by the imposition of suitable conditions to reduce the risk of pollution so the impact is very low.

Lighting

A separate lighting assessment was included. The proposals for the car park lighting are currently unacceptable in that the columns are too high for this elevated site, and will result in excessive light spill, despite this site being in an area where there are 8m high street lighting columns. This is a matter, that were members minded to approve the development, could be addressed by amended plans.

Other issues raised

A letter of representation raises the issue of cycle and pedestrian access from Allington track without having to negotiate the A303. There is currently a route from Allington Track across to byway 1 and from there bridleway 29 enters Solstice Park. This is an unsurfaced route and it is intended that the section through the open space area on the eastern boundary of Solstice Park would remain so. No plans have been put forward to surface it all, but should members consider this to be important, further advice from WCC highways could be sought.

A speed limit reduction on Porton Road is a matter for the highway authority WCC to consider, but is not currently proposed. The proposed crossings, being close together, should have an impact on the speed of traffic.

CONCLUSION

In terms of the location of the site, it is on the edge of the town, not within easy walking distance of the town centre and on land allocated for employment purposes, which forms part of a larger business park – Solstice Park.

Although there are residential areas within walking distance it sits on their eastern side, with undeveloped land beyond. Whilst it is clear that this, or the Tesco application both have the potential to claw back trade to the Amesbury area, or even increase its market share, this will not necessarily increase the market share of the town centre, and the adverse impact of an out of town supermarket on the town centre outweighs the benefits of this clawback in trade and reduction in travel that could result.

Since the original Grimley report was written, an additional report was written addressing the issues raised in relation to the submission of an application on the old Co-op site- with

particularly reference to the Lidl application, which NAC has now resolved to approve subject to legal agreements. Lidl is a deep discounter and a different type of store to Asda. Nevertheless, the Lidl approval will clawback some of the trade currently lost to Amesbury.

In the context of this proposal, whether there is an application on the old Co-op site in the town centre or not, the site must still be examined to assess whether there is a realistic possibility of its coming forward. It is considered that this has not been adequately addressed by Asda and that if this application were approved – it would impact on the town centre to a degree that would deter further investment – not only on the old Co-op site, but throughout, including smaller shops.

Therefore in light of the impact the proposal could have upon the town centre refusal is recommended.

The impact upon strategic employment land supply is considered significant and refusal is also recommended on this basis.

In addition it is considered that the location of the store on the site itself, for design & layout reasons relates poorly to the office development to the south, adversely impacts upon the landscape and makes poor provision for non car users.

RECOMMENDATION: REFUSE

REASONS FOR REFUSAL

- 1) The proposal is contrary to policy DP6 of the Wiltshire Structure Plan 2016 and government guidance given in PPS6- Planning for Town Centres in that this is a proposal for a foodstore in an out of town centre location which would have a significantly detrimental impact upon the vitality and viability of Amesbury Town Centre, and if consented, could undermine investment in the town centre. Furthermore, it has not been adequately demonstrated that a more central site is not available given the requirement in PPS6 for a retailer to show flexibility as to store formats when considering sequentially preferable sites.
- 2) The proposal is considered contrary to 'saved' policy E8A of the adopted Salisbury District Local Plan and the RSS panel report in that it would result in the loss of a strategically important employment site not just for the Stonehenge local community area in which it is located, but for the whole of Salisbury District 's economy, in that Amesbury will need to provide a continuing supporting role to Salisbury for the provision of employment land.
- 3) The proposed development by reason of its siting, layout, and lack of landscaping within the site would relate poorly to nearby development and have an adverse visual impact on the locality and on the wider landscape, especially when viewed from the north, contrary to saved policies D1 and G1 of the adopted Salisbury District Local Plan,
- 4) The proposed foodstore, located within a site allocated for employment purposes is remote from the community it is likely to serve to an extent that is not conducive to anything other than car borne customers, contrary to the aims of PPG13 and PPS1 . Furthermore, the proposed orientation and siting of the building at the rear of the site is such that it introduces a further barrier to non-car users by producing an avoidable conflict with cars entering exiting and circulating the proposed car park contrary to saved policy G1 of the adopted Salisbury District Local Plan.

APPROPRIATE ASSESSMENT UNDER REG 48 OF THE CONSERVATION (NATURAL HABITATS ETC) REGULATIONS 1994

2007/2226 ASDA SUPERMARKET DEVELOPMENT - SOLSTICE PARK AMESBURY

Background

An 'in combination' appropriate assessment was undertaken including the following developments: -

- A303 works and Folly Bottom Junction
- Solstice Park,
- Boscombe Road (H9) allocation
- Stonehenge visitor centre
- Wylve Valley Relief Road
- Brunel Link & Harnham Relief road
- Maltings Redevelopment
- Ringwood Central development project.

This concluded that an 'appropriate assessment was required for developments at Solstice Park that fall outside the scope of the outline consent. This is a full planning application, and although there is an extant permission for offices on the site, this proposal is a use which falls outside the scope of the outline consent. The Solstice Park development as a whole has been covered by the above assessment.

There have been subsequent 'in combination' AAs for the hotel and filling station development and for the office development on plot C2.

Species and Habitat

The species of European importance relevant to the application are:

- Bullhead, (*Cottus gobio*) for which the **River Avon catchment is considered to be one of the best areas in the United Kingdom,**
- Brook lamprey (*Lampetra planeri*) a small, jawless, eel like freshwater fish, for which the **River Avon catchment is considered to be one of the best areas in the United Kingdom,**
- Sea Lamprey (*Petromyzon marinus*) The largest lamprey found in the UK. Inhabits coastal waters and spawns in rivers. **The River Avon catchment is considered to be one of the best areas in the United Kingdom,** although not in the upper reaches of the River Avon.
- Atlantic Salmon (*Salmo salar*) Requires high water quality
- Desmoulin's whorl snail (*Vertigo moulinsiana*) a small snail usually found in long established environments bordering lowland rivers and lakes. It occurs in scattered sites between the Norfolk Broads and Dorset. Within Europe, only England and Ireland have reasonable populations. **The River Avon catchment is considered to be one of the best areas in the United Kingdom,**
- Flowing water vegetation (*Ranunculion fluitantis & Callitriche-Batrachion*) Watercourses dominated by water-crowfoot species reflecting a relatively unpolluted water. **The River Avon catchment is considered to be one of the best areas in the United Kingdom.**

Within the River Avon catchment key issues to impact upon the river's condition include:

1. Land drainage,
2. Diffuse pollution from agriculture,
3. Development proposals (both construction phase and operation),
4. Abstraction levels,
5. Foul drainage treatment and discharge.

Of these, points 3 -5 are relevant to this application. The attached table shows the potential impacts from this proposal, the measures to be proposed to reduce that risk.

Species	Habitat –	Relevant impacts	Potential for detriment to habitat	Risk	Measures proposed to reduce impact	Consultees comments	Is there an adverse impact on Habitat?
<p>Bullhead, (<i>Cottus gobio</i>) Brook lamprey (<i>Lampetra planeri</i>) Flowing water vegetation (<i>Ranunculon fluitantis</i> & <i>Callitricho-Batrachion</i>) (Atlantic Salmon (<i>salmo salar</i>))</p>	<p>River Avon Catchment River Avon Catchment River Avon</p>	<p>Water Quality</p>	<p>Risk from development: Construction phase: Sewage discharge Oil spillage from generators ETC</p>	<p>Effluent generated by site construction works. Risk of pollution through spillages or contaminated surface water.</p>	<p>This development envisages some additional cut & fill on land already reprofiled. The same consultants are dealing with this proposal as the original implemented scheme. Site preparation in accordance with pollution prevention guidance Notes 2 & 6. This includes wheel washing measures and measures required if plant is stored on site and if refuelling takes place on site. Construction control regimes will be implemented following the approval of method statements. These are to be continually reviewed and approved by EHO.</p>	<p>EA agreed to methodology for reprofiling works under O/L permission. These have been carried out. EA require pollution prevention conditions on any permission</p>	<p>The measures proposed should ensure there is no adverse effect</p>

Species	Habitat --	Relevant impacts	Potential for detriment to habitat	Risk	Measures proposed to reduce impact	Consultees comments	Is there an adverse impact on Habitat?
		Water resources/water levels	Disturbance to groundwater flows during construction	Dependant on construction methods	As above. This land has already been the subject of reprofiling.	As above EA require pollution prevention conditions to be imposed on any permission granted	The measures proposed should ensure there is no adverse effect
			Risk from development in operation - Increased demand on water supplies from existing licensed abstractions.	Lowering of water levels Potential to affect groundwater levels and river flows, which may alter concentration of pollutants and sedimentation levels.	Evidence has been supplied by PFA to demonstrate that the water usage of this proposal does not exceed that of the consented development on this site .	WW have no objection to the planning application being approved. EA have no objection but require water efficiency conditions.	Unlikely to have adverse effect on basis of information supplied. Water saving measures could reduce significance
		Water resources/water levels	<i>Water abstraction</i> <i>Risk to other water sources</i>	Depends upon intensity of use i.e. demand for the facilities	Water supply is from WW mains who advise there is adequate capacity unless demand is unusually high. The water usage document by PFA gives empirical evidence that water usage on this development will be no greater than on the existing	WW advise there is new water main with adequate capacity unless the development is an abnormally high user. It has been demonstrated in the ES that water usage will be no greater than the consented scheme on this site however, EA	Not significant 'in combination' owing to existing consent on the site. Water efficiency conditions can be imposed (if consent is granted) which will enable effect to be further mitigated.

Species	Habitat –	Relevant impacts	Potential for detriment to habitat	Risk	Measures proposed to reduce impact	Consultees comments	Is there an adverse impact on Habitat?
					consented scheme on this site. Impact on other sources is limited by WW' s abstraction licence	require water saving measures condition should consent be granted.	
		Water quality	Discharge from STW (Rattfyn)	<p>Depends upon intensity of use i.e. demand for the facilities provided – occupancy rate of hotel - number of 'comfort breaks' etc;</p> <p>Increased demand on local STW (normal operation and storm flows)</p> <p>Amount & quality of STW discharge to river</p>	Foul drainage is to mains sewer.	WW advise that Sewers are subject to S104 agreement and have adequate capacity as does the terminal pumping station. EA have control over emissions from STW.	<p>Site has the benefit of detailed permission for offices pursuant to the outline permission. This element has therefore already been considered in the in combination assessment.</p> <p>Therefore on basis of information supplied. The impact of this development not significant and will not adversely affect the integrity of the SAC.</p>

Species	Habitat –	Relevant impacts	Potential for detriment to habitat	Risk	Measures proposed to reduce impact	Consultees comments	Is there an adverse impact on Habitat?
		Pollution of groundwater /water supplies			Interceptors or deep trap gulleys proposed on /service yard parking areas. Can be enforced by Pollution prevention condition and surface water drainage conditions.	EA require pollution prevention conditions and surface water drainage conditions and informatives on any permission. Details have been supplied of the surface water drainage and the EA consider this acceptable.	If proposed measures are followed no significant impact
		<p>Pollution of groundwater from surface water Level of risk is related to level of use/demand and method of interception</p> <p>Potential to affect groundwater levels and river flows, which may alter concentration of pollutants and sedimentation levels</p>	<i>Contamination by surface water run off and of groundwater especially by Oil spillage from service yard</i>	Site is on chalk – SUDs scheme for surface water drainage, risk is therefore via groundwater	<p>Parking & service areas hard surfaced- draining to soakaways .Provision of deep trap gulleys to carparking areas and interceptors to trap pollutants. This could be conditioned if consent were granted.</p>	EA accept SW drainage scheme. Require Surface water run off limitation condition to be imposed.	The proposed surface water drainage measures should mean that there is no adverse impact
Desmoulin's whorl snail Vertigo	environments bordering lowland rivers	Not directly adjacent to river so no loss of	Indirect effect from abstraction (as water		Water supply is from WW mains. Impact on other	WW operate within agreed abstraction	Resource available within current

Species	Habitat –	Relevant impacts	Potential for detriment to habitat	Risk	Measures proposed to reduce impact	Consultees comments	Is there adverse impact on Habitat?
moulinsiana	(including within River Avon)	environment bordering the river	<i>abstraction</i> above)		sources is limited by WW' s abstraction licence	licence requirements set by EA. EA. has no objection subject to imposition of water saving condition.	abstraction licence) – no significant adverse effect
		Indirect effects	Downstream flooding as a result of the development		Site is on chalk. SUDs are being used for surface water drainage. Therefore downstream flooding as a result of the devt. Unlikely <i>Surface water drainage scheme has been assessed by EA</i>	EA require Surface water drainage and run off limitation condition to be imposed. Proposed surface water drainage scheme has been sent to EA who are satisfied with it.	Not significant Therefore no Adverse effect
Sea Lamprey (<i>Petromyzon marinus</i>)	Lower reaches of the Avon	Given the distance from the site, and that the development site does not adjoin the river, there are no direct impacts. Indirect impact is covered under water quality above.	Detriment to water quality in the lower reaches of the Avon		As above. The development is considerably upstream from this habitat.		No adverse effect. There are many downstream developments (identified in the in combination ' assessment) which have potential to cause more of an effect than this development.

Conclusion

The table demonstrates that the proposed development incorporates measures in relation to pollution prevention and surface water drainage, which can be reinforced by conditions on any planning permission, should one be granted, that will result in the development itself having no adverse impact upon the integrity of the designated SAC and its conservation objectives and the habitats listed.

Considering these findings together with the 'in combination' assessment already undertaken: -

Water Quality

The significant issues raised in the in-combination assessment relating to water quality referred specifically to the Boscombe Road housing allocation and the proposed Stonehenge visitor centre developments. Owing to the cancellation of the road scheme on which the latter was dependant, it is now unlikely to take place. In any event, these will drain to Amesbury rather than Ratfyn STW. In view of this, and the existence of an extant consent for offices on this site, it is considered not to be significant in the context of cumulative impact.

Water Resources

Whilst there is still a level of uncertainty about the future of the Newton Tony borehole source, the EA is currently undertaking a study to ascertain its future, Wessex Water have advised that adequate water resources are available for existing and proposed developments. Up until 2011 this is within the existing licence levels. At Solstice Park, a S106 Agreement provides that the development limit of 18 ha net of employment land up to 2011 will not be exceeded, however, an application for a regional distribution centre currently under consideration could cause that limit to be exceeded. That application (s/2007/2518) is the subject of an (in combination) appropriate assessment in its own right. In light of the evidence provided by PFA, it is considered that the impact on water resources will be so little different from the consented scheme on this site as to be of no significance.

It is therefore concluded that the impact of this development upon water resources is not significant, and can be further safeguarded by water saving measure conditions being imposed and in the context of cumulative impact and will have no adverse effect on water resources and therefore no adverse effect upon the integrity of the SAC.

Therefore this proposal is considered not to be statistically significant in the context of the in combination assessment and will not have a significant adverse cumulative impact upon the SAC and its objectives and habitats.

J Howles March 2008

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Application Number:	S/2008/0572		
Applicant/ Agent:	G L HEARN		
Location:	140 LONDON ROAD & LAND & BUILDINGS TO REAR AMESBURY SALISBURY SP4 7EQ		
Proposal:	REVISED APPLICATION TO S/2007/1865 DEMOLITION OF ALL BUILDINGS & REDEVELOPMENT TO FORM A CLASS A1 FOODSTORE WITH ASSOCIATED PARKING & LANDSCAPING & ALTERATIONS TO ACCESS INSTALLATION OF WIND TURBINE AMESBURY EAST		
Parish/ Ward			
Conservation Area:	LB Grade:		
Date Valid:	18 March 2008	Expiry Date	17 June 2008
Case Officer:	Mr A Madge	Contact Number:	01722 434541

Members should note that should they wish to vote to approve this development the application would need to be brought before the councils planning and regulatory committee because it is considered that the impact the proposed store would have would go beyond that of the Northern area boundaries. Members should also note that should the council wish to approve the application it would need to be referred to the Secretary of State under the terms of the Shopping Directive.

Members should note that there are no significant material differences between this application and the application before members under reference S/2007/1865

REASON FOR REPORT TO MEMBERS

HDS does not consider it prudent to exercise delegated powers

SITE AND ITS SURROUNDINGS

The site is partly that of a former transport and haulage depot and partly a number of other industrial buildings located to the North of Amesbury on what was previously railway land. The site also includes 6 houses known as railway cottages which sit at right angles to London road.

The largest building on site is that of the former transport depot which is of two storey height and clad in corrugated steel. This has a large parking and loading area situated to the front of it and is accessed past railway cottages from London road.

The cottages which date from the early Edwardian period are typical of the area being two storey red brick under a simple tiled roof. Parking for the cottages currently takes place in the access way to the transport depot.

To the rear of the transport depot is an existing ambulance station and council gritting yard along with a number of other smaller industrial and light industrial units predominately of brick or steel clad construction again of two storey height.

The surrounding area to the site is in part residential and part employment use. Directly to the East of the site is the large and very prominent Naafi site now called the Minton Distribution Park which is used for a variety of storage and employment uses.

To the rear of the site is Wiltshire County Councils recycling centre. The main centre serving Amesbury.

To the west of the site lies a residential area of 1950's terraced and semi detached properties of brick and render construction. Houses situated on James road back onto the site with their rear gardens.

At the front of the site (North) is London road and beyond that further industrial and distribution buildings.

THE PROPOSAL

The proposal is for the erection of an A1 retail foodstore of 5564 square metres with an additional 461square metres of under cover delivery area. It includes car parking and landscaping.

In more detail the proposal includes the provision of a new roundabout at the front of the site to provide the main access to the store, access to two existing garages and a changed access to existing industrial buildings on the opposite side of London Road. This roundabout leads into the main parking area.

There are 358 parking spaces in the car park. 20 of these spaces closer to the store will be reserved for customers with disabilities, whilst a further 16 spaces would be reserved for parent and toddlers. Included in the parking area is an area for recycling.

Running along the North Eastern boundary is an access road to the rear delivery yard which is part single vehicular width part two vehicle width. This will be operated on a traffic light control system.

The building itself is a two storey building extending to eight metres at its highest point. It is set down from the surrounding land by varying amounts. The store is of a modern architectural appearance with full height glazing to the front and part South West and part South East elevations. Further high level glazing is shown on the other elevations. The building is shown as being clad in a white cladding.

To the rear of the store is a bulk storage area and main loading and unloading bay. A turning space for vehicles is provided in the rear yard.

Internally on the ground floor is the main sales area including customer toilets, a bakery and the bulk storage area.

There is an additional 'mezzanine' or first floor level which includes a customer café, staff canteen and other staff and office areas. An area is also set aside internally for a combined heat and power plant.

PLANNING HISTORY

90/1059	Change of Use ie: Intensification of existing use for the manufacture of Fibre glass products to General Industrial use at 174 London Road	R Appeal WD	20.09.90 18.03.91
90/23ENF	Enforcement Notice against Change of Use from Class B1 (business) to class B2 (general industrial) at Land at 174 London Road	Effective from Period of time	31.01.90 12 months
91/0300	Appeal against Enforcement Notice to cease use of building for any purpose other than a use within class B1 at 174 London Road	WD	18.03.91
98/1277	Change of Use from Industrial to Car & Van Hire plus administration for the company at 174 London Rd	AC	08.09.98
99/0546	Change of Use from Car & Van Hire to B1 (light industrial) & B2 (warehouse) No 174 London road		
99/0702	Cladding of existing building in Heritage Green with	APFP	14/06/99

	flashings in Poppy red No 174 London road		
02/2174	Demolition of existing building and redevelopment for Residential	WD	3. 01.03
03/1052	Change of use from B1 to B2 No 174 London road	AC	26.06.03
05/0252	Outline planning permission for demolition of existing Building and redevelopment of part of site for residential	WD	25.04.05
05/0254	Outline planning permission for demolition of existing Building and redevelopment of part of site for residential	WD	25.04.05
05/1290	Outline application for demolition of existing building and redevelopment of part of site for light industrial (B1) use	Refused	25.8.05
05/1291	Outline application for demolition of existing building and redevelopment of part of site for residential use (20 dwellings) and associated works	Refused	25.8.05
05/1543	Erection of six bay vehicle garage. No 170 – 172 London rd	Approved	23.9.05

CONSULTATIONS

WCC Planning -

(no response to this application but in response to application (S/2008/0572) (Original **letter**) – The application relates to the redevelopment of a site located on the edge of Amesbury within its urban area as indicated by the Housing Policy Boundary defined in the Salisbury District Local Plan (Adopted June 2003). The site is not identified for any particular use in the Local Plan and currently comprises mainly of employment uses. The covering letter to the application indicates that the net floorspace is for 3,853 sq m of which 3,372 sq m comprises net retail floorspace (2,972 sq m retail sales area plus 400 sq m checkout space).

It is noted that the recently completed Salisbury District Council Retail and Leisure Needs Study 2006 (2006 Study) considers there to be no need for additional net convenience floorspace at Amesbury by 2011 or 2016. However there is an overall need within the District of 1,516 sq m net convenience floorspace, rising to 2,623 sq m in 2016. Paragraph 8.55 of the Study recognises that this is based on current market shares.

The Executive Summary of the 2006 Study, notwithstanding the concern of unacceptable impact on Amesbury Town Centre, does recognise that Amesbury could support additional foodstore development through claw back and uplift in market share and generate more sustainable travel patterns (paragraphs 52 to 55). This approach would be in line with Policy DP3 of the Wiltshire and Swindon Structure Plan 2016 (Adopted 1 April 2006) that seeks to provide for appropriate level of services and facilities in all settlements to promote more sustainable communities and reduce the need to travel (paragraph 4.9). In principle therefore additional convenience retailing at Amesbury, as the District's principal settlement outside of Salisbury City, should be supported. Amesbury is relatively well placed to enable the main food shopping needs of surrounding rural communities to be met more

locally thus minimising the need to travel longer distances to other destinations.

Notwithstanding the above, the application site is an out of centre location and as such must meet the tests of Planning Policy Statement 6: Planning for Town Centres (PPS6) as set out in paragraph 3.4, in line with policy DP6 of the Structure Plan. A retail Assessment has been prepared by G L Hearn and submitted in support of the application that seeks to meet the requirements of PPS6. However, I am concerned that the Retail Assessment is not sufficiently robust, for the following reasons:

Given the proximity of Salisbury to the South of Amesbury, Tidworth and Andover to the East and Devizes to the North West, the defined catchment area is considered to be too large.

Convenience goods expenditure per head of between 1,727 and 2053 in 2011 are used compared to levels of between 1,427 and 1,710 in 2011 for comparative zones (zones 1, 2 and 6) within the 2006 Study. This indicates that available expenditure could be overestimated.

The proposal is essentially justified on the basis of what is considered by the GL Hearn to be a reasonable uplift in market share from within the catchment area, from 22% to 48% (paragraph 5.16). This effectively increases the market share of Amesbury within the catchment area by 218%. This is considered high, particularly in light of the concern already expressed about the extent of the catchment area and new Tesco being developed at Tidworth.

The new Co-op in Amesbury had only been trading for a short period when the household survey was undertaken. A longer settling in period may have provided different survey results in terms of the effect of the new store on the town centre. For instance, additional convenience stores to those identified in the RA were noted following a recent visit to the town centre.

Paragraphs 6.1 to 6.3 do not adequately justify the overall scale of the development. A smaller store would be more appropriate to the role and function of Amesbury and still enable claw back to be achieved while minimising risk of harm to the town centre.

It is not considered that sufficient flexibility has been demonstrated in applying the sequential approach (section 7). For example, further consideration could be given to the scope for disaggregation of convenience and comparison elements of the proposal and the potential to assemble a site around the former Co-op store that is currently vacant.

Although the Tesco at Tidworth is mentioned within the Assessment, only limited consideration has been given to how this is likely to change the nature of retail activity within the catchment area. Only the effect on Zone 3 that is tightly defined around Tidworth has been considered when the impact is likely to be wider.

In summary while in principle it is accepted that additional retail development at Amesbury could achieve greater levels of trade retention there is some concern about the size of the store proposed in relation to Amesbury and the overall robustness of the Retail Assessment as submitted.

(Second letter)

The County Council as strategic planning authority responded to the application as originally submitted in the letter dated 30th October 2007. This letter raised a number of issues about the robustness of the Retail Assessment including the need to give further consideration to the sequential approach and the overall size of the store in relation to the role and function of Amesbury. As you are no doubt aware, in assessing retail planning applications paragraph 3.4 of PPS6 requires, inter alia, that the development should be of an appropriate scale and that there are no more central sites for the development.

It is understood that an application has recently been submitted to Salisbury District Council for a town centre store of around 1,858 sq metres net retail floorspace. This indicates that a more central site is available for retail development at a scale more appropriate to the role and function of Amesbury that is better placed to support the vitality and viability of the town centre. It is understood that the application is not speculative and is being progressed by a named operator thus providing a good degree of certainty that the site is viable from the market perspective.

In light of the above consideration, the proposed development would be contrary to Policy DP6 of the adopted Wiltshire and Swindon Structure Plan 2016 (April 2006). In line with PPS6, this seeks to maintain and enhance the role of Amesbury's town centre by making appropriate provision that promotes its vitality and viability and only making provision for out of centre sites where need cannot be met on more central sites. Accordingly, the County Council as strategic planning authority raises an objection to the application.

WCC Highways

I have raised concerns about the orientation of the store from the outset and those concerns remain. Contemporary guidance³ advises against proposals that place foodstores at the rear of sites, especially those that put car parks at the front thereby introducing a significant barrier for all but car users. Pedestrians, cyclists and public transport users are therefore particularly disadvantaged. This has been raised frequently with the applicant but they do not wish to modify the proposals.

The initial application (S/07/1865) was submitted with a number of individual junction assessments having been undertaken. As with the Solstice Park ASDA application, it was felt necessary for the applicant to submit a wider model covering the local network which would check the functioning of the network as a whole, including the interactions between the junctions. Although not supplied with the original Transport Assessment, a VISSIM⁴ model was later submitted by the applicant's agent for consideration.

The main junction of concern with this application is the traffic signals at the A345/London Road junction. This junction nears capacity at peak periods now so would therefore be very sensitive to increases in traffic. There have been considerable discussions with the consultant to try to produce a revised junction design here but it has not yet been possible to agree a design which was felt to be both safe and with sufficient capacity.

The VISSIM network model has been considered by our consultants, Mouchel, and they have said they do not feel it to be robust. The Design Manual for Roads and Bridges (DMRB) guidance sets out what is required. Initially a base year traffic model (which is a model based on observed traffic flows) is set up; this is then validated by comparing the

model with actual traffic behaviour (eg queue lengths, journey times) and when this is sufficiently robust future year models can be created. We have serious concerns with the modelling in that a base year traffic model and a detailed validation report have not been produced.

Discussions have also been held on other issues such as public transport services, pedestrian and cycle facilities and the main site access but final agreement has not yet been reached on these as the focus has been trying to resolve the issues with modelling.

Given these serious concerns, I am not yet satisfied that the impact on the surrounding network could be adequately catered for. I would therefore recommend that the applications are refused for the following reason:

Insufficient evidence has been submitted to demonstrate that the traffic generated by the proposed development would not have an unacceptable effect on queues delay and safety on the local highway network.

Highways Agency

The application site does not benefit from any site specific allocations or designations, but does sit within the settlement boundary of Amesbury, where there is an in principle acceptance of development, subject to site specific issues and other relevant policy controls.

The application site is also in an out of centre location, and therefore contrary to national retail policy as set out in PPS6. The issues of accessibility by public transport will be a key consideration for the local planning authority. Despite this out-of- centre status, the application is within close proximity to a number of existing retail units, including a new focus DIY store and a Somerfield Petrol Filling Station, which sells a limited range of convenience goods, mainly catering for top-up shopping trips. With these established retail uses in close proximity to the application site, there is the potential for linked shopping trips, which is more sustainable than the proposed Tesco store being in a stand alone location. Again this is an issue which should be considered by the local planning authority, in terms of the sequential approach to site selection.

Most significantly, the application site is close to the Solstice Park junction of the A303. This is a new junction giving direct access to the A303, which was completed in 2004 as part of the £250 million mixed-use business park development. The Transport Assessment has assessed the development's impact at the junction.

Our response to the previous application requested additional information regarding the Travel plan, including further clarification on Travel Plan targets, measures and enforcement mechanisms. Prior to the occupation of the site, we would like to see an updated travel plan document and suggest this is achieved by setting an appropriate planning condition if the development is granted planning permission. The suggested planning condition included as part of the previous application has therefore been included in our attached TR110 form for this application.

Having reviewed the additional documentation, we are content with the updated information. We would like to be kept informed of any updates to the Travel Plan, which should be directed under a planning condition with any grant of planning permission.

WCC Library/ Museum No further comments on this application. Previous comments - As part of the previous planning application on the above site a series of ground

investigations were made across the site. These identified the infilling of railway sidings after their closure in 1961.

The depth of infill shown in the ground investigations indicate that it is extremely unlikely any archaeological features will survive in the area. I therefore have no comments to make on the application.

Wessex Water Authority

Foul Drainage

There is a public foul sewer in the vicinity of the site.
There is a possibility of public sewers crossing the site which currently serve Railway Cottages.
The foul sewerage system should have adequate capacity to serve the proposals, however flow calculations to be submitted in due course.

No trees/large shrubs to be planted within 6m of public sewers.

Surface Water Drainage

There is no public surface water sewer in the vicinity of the site.
The use of soakaway/SUDS system should be possible.
No trees/large shrubs to be planted within 6m of public sewers

Sewage Treatment

There is sewage treatment capacity available.
There is adequate capacity at the terminal pumping station.

Water Supply

There are water mains in the vicinity of the site which have the capacity to serve this development.
There are water mains crossing the edge of the site, normal easements to be maintained.

Environment Agency

We have no objection to the proposed development subject to the following conditions and informatives being included in any planning permission granted.

Flood Risk

We can confirm that the Flood Risk Assessment (FRA) is considered to meet the requirements of Planning Policy Statement 25- Development and Flood Risk (PPS25) and that the proposed development is in accordance with the guidance contained therein.

CONDITION:

No development approved by this permission shall be commenced until a scheme for the provision and implementation of a surface water run-off limitation has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the approved programme and details.

REASON: To prevent the increased risk of flooding.

INFORMATIVE:

The surface water run-off limitation scheme should be designed to ensure that a 1 in 100 year event, including an allowance of 20% increase in peak rainfall intensity, as set out in Table B.2 of PPS25 for climate change over a 60 year design life, is managed on site without putting assets at risk.

The Environment Agency does not accept any liability for the detailed calculations contained within the FRA. This letter does not constitute approval of those calculations nor does it constitute the Environment Agency's consent or approval that may be required under any other statutory provision, byelaw, order or regulation.

Flood risk cannot be eliminated and is expected to increase over time as a result of climate change, this letter does not absolve the developer of their responsibility to ensure a safe development.

Groundwater and Contaminated Land

Thank you for the submission of the 'Combined Phase I and Phase II Environmental Assessment report (Delta-Simons, September 2007). The report provides a useful introduction to the environmental setting and contamination condition of the site.

We note that some parts of the site were inaccessible at the time of the above investigation, including existing above- and under ground storage tanks. We concur that subsequent to appropriate intrusive investigation of these areas QRA and remediation may be required. Therefore we request the following condition.

CONDITION: *Prior to the 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), a scheme to deal with the risks associated with contamination of the site shall be submitted to and approved 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 desk study 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, further monitoring and reporting.*

Any changes to these agreed elements require the express consent of the local planning authority.

REASON: To protect controlled waters from pollution

CONDITION: *No infiltration of surface water drainage into the ground is permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to controlled waters.*

REASON: To protect controlled waters from pollution

The report has identified areas of potential contamination which require further investigation and assessment in order to understand the implications for controlled waters. We would welcome the opportunity to consider the findings of appropriate further works in due course. The following

condition is considered appropriate, based on the identification of potential contamination sources which require further investigation:

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.

This 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.

The Environment Agency recommends 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

The Environment Agency also recommends 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 submitted report is considered to fulfil(1), further works are required to fully assess the site.

Construction Environmental Management Plan (CEMP)

CONDITION: No development approved by this permission shall be commenced until a Construction Environmental Management Plan, incorporating pollution prevention measures, has been submitted to and approved by the Local Planning Authority. The plan shall subsequently be implemented in accordance with the approved details and agreed timetable.

REASON: To prevent pollution of the water environment

INFORMATIVE: 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,

Water Efficiency

We strongly recommend water efficiency measures be incorporated into this scheme. It would assist in conserving natural water resources and offer some contingency during times of water shortage. Please note the following condition has been supported by the Planning Inspectorate (North Dorset District Council Public Inquiry, APP/N1215/1191202 & APP/N1215/1191206, decisions dated 12 February 2007).

CONDITION: 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 and prudent use of natural resources.

INFORMATIVE: 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 the environment Agency website. 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/>.

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.

In order to maintain our records please could you send us a copy of the decision notice issued for this application.

English Nature –

Provided that the conditions recommended by the Environment Agency are applied to the planning permission should it be granted we have no further comments to make to our previous responses to planning application no S/2007/1865.

Previous response -

1. Under Regulation 48(3) of the *Habitats Regulations 1994*⁵ and based on the information provided, Natural England is of the opinion that, the proposals, either alone, or in combination with other plans or projects, would not be likely to have a significant affect 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)**.**

NB. I note that the potential impact of the development on water resources and water quality (both in terms of surface and foul water) on the integrity of the River Avon SAC and River Avon System SSSI is not considered directly in relation to the Habitat Regulations by the EIA (section 4.4.114-4.4.118). These impacts are however addressed adequately under Surface Water Drainage (section 4.8) and I am satisfied that there is not likely to be a significant affect.

If the application is amended, Natural England should be re-consulted for a further 21 days in accordance with *Circular 08/2005*.

Wiltshire Fire and Rescue Service

Having studied the proposals, the following comment relating to necessary and appropriate fire safety measures, is forwarded to you for consideration and inclusion within the proposed development.

Fire Appliance/Firefighting Access

Consideration is to be given to ensure that access to the site for the purpose of firefighting, is adequate for the size of the development and the nature of the proposed use.

Reference should be sought from guidance given in Building Regulation Approved Document B.B5- Access and facilities for the Fire Service.

Water supplies for firefighting

Adequate consultation is to be undertaken between the Fire Authority and the developer to ensure, that the site is provided with adequate water supplies for use by the fire service in the event of an outbreak of fire. Such arrangements may include a water supply infrastructure, suitable siting of hydrants and/or access to appropriate open water. Consideration should be given to the National Guidance Document on the Provision of Water for firefighting and specific advice for the Fire Authority on location of fire hydrants.

Sprinkler protection to Commercial premises

The nature of the proposal gives reason for the Wiltshire Fire & Rescue Service to strongly advise the consideration of appropriate sprinkler system protection for these premises. The advantages of automatic sprinkler systems are listed below.

Test Valley Borough Council – No response to this application

Previous application - I can confirm we have no comments to make.

REPRESENTATIONS

Advertisement	Yes Expired 24/04/08
Site Notice displayed	Yes Expired 24/04/08
Departure	Yes
Neighbour notification	Yes Expired 16/04/08
Third Party responses	Yes

- 1) Concern is expressed about potential noise pollution from the wind turbine on a 24hr period. A feeling that neighbours are being used as Guinea pigs to see if this type of turbine can be used.
- 2) No objection to another foodstore in Amesbury but concerns are raised regarding the siting of it so close to homes. And about the noise from vehicles loading and unloading at all hours. Concern that the no deliveries between 6am and 11pm each day will not last very long. It is considered the store would be better located on Solstice Park.

(In relation to the previously submitted application)

Amesbury Community Partnership –

Within the community there is a great concern as to which of the two major supermarkets will be chosen and the feedback we are getting is positively in favour of one in particular.

Applicant reference S/2007/2226 which has no outlets in the local area has already indicated to both business and resident associations that it is willing to work in partnership with them for the benefit of the community as a whole. This was shown as early as last June when it sponsored the Amesbury Carnival queen float. It has also stated that it has no intension to open sub-units within its store. It has a proven record of continuing its involvement with the communities long after start up.

Applicant reference S/2007/1865 already has three large outlets in the local area, so why is another one needed? It has not shown any interest in the approaches of local business and resident associations and has clearly stated that it will have sub-units within its store. These would jeopardise those businesses within Amesbury town centre of a similar nature. A town centre that after a number of years languishing in the doldrums, has in recent months been re-vitalised by the opening of no less than six new businesses and is now starting to thrive.

The ACP board recognises that the option for another supermarket is not within the current area plan but since that was published Amesbury has grown and in growing the needs of the community has changed and we must accept those needs and adapt plans accordingly. The town is now in a situation where it needs a second supermarket and the right one will help our town grow and prosper. Another supermarket for Amesbury would have little or no effect on retail trade generally within Salisbury as it has a good selection of shops not available within the town.

There is considerable concern about the volume of traffic between Amesbury and Salisbury, where a large number of people from Amesbury travel to shop for food due to lack of choice within the town. If another supermarket is not allowed this will continue to grow with all of the environmental consequences that go with it, whereas, if one is allowed, it would be a means to reduce carbon emissions and therefore improve the environment for all.

The consequences of not allowing either would not be good for Amesbury. Any community confidence that the District Council does care about our town would evaporate and there is already high feeling within the community that the SDC is only concerned with Salisbury and that Amesbury come's a poor second, yet we are the second largest town in South Wiltshire and contribute greatly to the economy of the area.

I would remind members of the SDC that the Amesbury Market Town Partnership Community Strategic Plan, published in March 2007, was agreed and adopted by them. In this document the people of Amesbury spoke out on their hope and aspirations for the future and the one point that came up time after time was the overwhelming need of another supermarket in addition to our existing one, which it was felt has had a monopoly for far too long. I would urge you and all members of the District Council to listen very carefully to the voices of both the public and traders of Amesbury on this matter. Traders are showing their preference visually by placing posters in the shop windows.

Great care must be taken in the choice of a successful applicant and it is felt that the one that offers the most benefit to the whole community and has the least social and physical impact on the existing community should be your preferred option and we trust that all avenues in this direction will be explored during the planning process. Think Amesbury not Salisbury as we are not a threat to your city but a partner making South Wiltshire a place where people want to come to visit and stay, not just pass through.

Salisbury and District Chamber of Commerce and Industry

Strenuously object to the application on the following grounds:

It is proposed on valuable employment land which is in short supply in the district of Salisbury. The specific application for certain features of the store will have significant negative impact upon the trade and the ability to trade within the Town of Amesbury,. This is contrary to the understanding that Amesbury is attempting to re-invigorate it's town centre, making the process that much harder if at all possible.

The dominance of one Supermarket in the District of Salisbury is detrimental to the quality of life enjoyed by businesses and residents, thus competition must be encouraged.

The Stonehenge Chamber of Commerce

Consider that Amesbury needs much better retail shopping, but a supermarket such as Tesco would damage the town centre.

With Tesco on London road and already a Focus DIY and possibly a Lidl, it seems a retail park is emerging here which it is totally unsuitable for this volume of traffic.

The chamber believe that Tesco would harm the town centre, by having sub units within the store such as a pharmacy, post office, optician and dry cleaning. Tesco has demonstrated across the country their lack of concern for town centres. Tesco already dominate the area as a recent government report confirms, Salisbury is one of sixty towns dominated by one provider –

Tesco, with a 58% market share. Tesco have furthered that dominance with their store in Tidworth. London Road is mainly residential and should be developed for housing.

The proposed site for a Tesco store would encourage HGV's to use London Road to and from the town centre. Access to the Tesco site would be very poor and the proposed roundabout would not work, vehicles emerging from Holders Road will not be able to see vehicles exiting the proposed roundabout, it is dangerous enough now!

Also HGV's servicing the Tesco supermarket will be turning in and out very close to the proposed roundabout which will be very busy. The proposal is for all HGV's to u-turn on the proposed roundabout, with say ten lorries per day having to do this would be very dangerous, therefore HGV visibility when leaving the Tesco site would be poor and thus dangerous.

The proposed roundabout would be very congested; on the eastbound arm for instance, vehicles will not have a clear view of the central island.

Tesco's proposals for buses is also dangerous, as buses stopping in the lay-by going to Amesbury will obstruct visibility of vehicles emerging from Holders Road. The bus lay-bys are too close to the roundabout so the bus drivers will find it difficult pulling out.

Our concerns are also for the residents, although sound barriers are proposed, the noise coming from metal cages being loaded and unloaded on lorries will travel, especially at night time. We must also think of the increased CO2 emissions in a residential area. Also we cannot see that having a supermarket next to a recycling centre is very appealing or healthy.

Letters in support covering the following issues the main points of which are –

- 1) Regularly shop every week in Amesbury because of work and do not have time to trek into Salisbury and like to support shops in the town centre. Have been bitterly disappointed with the new co-op store as I am sure many other shoppers are. It does not have the range of products we were expecting and in some areas has less choice. It also appears to be more expensive to shop there. From a shoppers point of view it is not easy to see what is in the upright freezers and the air conditioning is too cold.
- 2) It is about time this derelict site is redeveloped and it would give the Co-op some competition they have been complacent with what the shopper is looking for in a store because they have had the monopoly too long. I would wholeheartedly support the scheme to build a new Tesco store, it is what the shoppers in Amesbury and the surrounding villages need, some choice in where they shop locally.
- 3) Aware that there are various arguments that this store will take away business from Amesbury town centre and in particular the existing Co-op considers this to be untrue. Have found that it is not possible to do a full weekly shop in the Co-op supermarket. The Tesco store would provide much needed competition for the Co-op and would provide a supermarket to the new residential estates. Tesco would provide much needed employment in Amesbury.
- 4) The proposed roundabout at the front of the store would act as a device for slowing the boy racers who race up and down London road at present.
- 5) This is just the thing for Amesbury fed up with the CO-Op this would be greener by cutting down the journeys to Salisbury, cant come quick enough.
- 6) The Co op has been the sole source for food supplies to the local residents and has been expensive with limited supplies. The lack of competition has allowed them to keep the prices sky high. Elderly and young families and one parent families have had to shop there as they've had no choice. The council has allowed this to continue for the last 30 years plus. By doing this they have successfully turned the village into a ghost town. If the villages are to be changed back from ghost towns let the locals have the facilities, shops they'll use rather than what you want us to use.
- 7) Proposed site is currently an eyesore and the proposal would tidy it up. Considers that the government has always taken the stance that no one should have a monopoly and this is what has existed with the Co op in Amesbury and it is time for shoppers to have a change.
- 8) Welcome the introduction of a bus service to the store the improvements to bus and cycle facilities and the new puffin crossing on London road. Houses on London road used to back on to a railway station years ago and therefore would have suffered noise and disturbance at that time.

Letters objecting covering the following issues the main points of which are –

- 1) Crime prevention advice would suggest that solid screen walls or fences with trees or shrubs should not be erected as it will give any burglar cover into rear gardens. Therefore where this situation is proposed along the rear of gardens of properties fronting James's road this will provide cover for burglars wishing to enter properties on James road.
- 2) The siting of the store will substantially increase traffic volumes along London Road with vehicles making one off stops, regular shoppers parking and through traffic increasing. This will make turning into or out of Holders road even more difficult or hazardous. London road is already busy as those who know it, use it to avoid the A303 during busy periods to enter or pass through Amesbury. A traffic study carried out in late 2006 already shows a high rate of traffic in the area and a new supermarket will increase that significantly. Road noise levels will increase. Any development should provide speed deterrents along the main roads and acoustic barriers to properties.
- 3) Tesco advise that the store will open between 8am and 10pm from Monday to Saturday with Sunday opening hours, however they could not confirm that in future the store would not be turned into a 24hr store. The large car park at the front of the store which would back onto houses in James road would not be secured and this would make it a target for local youths to turn it into a race track which would afford easy access onto the A303 which would make it difficult for the local police force to manage. This may cause hazardous egress into and out of the car park for those travelling down London road at night.
- 4) As the car park will back onto properties in James road there will be increased noise caused by vehicle traffic from car doors closing, vehicles revving and general pedestrian noise for seven days a week, 364 days a year. There will also be noise levels from delivery lorries that might deliver at night and would therefore ask for there to be controls between 11.00pm and 6.00am in the morning.
- 5) The quality of the air will decrease due to vehicle pollution. Since purchasing the property twenty years ago the site to the rear of the property has always been used for commercial business. This part of Amesbury does not have sufficient commercial enterprises and we feel that the site would be better developed into small commercial sites rather than retail or residential. A new retail outlet is required within Amesbury but would better serve the community if it was on the outskirts and away from residential properties.
- 6) Concern is expressed at the proposal to build a path along the rear of properties fronting James's road as this could provide an area for youths for smoking, drinking and vandalism. The path should be properly policed.
- 7) Concern is expressed about the robustness of the retail assessment prepared by GL Hearn in particular it is considered the statement in paragraph 7.19 of the G L Hearn Retail assessment to be incorrect as the Archers Gate development S106 does not preclude the development of a supermarket.
- 8) The developers of Archers gate are actively engaged in discussions about developing a supermarket at Archers Gate, the reserved matters for which will be submitted shortly.
- 9) The GL Hearne retail statement fails to consider the impacts of the proposed development upon the vitality and viability of the permitted Archers Gate local centre and the threat posed to its vitality and viability by the development of a large out of town foodstore on London Road must be carefully assessed and considered prior to the determination of the application.
- 10) Considers that the inspector in the local plan concluded that the proposed foodstore in the town centre was large enough to meet the needs of residents until 2011 and therefore recommended the foodstore at Archers Gate to be sized to meet local needs only. In reaching these conclusions full account was taken of the extent of proposed new housing and employment facilities in the town which are being delivered. Given the completion of the town centre store and the absence of any substantive windfall sites there has not it is considered been any material change in circumstances that would justify the need for a large retail facility.
- 11) Developers of Archers Gate are putting forward as part of the LDF a significant extension to Archers Gate between 2011 to 2026 and they have also requested that Salisbury District Council give consideration for the development of an appropriately

- sized out of town foodstore which would be developed as an integral part of any future south easterly expansion of the town. This would be located next to existing and potential future residential areas and bus routes with access to cycleways, footpaths and the Amesbury link road. It is considered favourable determination of planning application S/07/1865 would therefore be premature pending the LDF's adoption.
- 12) People will travel from Porton, Boscombe, Winterbournes and villages of the Woodford Valley causing more traffic on what will be the main link road (link road through Archers Gate).
 - 13) Proposal runs counter to encouraging the principles of town centre growth and would be at odds with the viability of Amesbury Town centre. Proposal would devastate the town centre.
 - 14) Light pollution from floodlights may effect houses in James road.
 - 15) Vehicles will produce a substantial amount of CO₂ and CO within close proximity of housing.
 - 16) Building works may cause subsidence to properties in James road.
 - 17) Slow worms have been found at the end of gardens in James road and therefore survey submitted is incorrect.
 - 18) Developer is to pull down affordable housing which is in short supply in the area.
 - 19) Consider the proposal is better placed within the Solstice Park development which is not being suitably populated.
 - 20) Tesco have a history of growing small stores, building stores larger than allowed, adding new services and extending opening hours.
 - 21) Note that Tesco is to use Gregory buildings opposite for storage. This will also cause an increase in traffic creating a further noise and pollution issue for residents.
 - 22) Would wish to make sure that both customer and delivery traffic approaches the store from the Folly Bottom or Porton Road roundabout rather than from the Countess Road end.
 - 23) Concern is expressed that in the future the occupiers will open a pharmacy, drycleaners, opticians with little or no regard for existing small businesses trading locally. It is important that local people enjoy choice from a number of retailers and service providers to create a vibrant sustainable and economic town centre.
 - 24) There are already two Tesco stores in Salisbury, two in Andover and a brand new store in Tidworth. The Southampton road store in Salisbury causes regular chaos and congestion on the ring road and if permitted to build in Amesbury would quite likely do the same for the residents of the town. Considers Asda would provide more competition.
 - 25) Concern is expressed over the wind turbine which will obscure views and cause potential disturbance.
 - 26) Proposed store will devalue properties in London road.
 - 27) Is Tesco serious about building a store or do they intend to land bank it in order to prevent further competition?
 - 28) Objection on behalf of Somerfield Stores in that the proposals are not in accordance with any site specific allocation in the adopted local plan and are not consistent with the Councils Retail and Leisure Needs Assessment by GVA Grimley.
 - 29) The proposal does not demonstrate either qualitative or quantitative need, in particular the forecast increase of Amesbury's market share is unreasonable and is considered unlikely to occur; the proposed increase in market share is considered to be self fulfilling and there is only qualitative need due to the forecast claw back of expenditure.
 - 30) The sequential test has not been appropriately applied and the disaggregation of convenience and comparison elements of the proposed store should have been considered separately: in addition the assessment should have considered Tidworth since this is within the GLH catchment area and is at the same level in the shopping hierarchy as Amesbury.
 - 31) The level of impact forecast by GL Hearne will result in a material harm to the vitality and viability of Amesbury in any event we consider that the improvement in Amesbury's marketshare is unlikely to reach the levels forecast so the levels of impact being shown are likely to be an underestimate.
 - 32) Within the Annexe submitted by Roger Tym and Partners on behalf of Somerfield careful consideration is given to retail planning arguments in support of the planning application. The evidence provided, suggests that the planning application is contrary to national and development plan policy. Urge the council to refuse the planning application on these grounds.

- 33) Consider the HGV entrance onto London road will create a traffic hazard. Proposal for up to ten HGV's per day to perform U turns on the new roundabout on London road would be dangerous.
- 34) Observations in the past at the Salisbury store have shown a markedly high number of plastic carrier bags being blown around in adjacent fields. Concern is expressed that this would happen in Amesbury. This would compound the already massive widespread discharge of litter generated from the KFC outlet at Solstice Park by anti social customers.
- 35) The proposal would be in close proximity of Stonehenge school. Holders road may become a rat run from Boscombe road to London road. The increased traffic up and down this road would be a danger to children leaving Stonehenge school. Increased traffic would create a danger to pedestrians using Holders road
- 36) Owners of the Minton Distribution park consider the proposal is of such a scale as to impact substantially on traffic management in the immediate vicinity. The close proximity of the proposed access to that on London road could impact on vehicles entering both sites so causing congestion.

Town Council response Yes, No objection

Further to our response of no objection we would like to make the following comments:

Other than the road improvements outlined there is no indication of any other planning gain. We have three requests/proposals regarding opportunities that should not be missed.

Access to the recycling centre (to the rear of the site) to encourage re-cycling.
Improved cycleways along London Road between the Solstice Park network- past the application site to Kitchener Road to connect with the town centre.

A suggestion that the site and or shop should give indication to the history of the site (as a once busy railway station and goods yard) perhaps an artefact or interpretation board at the entrance with information supplied by the Amesbury Society would be appropriate.

Also, No objection – a new retail outlet is long overdue and urgently required in the town.

MAIN ISSUES

1. Principle of development, Impact on the vitality and viability of the city centre
2. Loss of existing employment uses
3. Design issues
4. Noise and Disturbance
5. Noise/air pollution/contaminated land
6. Light Pollution
7. Highways and access issues
8. Sustainable measures
9. Archaeology
10. Ecology
11. Appropriate assessment
12. Crime prevention
13. Flooding

POLICY CONTEXT

Central government guidance

PPS1-Sustainable development, PPS1 Planning & Climate Change Supplement to PPS1 PPG4 - Industrial and commercial development, PPS6 – Planning for Town Centres, PPS9 Biodiversity and Geological Conservation, PPG13 Transport, PPG16 Archaeology and planning PPG24 planning and Noise PPS25 Development and Flood Risk.

Manual For Streets

Relevant Policies contained within the Wiltshire Structure Plan 2016 'saved policies'.

DP1 (Sustainable development)
DP2 (Infrastructure)
DP5 & DP6 (Shopping development)
T5 & T6 (Sustainable transport modes/alternatives to private car use)

Salisbury District Council adopted Design Guidance – Creating Places.

Policies contained within the Salisbury District Local Plan (Saved policies). Including policies G1- General principles, G2- General policy, G4 – Flooding, G5 –Water Services, G9 – Developer contributions, D1- Extensive development, E8A- Employment, E16- existing employment use, CN21- Archaeology, CN22 – Archaeology, CN23 - Archaeology, C14 – nature conservation, C10-SSSI, C12- protected species, TR12- transport measures, TR14 Cycle Parking,

PLANNING CONSIDERATIONS

Principle, Impact on the vitality and viability of Amesbury Town Centre

Policy S4 of the Salisbury District local plan included impact criteria to safeguard the vitality and viability of town centres, introducing the concept of need and sequential approach. However, the Secretary of State for Communities and Local Government in exercise of the power conferred by paragraph 1(3) of schedule 8 to the Planning and Compulsory purchase Act 2004 has directed that paragraph 1(2)(a) of schedule 8 applies to policy S4 which does not become a saved policy and therefore does not continue to have statutory effect as a development plan policy.

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 in response to 'widespread concern about the impact of out-of- centre superstores' (para 4.50) 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.

In order to deliver the Government's objective of promoting vital and viable town centres, 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:

- a) assess the need for development, (paragraphs 2.32-2.40);
- b) identify the appropriate scale of development (paragraphs 2.41-2.43);
- c) apply the sequential approach to site selection (paragraphs 2.44-2.47);
- d) assess the impact of development on existing centres (paragraph 2.48); and
- e) ensure that locations are accessible and well served by a choice of means of transport (paragraphs 2.49-2.50).

Guidance in PPG13 is also consistent with the key objectives of PPS6. It endorses 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.

Wiltshire County Councils planning department have commented as above.

Advice from the councils own forward planning department is as follows –

Need

The RLNS originally identified turnover in Amesbury of 18.2m rising to 19.6m in 2011, however GVA (Grimley) have accepted that these figures are an overestimate, and have revised the figures to 14.4m and 15.6m respectively. (Appendix 6 table 8 refers)

The deductions in the main report for committed floorspace also include an arithmetical error, which overstates the potential turnover of commitments. This generates a notional surplus of

£7.7m, which if the old co op were wholly occupied for convenience retailing would largely accommodate the identified capacity. The turnover of the proposed Tesco is £27.5 million and therefore is way in excess of the need in Amesbury.

Sequential test

Para 2.44 PPS 6 states that

“first, locations in appropriate existing centres where suitable sites or buildings for conversion are, or are likely to become, available **within the development plan document period**, taking account of an appropriate scale of development in relation to the role and function of the centre;

The applicants have assumed in their statement that the old co op store would not be reoccupied by a food retailer, but evidence has been received with the planning application for the Lidl application 2007/1616 (refers) from Aldi stating that they have agreed terms with the co op to lease the whole of the old unit for convenience shopping.

A planning application has been submitted but not yet registered by Frobisher retail for the demolition and redevelopment of the old co op store for a larger food store. Although not registered this is a material consideration that needs to be taken into account when assessing this application as it can be argued that this demonstrates that there is an alternative site within the town centre that is deliverable and the letter from the co op demonstrates that the site is or will be available for this proposed scale of store.

As part of the preferred options that are currently out for public consultation and the preferred option in the report is for the promotion of a new supermarket for Amesbury in the town centre. This is in direct response to the issues and options responses, which were as follows:

Question	Agree / strongly agree	Neither agree or disagree	Disagree / strongly disagree
An out of town supermarket is needed in Amesbury	32%	40%	28%
An out of town supermarket would add to the decline of Amesbury town centre	46%	38%	16%
We should try and find a site for a new supermarket in Amesbury town centre	40%	42%	18%

Therefore the LDF process may allocate a site for a supermarket in Amesbury town centre, commensurate with its role.

Para 3.19 of PPS 6 states

Where it is argued that otherwise sequentially-preferable sites are not appropriate for the particular development proposed, applicants should provide clear evidence to demonstrate why such sites are not practicable alternatives in terms of: Availability: the sites are unavailable now and are unlikely to become available for development within a reasonable period of time (determined on the merits of a particular case). **Where such sites become available unexpectedly after receipt of the application the local planning authority should take this into account in their assessment of the application;**

Impact

As shown in the attached Grimley Report, the impact of the proposed Tesco if assessed using the data put forward by G L Hearn (consultants on behalf of Tesco) the impact of the proposed Tesco store on Amesbury’s convenience goods sector would be about 33%. This compares with the Asda impact of 48%. Grimley conclude that using their figures the impact for each is approximately 40% or more.

Councillors also raised at the northern area committee in December about the possibility of Amesbury increasing its market share. In order to make it worth the while of a retailer to increase the market share, they would have to propose a large store, like the Tesco proposal.

The knock on effect of increasing the market share would be the impact that this new store would have on the existing town centre.

Para 3.22 of PPS 6 is also of relevance. It states that “in particular, local planning authorities should consider the impact of the development on the centre or centres likely to be affected, taking account of:

*the **likely effect on future public or private sector investment** needed to safeguard the vitality and viability of the centre or centres;*

*the likely impact of the proposed development on **trade/turnover and on the vitality and viability** of existing centres within the catchment area of the proposed development changes to the **range of services** provided by centres that could be affected; **likely impact on the number of vacant properties** in the primary shopping area; potential changes to the **quality, attractiveness, physical condition and character of the centre** or centres and to its role in the economic and social life of the community; and the implications of proposed leisure and entertainment uses for the evening and nighttime economy of the centre (see also paragraph 2.24).”*

Conclusions

*This application will have a significant impact on the vitality and viability of Amesbury, and if consented could undermine investment in the centre, and there is a need to protect existing employment allocations, therefore I raise a **POLICY OBJECTION** to the proposal.*

*In accordance with Section 54A of the Town and County Planning Act 1990 and Section 38 (6) of the Planning and Compulsory Purchase Act 2004, the application should be **refused**.*

Need

Please see the attached report, ‘Review of proposed foodstores in Amesbury’, by GVA Grimley (appendix 1) for the full assessment of this proposal, on need and impact.

The RLNS originally identified turnover in Amesbury of 18.2m rising to 19.6 m in 2011, however GVA have accepted that these figures are an overestimate, and have revised the figures to 14.4m and 15.6m respectively.

The deductions in the main report for committed floorspace also include an arithmetical error, which overstates the potential turnover of commitments. This generates a notional surplus of £7.7m, which if the old Co-op were wholly occupied for convenience retailing, would largely accommodate the identified capacity. The turnover of the proposed Asda is £27.5 million and therefore is way in excess.

Scale

Although it has been demonstrated that the proposed turnover of the store is in excess of requirements, the guidance in PPS6 indicates that local planning authorities should also consider whether there are qualitative considerations that might provide additional justification for the development.

In order to support the scale of additional floorspace, both (ASDA and Tesco) proposals rely on a significant increase in market share. Clearly there is no reason why Amesbury cannot or should not seek to increase its market share – the key issue is the impact arising from a larger store outside the town centre on the vitality and viability of the town centre. GLH on behalf of Tesco rely on a significant increase in market share in order to generate capacity. They have carried out their own independent household interview survey and undertaken a more detailed assessment of current shopping patterns. This suggests that following the opening of the replacement Co-op store Amesbury’s market share has apparently fallen (although the difference identified could readily be accounted for by the margins of error inherent in such surveys). GLH highlight they have employed a larger sample size than the survey which underpins the RLNS and in our view any difference between the market shares is more likely to be accounted for by this factor than any actual decline in Amesbury following the opening of the replacement store.

Given the level of main shopping that is taking place away from Amesbury Town Centre, it is evident that in the absence of any alternative option, a large modern foodstore would provide additional choice and competition to the Co-op in Amesbury Town Centre and by reducing the need to travel for main food shopping, would be likely to reduce overall travel demand and achieve a more sustainable shopping pattern. Moreover, letters of representation from nearby residents have welcomed such a store within walking distance. In this respect the potential benefits of the proposals are not disputed. However, these benefits have to be considered against any alternative options and the impact of the proposals on Amesbury Town Centre.

The issue of scale even if it does claw back trade to the Amesbury area and the Grimley report demonstrates that this will be at the expense of , rather than benefit to the town centre.

Sequential test

The applicants have assumed in their statement that the old Co-op store would not be reoccupied by a food retailer, but a planning application has been submitted but not yet registered by Frobisher retail for the demolition and redevelopment of the old Co-op store for a larger food store.

Although not registered this is a material consideration that needs to be taken into account when assessing this application as it can be argued that this demonstrates that there is an alternative site within the town centre. The most recent letter from the Co-op states that if Lidl is granted (which it has been in principle), Aldi are likely to withdraw their offer to reoccupy the former Co-op and the Co-op will not support the Frobisher scheme as the cumulative impact of Lidl and a new town centre supermarket would be so high as to damage its interests.

However, it is considered that an out of town supermarket would also impact upon the Co-op, if it diverted 40% of trade away from the town centre and furthermore would impact upon the town centre as a whole.

In addition the existing Co-op store has an A1 use and it is unlikely that the LPA would view any change of use away from A1 favourably owing to the prominent location of this building within the prime-shopping frontage of Salisbury Street, as such a change would be likely to be contrary to saved policy S1.

Therefore it is considered that this letter cannot therefore at present, be taken as evidence that a town centre site is not deliverable.

PPS 6 advises that in applying the sequential approach, developers and operators should be able to demonstrate that they have been flexible about their proposed business model in terms of its scale, format, car parking provision and scope for disaggregation. Local Authorities should be realistic in considering whether sites are suitable, viable, and available, and take into account genuine difficulties, which the Applicant can demonstrate are likely to occur in operating its business model from the sequentially preferable site.

Confirmation was been received from the Co-op that they were willing to let the whole store to a convenience food retailer, although the situation may have changed since the resolution to grant Lidl.

It is still clear that there is a sequentially preferable site in the town centre, which will mop up the identified capacity in the RLNS and meets the town centre first principles set out in PPS6.

It is therefore considered that this site has not been sufficiently explored by the applicants, nor has the possibility of a town centre site through disaggregation- for example of food/non food.

Therefore even if it is accepted that there is a need for a food superstore in Amesbury, of the size proposed, it has not been demonstrated that there is no sequentially preferable site within or on the edge of the centre, bearing in mind the advice in PPS6, it is evident that the applicant has not thoroughly examined the potential for redevelopment of the former Co-op store. The potential future of the former Co-op store has a bearing on the need and impact issues raised by the food superstore proposals,

Impact

The Grimley report attached runs through the arguments in detail as regards the impact that the Tesco store is likely to have on the town centre. In particular G L Hearne have estimated the convenience goods turnover of the proposed Tesco to be some £27.5m of which £5m of the stores turnover would be diverted from existing retailers in Amesbury. They therefore conclude the impact on the town centre to be in the region of 33% on the towns convenience sector. G L Hearne consider that even with this impact the Co op would still be expected to trade above its companies average level.

The Grimley report suggests that the impact from either Asda or Tesco would be in the region of 40% and the impact on the non food sector to be less significant. At these levels Grimley state that there would be a concern in respect of the overall vitality and viability of the town centre. However most of the direct impact would be on the Co –op and this would be unlikely to close even at the levels predicted.

Importantly though Grimley conclude that there would be a wider impact on other convenience retailers partly as a result of the indirect effect of lost linked trips arising from the impact on the Co-op

Conclusion

It can be seen from the above responses from both the councils own forward planning department, Wiltshire County Council and the councils retained retail consultants (GVA Grimley) (see attached report) that the proposal is likely to have a significant impact on the vitality and viability of Amesbury Town centre and as such could undermine investment in the town centre.

Members should note the letter received from Co Op stating that they are unlikely to allow their former site in the town centre to be used for retail use for any other retailer if planning permission is granted for the Lidl foodstore on the Minton distribution park (which it has been). This letter is a material consideration. However it should be borne in mind that the site could be compulsorily purchased should members be minded to do so. As such it is considered a sequentially preferable site is available in the town centre.

In summary therefore the proposal represents a development that is likely to have a significant impact on the vitality and viability of the town centre as evidenced in the Grimley report and for which there is a sequentially more preferable available site

Loss of existing employment uses

This application envisages the building on existing employment land. The forward planning department of this council has commented as follows -

The employment land review (ELR) forecasts the land required to 2026 and has identified that 25-30 ha of new employment land will be required before that date. The recently published panel report into the RSS has recommended that this be increased to 37 hectares of employment land. This demonstrates that current employment land needs to be protected.

The ELR also identifies Amesbury as being strategically important for the whole of Salisbury's economy and not just the local community area that it is located in, and therefore given its strategic importance land should be retained for employment (B1,B2,B8) use. This is backed up by the RSS panel report which states that Amesbury will need to provide a continuing supporting role to Salisbury for the provision of employment land.

Evidence given to the EiP by SWERDA/DTZ in their employment land supply appraisal Addendum for the Salisbury SSCt identified that only 36ha of employment land was available compared with a demand of 37ha, therefore a shortfall of 1 ha. This assumed that the 18ha of Solstice Park would remain in employment generating use. Again given the supporting role of Amesbury, it is important that all existing employment land is protected, so that this shortfall is not exacerbated and results in the allocation of more Greenfield land elsewhere for employment use.

The relevant retained planning policy to this proposal is policy E16 which states that –

E16 – On land allocated or currently used for employment purposes, the construction, change of use or redevelopment of premises for other purposes will only be permitted where the proposed development is an acceptable alternative use that provides a similar number and range of job opportunities. The only exceptions to this are where the land or premises are no longer viable for an employment generating use and/or where redevelopment of a site for a non-employment use would bring improvements to the local environment or conservation benefits that would outweigh the loss of local jobs.

The applicants have stated that the new store will provide a new source of employment within Amesbury with the provision of between 200 and 220 full time equivalent jobs, with usual employee numbers between 317 and 340 full and part time.

Changing the use of the site to retail would in officers opinion conflict with policy E16. The range in terms of types of jobs available is likely to be significantly different to that which could otherwise be available if the site was left with its current use designation. The site is a large one which currently contains a range of buildings which could and have been until recently or still are providing a diverse range of job opportunities. Whilst numerically the number of jobs to be provided by the new store may well be greater than that which are provided on site at present the range of jobs being within a single retail store and primarily consisting of low paid and many part time jobs are not consistent with the policy.

The policy states that employment uses may be replaced where there are environmental improvements brought by the new development. Several third party representations consider that there would be environmental improvements brought by this proposal. It is officers opinion that this is not the case. Whilst the proposal in terms of its visual appearance is considered to be acceptable by officers this is primarily due to the fact that much of the building will be 'hidden' by placing it at the rear of the site at a point where the land is lower and therefore the store will appear as less intrusive. The design of the store itself is not considered to be significantly better than that which it replaces and certainly does not bring the environmental benefits that would be required in order to outweigh the loss of the range and quality of jobs even considering the environmental measures proposed by the applicants as part of the proposal.

None the less notwithstanding this the application does propose a substantive number, of new jobs to the local economy, a number of jobs that would seem unlikely to exist even if the site were developed for alternative employment uses, therefore whilst the range and quality of jobs is likely to be lower than might otherwise exist if the site was developed for employment uses, the number of jobs created is likely to be at the high end of what could be expected at the site, this coupled with the fact that the existing uses on site have on the whole either moved or are intending to move to new premises, in part as a result of this new development and in part for other reasons, means that it is considered in this case that notwithstanding the comments of the forward planning department and the conflict with policy E16 there are significant job opportunities this use will provide which in officers opinion outweigh the local plan policy. Members should note that a similar stance was taken to employment uses and policy E16 when assessing the nearby Focus DIY store.

Design Issues

The proposal in design terms needs to be assessed against the relevant retained policies of the local plan these include -

D1 Extensive Development

New development will be permitted where the proposals are compatible with or improve their surroundings in terms of the following criteria:

- (i) the layout and form of existing and the proposed development, and where appropriate the historic pattern of the layout;*
- (ii) any features or open spaces, buildings and/or structures of character on or adjoining the site;*
- (iii) the scale and character of the existing townscape in terms of building heights, building line, plot size, density, elevational design and materials ;*
- (iv) the scale and use of spaces between buildings;*
- (v) views/vistas afforded from within, over and out of the site; and*

- (vi) any existing important landscape features and the nature and scope of new landscaping proposed within and around the edges of the site; and
 - (vii) the roofscape/skyline long or medium distance views.
- And

D2 Infill Development

Proposals for street and infill development will be permitted where proposals respect or enhance the character of appearance of an area in terms of the following criteria:

- (i) the building line, scale of the area, heights and massing of adjoining buildings and the characteristic building plot widths;*
- (ii) the architectural characteristics and the type, colour of the materials of adjoining buildings; and*
- (iii) the complexity and richness of materials, form and detailing of existing buildings where the character of the area is enhanced by such buildings and the new development proposes to replicate such richness.*

In addition members will be aware that the district council has adopted it's own SPG, Creating Places which is a design guide for the district. The SPG contains many policies relevant to this planning application but of particular note are –

Commercial and Industrial development, Part 17, Part 6, Sustainable Design and construction and Part 12, Designing Out crime.

Prior to submission the applicants took their proposal to the local authorities design forum it was then brought back to the design forum when the application was submitted.

On the latest occasion the design forum commented as follows –

The Forum welcomes the general design and appearance of the store noting that it is now a simple, unapologetically modern and uncluttered building, fit for its intended purpose. It represents a significant improvement over the initial proposal. Our only slight concern was in regard to the modular aluminium cladding that would cover most of the store's elevations. We have no objection to the use of such cladding, but having noted the close proximity of many of the properties bordering the site and in keeping with our general view that 'less is more' it was thought that it would be better if the aluminium cladding had a silver-grey finish rather than brilliant white.

Given the proximity of neighbouring dwellings to the site it is essential that the site section drawings (which were included in the presentation) are submitted to supplement the other drawings already submitted for the application.

We welcome the integration of renewable energy technology in addition to energy conservation measures which we hope will generate significant reductions in on site CO2 emissions and help to raise public awareness. We are particularly glad that effective but low- profile technology, such as the tri-generation micro-CHP unit is proposed to be installed as this will, of itself, reduce much otherwise anticipated on- site CO2 emissions.

In response to the forums comments the applicants have amended the colouring of the cladding on the outside of the building from White to grey and included the sectional drawings as part of the planning application.

The forum having considered the scheme felt it was appropriate to the site. The applicants have chosen a contemporary store design which officers would suggest is appropriate to this mixed use location. The store itself will be set at the rear of the site with car parking to the front. Whilst officers have raised concerns about this previously with the applicant due to having the car parking as the main view of the site down London road rather than the building fronting the site, the applicants have stated that they have designed it in this way in order that the building can be located at the rear of the site where the land levels are lower and the building will therefore appear less prominent.

In view of the design forums comments on the application and the less prominent location of the store towards the rear of the site it is considered that the proposal in design terms is considered acceptable.

Noise and Disturbance

Clearly a supermarket dependant on factors such as it's design, Size, layout and operation has the potential to have an adverse effect on it's neighbours. Planning policy as contained within the retained policies of the local plan covers this issue under policy G2 (Vi) where it states that - *New development will be considered against the following criteria: (vi) avoidance of unduly disturbing, interfering conflicting with or overlooking adjoining dwellings or uses to the detriment of existing occupiers;*

The chosen site for the supermarket lies in an area of mixed uses, to the North and East are other commercial/industrial uses and it is considered in terms of noise and disturbance that the supermarket is unlikely to have a significant effect on these types of uses. However to the west along one whole side of this long site lies a long row of houses and the supermarket has the potential to have an impact on these properties.

James road and Annetts Close are both accessed off Holders road which joins London road at a point close to the front of the site. Houses in this road back on to the site and have rear gardens abutting parts of the new development. In places there is a significant drop in land levels between the back gardens of these properties and the adjoining supermarket site. Depending on where each residential property is situated will depend on the type of possible noise or disturbance that could be encountered by neighbours. The types of potential disturbance include

Noise from cars and vehicles entering and exiting the site

Noise from trolleys and their usage

Noise from delivery vehicles both entering the site and in the delivery bays (including reversing beepers)

General noise from people including talking and shouting

Noise from plant and machinery associated with the site

Noise from the loading bay.

All of these noises are likely to be associated with the site to a greater or lesser extent at some point and several neighbours have raised potential concerns regarding these. The degree to which they will effect neighbours and that they are acceptable is to a large extent dependant on their intensity, the time that they take place and the mitigation measures that are put in place.

In considering the effects that any noise and disturbance may have on neighbouring properties members must have regard to both the existing use of the site and the potential uses that could be made of the site without the further grant of planning permission. It is considered that the majority of the site is currently in B8 (wholesale, warehouse, distribution centre etc) use or B1 use (light industry). Within these classes office use can also be permitted without the further specific grant of planning permission.

The applicants proposal includes as a mitigation measure along the boundary a 2m high acoustic fence to help prevent sound travelling into the backs of properties in James Road and Annetts close it is also proposed to provide planting between the site and the boundary of properties which will help more screen the proposal than reduce sound emission although planting is known to help baffle sound transmission to a limited extent.

The applicants intend to open the store between the hours of 7am to 11pm Mondays to Saturdays and 10.00am to 5pm on Sundays. The applicants have suggested that they will require delivery vehicles to be able to enter the store between the hours of 6am and 11pm.

Particularly with regard to the late opening hours as proposed at the store there is the potential for there to be conflict between neighbouring residential properties and the application site.

The councils environmental health department have assessed the proposal and have stated the following – That if members are minded to grant planning permission the following condition be imposed

“Before commencement of the development hereby permitted there shall be submitted to and approved by the local planning authority a scheme for the insulation against noise emissions from wind turbines, combined heating/power plant or any other similar plant or equipment. Such scheme as is approved shall be implemented to the satisfaction of the local planning Authority before any part of the development is brought into use opens for trading.”

The environmental health officer also recommends a condition restricting the noise level of the ventilation and refrigeration plant.

The environmental health officer also recommends that the acoustic barrier provision both between neighbours and the store and between the service road access and the store is conditioned.

The environmental health officer is still concerned (despite further work by the applicant) about the potential noise from the loading bay which is proposed at the rear of the site. He has suggested that were members minded to grant permission that again this be conditioned requiring a separate scheme of noise control for the loading bay area and that deliveries be limited between the hours of 7am and 10pm

Clearly this development has the potential to have effects on surrounding property for the reasons outlined above however given the mitigation measures proposed by the applicants, the comments made by the environmental health officer and positioning of the building on the site with its main wall facing neighbours (at a lower level) and the enclosed building part of the delivery bay facing neighbours meaning that noise emanating sources are situated some distance from neighbours, it is considered that noise issues can be successfully controlled where they exist.

Many supermarkets operate successfully in residential areas and it is usually down to the management of the store and the effective enforcement of conditions that ensures the store will operate in a manner that does not effect neighbours in view of this it is not considered that the application will have a significant effect on neighbouring amenity such to warrant refusal of planning permission.

Light Pollution

Policy G2 (VI) (see above) is also relevant to the potential for light pollution from this development. The proposed store opening hours are such that the store will need illumination both internally and externally in the car park and loading bay during non daylight hours. Clearly the amount of illumination can be controlled by condition as can the intensity of illumination and the hours of illumination. The environmental health officer has therefore stated that he is satisfied that the scheme could continue with the application of the following condition –

“There shall be no spillage of light into residential dwellings adjacent to the development hereby consented greater than 10 lux before 11pm and 2 lux after 11pm.

It is considered that the levels of lighting at the site can be sufficiently controlled with the use of appropriate conditions as recommended by the environmental health officer and given the proposed fencing, landscaping and site levels of the store that this issue can be controlled.

Highways and access issues

Members will note that although The Highways Agency was consulted in view of the potential impact on the A303 after initially objecting to the initial application the Highways Agency have withdrawn their objections to the scheme and submitted the view as above.

The application proposes 358 parking spaces for the new store and this is in line with the councils own retained maximum parking standards. This is acceptable to both the County Council and the Highways authority.

- It is proposed as part of the development to make improvements to the London road/Porton Road roundabout.
- Proposed improvements are also to be made at the junction of London road and Countess road.
- A new puffin crossing will be constructed on London road and a new cycle/footway will be provided between the site and Solstice Park.
- It is proposed that improved bus stops and improved crossing facilities for pedestrians are provided at the site.
- A contribution of £250,000 will be provided by the developer to fund a new off-peak bus service for five years to link the site with surrounding residential and employment areas.
- A green travel plan will form part of the development proposals in order to promote sustainable means of access to the store for both customers and staff.

It can be seen from the above that various sustainable measures have been introduced by the applicant in order to ensure that the new store although located away from the town centre has limited impact on the surrounding road network and that travel options such as walking, cycling and using public transport are available to the public who are likely to use the store.

WCC have as can be seen above raised concerns with regard to the proposed improvements to the A345 junction with London road in particular the modelling that the applicants have used on this junction which the County highways consultants do not consider to be robust. This junction is clearly an important consideration in the overall strategic highway network surrounding the site. Given the concerns that Wiltshire County Council have regards to this particular issue and their recommendation that the application be refused on this basis. It is recommended refusal of the application on this basis.

Sustainable measures

The councils own retained policies and new guidance as issued by central government in the form of a companion guide to PPS1 both place requirements on the local authority to consider the effect that the development will have on the environment and any environmental measures that the applicant may propose to offset it's carbon emissions.

With this in mind, the applicants have proposed a number of measures that could help to offset carbon emissions –

It is proposed to use a combined heat and power plant which uses waste heat from electricity production to provide heat for space and water heating. The scheme proposes a gas powered combined heat and water system. This system could potentially reduce the carbon emissions of the development by 11.24% of the total.

The application also proposes the installation of a 14M high wind turbine close to the boundary with the adjoining Minton Distribution Park. This has the potential to make a small reduction to CO2 emissions.

The third type of sustainable measure that the applicants are considering is the installation of photovoltaic panels on the roof of the building these generate electricity and will help reduce the overall Co2 footprint of the building.

These three potential measures will help Carbon emissions at the site. If members were minded to grant consent and considered that these measures were crucial to the reasons for granting consent they should be conditioned to ensure that they are carried out as part of the development.

It should be noted that concerns have been raised in relation to the proposed wind turbine and possible noise disturbance, however the design is such that noise disturbance from the wind

turbine will be minimal or insignificant as such officers raise no objections to this aspect of the application.

Archaeology

This site was formerly part of the railway that ran through Amesbury and as such it appears likely the ground was substantially disturbed at that time from its construction. Since then the ground was infilled and the current buildings built on the site. Previous ground investigations were made as part of a previous planning application at the site and these showed that there was unlikely to be anything of any archaeological significance at the site. Given all this the County archaeologist has stated that they wish to make no comments on the scheme.

As the prospect of finding any significant archaeology appears to be low it is not considered appropriate to make any further requirements of the applicant in regard to this issue.

Ecology issues

The site has been shown to have protected species present at the site including slow worms and common lizard as such the applicants are proposing a translocation exercise to move the protected species if planning permission were granted. This is considered an appropriate way to ensure that these species remain protected and that they are not harmed or killed as a result of the redevelopment of the site. Natural England have raised no objections to the development.

Appropriate Assessment

An appropriate assessment is not required because 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. The proposal is not, therefore, either alone or in combination with other plans or projects, 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). This is a view supported by Natural England (see above).

Crime prevention

Issues surrounding crime prevention have been raised by neighbours to the development, specifically neighbours have queried the potential for the car park at the front of the site to be used for anti-social activities at hours outside of the main operation of the store. Officers have consulted the police architectural liaison officer as part of this application and she has commented as follows –

The only comments I have were made directly to the architects during a presentation of the scheme at a recent Design Forum. My concern was that security of the car parks should be considered and born in mind when security/safety measures were put in place.

Clearly the police architectural liaison officer's concerns are similar to that raised by residents and whilst there will be a security presence at the site at out of store opening hours. It may also be prudent if members were to be minded to grant planning permission for this development that a condition be added requiring lockable barriers to be installed and used at out of store hours in order to prevent anti social behaviour at the site.

Flooding

Planning Policy Statement twenty five as published in 2006 requires in annexe D that developers consider the risk of flooding from their development if that development site exceeds 1 hectare. As this site does exceed one hectare the applicants have submitted a flood risk assessment. This assessment runs through and considers what the main risks from flooding to the development would be. It concludes that of all the types of flooding if there was any risk from flooding it would come from overland flow, that is to say that a redevelopment of this type needs to be assessed in terms of flooding from the existing drainage systems due to increased surface water flow.

The report concludes that there will be a decrease in the amount of impermeable surface area after the new store is developed (that decrease being 1,690square metres). It therefore concludes that this decrease will reduce the risk of flooding from overland flow and given that the site is located within flood zone one as identified by the Environment Agency where the risk of flooding is less than one in a thousand years the risk of flooding is low.

Loss of housing

The proposal involves the loss of six houses on site. Whilst these properties are of some age being associated as they are with the former use of the land as a railway they are not in officers opinion of any very significant architectural merits that makes their retention fundamental. Given this in architecture and design terms their loss is considered acceptable.

As units of accommodation their loss is regrettable and they are not being replaced by other units elsewhere. However their position on this site surrounded as they are by unrestricted employment uses which could operate at late/ early hours and have the potential to generate a considerable amount of noise and disturbance is highly undesirable. Given that the units are currently situated in such a low quality environment and that their retention as part of any supermarket scheme would also be undesirable it is considered that in this case that their loss is acceptable as part of the overall scheme.

CONCLUSION

The need for a new supermarket in Amesbury is clear. It is a well known long held ambition of much of the population of Amesbury to provide a supermarket that represents real competition to the existing in town retailer (see preferred options questionnaire above). This proposal is likely to provide just such competition and choice on brownfield land within the existing settlement. It is a stated aim of the Amesbury Community Strategic Plan to address the "lack of choice and diversity in retail shopping" and to promote "another supermarket to provide competition for the existing Co-op". This proposal would meet those aims.

However this proposal has to be judged in planning terms against national policy which requires Supermarkets to be located as close to existing town centres as is possible. PPS6 makes it clear that if sequentially preferable sites closer to the town centre are available these sites should be used prior to other sites further out of the town centre being pursued. The former Co op site within the town centre currently sits empty and can be reused as a retail unit alone or in combination with other land. Of most concern is the councils own retail consultants who conclude that the impact on convenience shopping in Amesbury town centre is likely to be in the region of 40%. This is in officers opinion significant and must be a matter of considerable concern to anyone wishing to continue to see Amesbury town centre as a vibrant, functioning retail destination.

It is officers opinion that the adverse impacts outweigh the benefits of this new supermarket and as such the planning application is recommended for REFUSAL.

RECOMMENDATION: REFUSED

REASONS FOR REFUSAL

- 1) It is considered that the proposal for this A1 Foodstore conflicts with the aims and objectives of Planning Policy Statement six in that it represents a proposal for retail development outside of the existing town centre where a more sequentially preferable site exists in the town centre (the former Co-op store on Salisbury Street) as such and in view of its out of centre location it is considered the proposal could have an adverse impact upon the vitality and viability of Amesbury town centre as outlined in the report prepared for the district council by GVA Grimley dated January 2008.
- 2) It is considered that the proposal has the potential to significantly adversely effect traffic flow at the junction of London road and the A345 in Amesbury. This junction presently nears its traffic capacity at peak periods and is therefore sensitive to increases in traffic as could be the case from the proposed retail store. The proposals put forward by the applicant for this junction are not considered to constitute a safe junction with sufficient

capacity for the predicted traffic levels as such the proposals are considered to be contrary to policy G2 (ii) of the adopted local plan

SALISBURY DISTRICT COUNCIL

Review of proposed Food Superstores,
Amesbury
January 2008

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Signed:

1. INTRODUCTION

- 1.1 GVA Grimley was instructed in October 2007 to carry out an independent review of two proposals for food superstores in Amesbury.
- 1.2 In accordance with our terms of reference, we are instructed to review the retail policy issues raised by these proposals, based on the information submitted by the Applicants and drawing on the Salisbury Retail and Leisure Needs Study (RLNS) 2006 undertaken by GVA Grimley on behalf of the District Council.
- 1.3 We have not reviewed other planning policy issues raised by the proposals, such as design, access, highways and employment land; nor have we considered the weight which the District Council may wish to attach to other material considerations in determining the proposals.
- 1.4 This report is structured as follows:-
- In the next section we consider the scale and form of retail floorspace proposed.
 - In Section 3 we summarise the key policy tests which the proposals are required to meet.
 - In Section 4 we review the proposals against the key policy tests.
 - In Section 5 we summarise our initial conclusions and recommendations.

2. THE PROPOSALS

- 2.1 Both proposals are for the development of food superstores with associated parking on sites outside Amesbury Town Centre.
- 2.2 The proposed Tesco store is on a site on the northern edge of Amesbury on the London Road. The proposal is for a food superstore with a gross floorspace of 5,564sq.m, estimated to comprise 1,950sq.m net convenience goods sales and 1,022sq.m net comparison goods sales floorspace. The store is to be served by circa 358 car parking spaces.
- 2.3 The Asda proposals are for the development of a food superstore on Plot C1, Solstice Park. The proposed store comprises circa 6,131sq.m gross, and is estimated to comprise circa 2,415sq.m net convenience goods sales floorspace and 929sq.m net comparison goods sales floorspace. The Asda store is to be served by circa 360 car parking spaces.
- 2.4 Based on the information provided, the Asda store would comprise more convenience goods sales floorspace than the Tesco and is larger overall in terms of net sales (3,344sq.m net compared with 2,972sq.m net). However, it is not clear whether these figures are intended to be restricted by way of planning condition. This would need to be established with the Applicants before any weight could be attached to the difference in net sales floorspace/composition between the schemes.
- 2.5 It remains to be seen whether in the light of the recommendations of the competition commission the forthcoming revised national policy statement on planning for town centres (PPS6) will place more significance on competition, and suggest more weight may be given to the identity of potential operators. In this case neither retailer is currently represented in Amesbury, and therefore either proposal would provide choice and competition to the existing retail offer (notably Co-op). Both are successful retailers and either store would be likely to trade well.
- 2.6 Given that Tesco is already represented in Salisbury, and is one of the stores currently serving the Amesbury area, there may be some differences between the trading patterns of the two proposals. In particular a new Tesco of the size proposed in Amesbury would be likely to retain a higher proportion of trade currently lost to Tesco in Salisbury. Conversely, Asda which is not currently represented in the area, may potentially attract trade from further afield, and be capable of attracting trade from the Salisbury catchment.

- 2.7 However, in terms of the key planning issues i.e. need and impact on Amesbury, the consequences of these differences are unlikely to be significant. Therefore leaving aside any significant differences between the proposals in terms of their net sales floorspace and food/non-food split, we would not recommend that the Council attaches any particular significance in planning terms to the identity of the operator. We consider that the proposals raise similar retail planning issues, which we review in the following sections.

3. KEY POLICY TESTS

3.1 Relevant policy guidance is set out in PPS6, published in 2005. The Government indicated its intention to issue a revised policy statement on retailing and town centres during 2007, although this appears to have been delayed pending the conclusions of the ongoing Competition Commission.

3.2 Paragraph 3.4 of PPS6 sets out the key policy requirements. Applicants are required to demonstrate:

- the need for the development;
- that the development is of an appropriate scale;
- that there are no more central sites for the development;
- that there are no unacceptable impacts on existing centres; and
- that locations are accessible.

3.3 The guidance indicates that as a general rule, new developments should satisfy all the key policy tests and in reaching a decision Local Planning Authorities should also consider relevant local issues and other material considerations. The guidance indicates at paragraph 3.7 that the level of detail and type of evidence and analysis required should be proportionate to the scale and nature of the proposal.

3.4 We expand on the key tests below.

Assessing Need

3.5 Both proposals are appropriately defined as 'out of centre' in policy terms, and as such paragraph 3.9 indicates that need must be demonstrated where such proposals are not in accordance with an up to date development plan strategy.

3.6 The guidance indicates that wherever possible, quantitative need assessments should be based on the assessment carried out for the development plan document, updated as required, and should relate to the class of goods to be sold from the development. The guidance indicates that local planning authorities should also consider whether there are qualitative considerations that might provide additional justification for the development.

Securing the Appropriate Scale of Development

- 3.7 The guidance indicates that an indicative upper limit for the scale of development which is likely to be acceptable in particular centres may be set out in development plan documents. Where this is not the case, or where a development plan document is out of date, the guidance indicates the factors to be considered in determining the appropriate scale of development include the role and function of the centre within the wider hierarchy and catchment served.

Sequential Approach

- 3.8 Paragraph 3.13 indicates the sequential approach should be applied to all development proposals for sites that are not in an existing centre or allocated in an up to date development plan document. The relevant centres in which to search for sites will depend on the overall strategy in the development plan, the nature and scale of the development, and the catchment which it seeks to serve. In this case the main focus of search would be Amesbury Town Centre.
- 3.9 In applying the sequential approach, developers and operators should be able to demonstrate that they have been flexible about their proposed business model in terms of its scale, format, car parking provision and scope for disaggregation. Local Authorities should be realistic in considering whether sites are suitable, viable, and available, and take into account genuine difficulties which the Applicant can demonstrate are likely to occur in operating its business model from the sequentially preferable site.
- 3.10 For retail proposals in out of centre locations which comprise a group of retail units, Applicants should consider the degree to which the constituent units within the proposal could be accommodated on more centrally located sites. A single retailer should not be expected to split their proposed development into separate sites where flexibility and the scope for disaggregation have been demonstrated. Where it is argued that sequentially preferable sites are not appropriate, Applicants should provide clear evidence in terms of availability, suitability and viability.
- 3.11 In this case the retailers have a clearly defined business model i.e. a large foodstore, which has certain operational requirements in terms of servicing and parking requirements. If there is a proven need for a large foodstore, we consider it is legitimate to confine the search for alternative sites to those sites which are genuinely suitable, viable and available to meet these requirements, subject to the policy requirements to demonstrate flexibility.

- 3.12 Both assessments give some consideration to the availability of alternative sites within and on the edge of Amesbury Town Centre. Both assessments conclude that the sites are appropriately defined as out-of-centre in policy terms, and that if the need for a large modern food superstore is accepted, there are no alternative town centre or edge of centre sites which could be regarded as being suitable, viable or available within a reasonable timescale on which such a need could be accommodated.

Impact

- 3.13 PPS6 (Paragraph 3.20) requires impact assessments to be undertaken for any application for retail use in an out of centre location which is not in accordance with an up to date development plan strategy. Such assessments should have regard to, inter alia:

- the extent to which the development would put at risk a strategy for the area or town centre;
- the effect on future public or private sector investment needed to safeguard the vitality and viability of the centre;
- the impact on the trade/turnover and vitality and viability of existing centres; and
- the impact on vacant properties in the primary shopping area.

- 3.14 The guidance indicates the level and type of evidence and analysis required should be proportionate to the scale and nature of the proposal. Impact assessments should be provided for all retail and leisure developments over 2,500 sq.m gross but may occasionally be necessary for smaller developments such as those likely to have a significant impact on smaller centres, depending on the relative size and nature of the development in relation to the centre. Clearly both proposals require proper consideration of impact issues.

Accessibility

- 3.15 PPS6 requires that when considering new developments, local authorities should consider accessibility by a choice of means of transport including public transport, walking, cycling and the car. Local authorities should consider the distance of proposed developments from existing or proposed public transport facilities and the frequency/capacity of services and whether access is easy, safe and convenient for pedestrians, cyclists and disabled people. Local planning authorities should assess the extent to which developers have tailored their approach to meet the Government's objectives, for example through the preparation of

accessibility analysis, transport assessments, travel plans and the promotion of opportunities to reduce car journeys.

- 3.16 Local planning authorities should also consider whether the proposal would have an impact on the overall distance travelled by car.

Other Material Considerations

- 3.17 Local Authorities may take into account other considerations including physical regeneration, employment, economic growth and social inclusion.

Conditions

- 3.18 PPS6 advises that local planning authorities should consider using planning conditions to ensure the character of a development cannot subsequently be changed to create a form of development that the local planning authority would originally have refused. PPS6 advises that where appropriate, conditions should be used to:-

- Prevent developments from being subdivided into a large number of smaller shops or units;
- Ensure that ancillary elements remain ancillary to the main development;
- Limit any internal alterations to increase the amount of gross floorspace by specifying the maximum floorspace permitted (including for example the addition of mezzanine floors); and
- Limit the range of goods sold and control the mix of convenience and comparison goods.

- 3.19 No specific conditions are proposed in the respective Applicants' retail assessments. However, a breakdown of net sales floorspace, and convenience/comparison goods floorspace has been used in order to assess the proposals, and in the event that planning permission was granted for a food superstore we would recommend that consideration is given to the use of conditions to this effect.

4. REVIEW OF THE PROPOSALS

4.1 As both proposals involve a foodstore located on an out-of-centre site, both Applicants acknowledge the policy requirement to demonstrate need for the scale and form of development proposed; that a sequential approach has been taken to site selection, having regard to the requirements for flexibility etc, and that careful consideration has been given to impact. The policy also requires consideration of accessibility, together with other planning considerations, including where relevant the loss of employment sites.

(i) Need

4.2 Both proposals are supported by retail/planning statements. Jones Lang LaSalle (JLL) has undertaken a planning statement on behalf of Asda Stores Ltd dated October 2007, which considers issues of need, alternative sites and impact. GL Hearn (GLH) has undertaken a similar assessment on behalf of the proposed Tesco store, and its report dated 10th September also considers matters of need, scale, the sequential approach and impact.

4.3 Both assessments draw on the RLNS, and conclude that this study understates the capacity for additional convenience retailing in Amesbury Town Centre. The JLL assessment concludes that the study understates capacity on the basis of an error in the level of commitments incorporated in Amesbury. The GLH assessment draws similar conclusions, and concludes that after accounting for this error there is some additional capacity arising in Amesbury based on current market shares. Both Applicants assume that the former Co-op store would not be reoccupied by another convenience goods retailer.

4.4 We have reviewed the Amesbury convenience capacity modelling set out in the RLNS, and have identified two errors in the analysis. First, the inclusion of an erroneous market share in the capacity analysis for Amesbury appears to have led to an overestimate of its convenience goods turnover. The RLNS identifies a 2006 turnover of circa £18.2m rising £19.6m in 2011. Based on the correct survey data, we estimate that these figures should be £14.4m and £15.6m respectively, suggesting the study significantly overstates the potential available turnover in Amesbury based on the survey used at the time.

4.5 The second issue which warrants clarification is the deductions to allow for committed floorspace. The RLNS makes an allowance of £13m for committed floorspace, which appears to include an arithmetical error which overstates the potential turnover of commitments. The

only Amesbury commitment identified at the time was the new Co-op store estimated at 1,395sq.m net additional convenience goods floorspace, which at the Co-op company average turnover equates to a turnover of circa £7.3m. On this basis, employing the correct convenience turnover for Amesbury at 2011, of £15.6m, and taking benchmark sales of existing floorspace at circa £7.9m generates a notional surplus of £7.7m.

- 4.6 On this basis, taking the average turnover of the new Co-op store at circa £7.3m, if this store was in addition to the full reoccupation of the former Co-op store for convenience retailing, by a retailer with a similar turnover, it would largely accommodate the identified capacity. If the former Co-op store was only part reoccupied by a convenience goods retailer, this would generate a notional capacity of circa £3.1m of convenience goods expenditure by 2011 i.e. sufficient to accommodate the likely turnover of a discount foodstore in addition to the part reoccupation of the Co-op unit.
- 4.7 It is evident based on our reworking of the RLNS figures that there is some identified capacity for additional convenience goods shopping floorspace in Amesbury based on current market shares. The scale of capacity depends on the future of the former Co-op store. However, it is equally evident that while the level of capacity identified could accommodate another small supermarket/discount foodstore (subject to the future of the former Co-op unit), it would not support a new food superstore with a convenience goods turnover estimated by JLL on behalf of Asda at £37.1 and by GLH on behalf of Tesco at circa £27.5m.
- 4.8 In order to support this scale of additional floorspace, both proposals therefore rely on a significant increase in market share. Clearly there is no reason why Amesbury cannot or should not seek to increase its market share – the key issue is the impact arising from a larger store outside the town centre on the vitality and viability of the town centre. JLL, on behalf of Asda, has undertaken a 'ring fenced' capacity exercise which compares the likely turnover of existing convenience goods shopping facilities within the Amesbury catchment (using a notional 'benchmark' turnover) with total available expenditure within this area to suggest capacity of circa £74.1m of convenience goods expenditure within this area by 2011.
- 4.9 This is acknowledged to be a relatively crude exercise, and it is clearly unrealistic to expect Amesbury to retain all of the available expenditure generated within this area. However, we acknowledge that a large food superstore as proposed by Asda would be capable of increasing Amesbury's market share within this area. The issue, as identified in the RLNS, is the impact of such a development on Amesbury Town Centre.
- 4.10 GLH, on behalf of Tesco, also rely on a significant increase in market share in order to generate capacity. Unlike JLL, they have carried out their own independent household

interview survey and undertaken a more detailed assessment of current shopping patterns. This suggests that following the opening of the replacement Co-op store Amesbury's market share has apparently fallen (although the difference identified could readily be accounted for by the margins of error inherent in such surveys). GLH highlight they have employed a larger sample size than the survey which underpin the RLNS, and in our view any difference between the market shares is more likely to be accounted for by this factor than any actual decline in Amesbury following the opening of the replacement store.

- 4.11 On the basis of their more detailed analysis using the new survey data, GLH identify residual capacity in Amesbury in 2007 of circa £5.16m of convenience goods expenditure. This assumes no replacement convenience store for the former Co-op, which would go some way to meeting the identified capacity. On this basis, the revised GLH assessment broadly concurs with our own reworked capacity assessment i.e. that at constant market shares there is limited capacity of further convenience goods floorspace in Amesbury, if the former Co-op store were to be reoccupied by an alternative convenience operator.
- 4.12 GLH argue that it is inappropriate to assess capacity based solely on Amesbury's current, low market share, and has reworked its assessment on the assumption that Amesbury attracts 75% of available expenditure within core Zone 1. GLH assume that overall, Amesbury would be able to increase its market share from 22% to 48% of available convenience goods expenditure within the catchment area. On this basis, GLH identifies there would be residual convenience expenditure of circa £25.6m at 2009 which would be sufficient to support the estimated convenience goods turnover of the proposed Tesco store.
- 4.13 Of the two assessments, we consider the GLH approach employs a more robust methodology and is underpinned by a more detailed household interview survey. However, in essence, both assessments are based on the assumption that Amesbury is able to achieve a significant increase in market share as a consequence of the development of a new large food superstore as proposed. We do not dispute this conclusion. It is evident that the RLNS itself identifies that a large modern food superstore in Amesbury would be capable of achieving a significant increase in market share, by clawing back expenditure lost to competing food superstores in Salisbury and elsewhere.
- 4.14 It is also evident that in the absence of any alternative option, a large modern foodstore would provide additional choice and competition to the Co-op in Amesbury Town Centre and by reducing the need to travel for main food shopping, would be likely to reduce overall travel demand and achieve a more sustainable shopping pattern. In this respect the potential benefits of the proposals are not disputed. However, these benefits have to be considered

against any alternative options and the impact of the proposals on Amesbury Town Centre, which we consider later.

(ii) Sequential Site Assessments

- 4.15 We concur with the Applicants that if it is accepted that there is a need for a food superstore in Amesbury, of the size proposed, there is no sequentially preferable site within or on the edge of the centre. However, it is evident that neither applicant has thoroughly examined the potential for redevelopment of the former Co-op store. We understand that to date this has been marketed on the basis of a partial reoccupation by a convenience store, but the option of more comprehensive redevelopment has not been discounted. We consider the future of the former Co-op store has a bearing on the need and impact issues raised by the food superstore proposals, which we consider later.

(iii) Impact

- 4.16 The RLNS study concluded a broadbrush assessment of the impact of a new food superstore in Amesbury. The study considers two scenarios – a 1,800 sq.m net store and a 2,500 sq.m net store and indicates impacts ranging from 33% to 37% depending on the size of the store. The convenience goods floorspace component of both proposals falls within the range assessed in the RLNS.
- 4.17 The RLNS did not specifically consider the impact of the non-food element of any new food superstore. The main focus of the study was on the convenience goods impact, bearing in mind the key role which the convenience goods sector performs in underpinning the vitality and viability of Amesbury.
- 4.18 The impact assessment included within the RLNS incorporated the assumption that the convenience goods turnover of Amesbury Town Centre at 2011 would be circa £19.6m, which for the reasons outlined above represents an overestimate of the centre's turnover. Accounting for the error identified in the market shares used in the RLNS, the indicated convenience goods turnover of Amesbury is more likely to be in the order of circa £15m (as estimated by GLH on behalf of Tesco), based on a more up-to-date household survey which incorporates the opening of the replacement Co-op store.
- 4.19 GLH estimate the convenience goods turnover of the proposed Tesco would be £27.5m of which circa £5m, or 18% of the store's turnover, would be diverted from existing convenience retailers in Amesbury. Using GLH's assumption of Amesbury's current convenience goods

turnover of £15.31, this represents an impact of circa 33% on the town's convenience sector, with the assumption that most impact could fall on the Co-op. While significant, GLH highlight that at this level the new Co-op store in the town centre would still be expected to trade above its company average level.

- 4.20 JLL, on behalf of Asda, identify the store's convenience turnover at £37.2m i.e. nearly £10m more than the proposed Tesco. This reflects the higher convenience goods sales floorspace in the proposed Asda, and the higher turnover per sq.m figure employed. JLL estimate that £7.3m of the proposed store's turnover (just under 20%) would be diverted from convenience goods retailers in Amesbury. Using the RLNS estimate of Amesbury's turnover at £19.7m JLL estimate the Asda would have a 37% impact on Amesbury's convenience goods retailers. Using the more up-to-date GLH estimate of Amesbury's turnover at £15.3m, at the same level of trade diversion used by JLL the implied impact on Amesbury's convenience goods sector would be considerably higher, at circa 48%.
- 4.21 In practice notwithstanding the difference between the proposals in terms of net convenience goods sales area and sales per sq.m assumptions, assuming the more up-to-date turnover estimate for Amesbury represents the best available figure, we would expect either proposal to have an impact of circa 40% or more on the convenience goods sector of Amesbury. We anticipate the impact on Amesbury's non-food sector would be less significant, given the limited non-food offer of the town at present.
- 4.22 As identified in the RLNS, we consider at these levels of impact there would be a concern in respect of the overall vitality and viability of Amesbury Town Centre arising as a consequence of the impact on the main anchor store and on linked trips generated by this store to other local facilities which would be likely to be provided in a large food superstore. Most of the direct impact of a new out of centre superstore would fall on the Co-op, and this store is unlikely to close even at the levels predicted.
- 4.23 However, there would be a wider impact on other convenience retailers, both as a consequence of the direct effect of the 'instore' facilities to be provided (e.g. bakery, wet fish, butchers etc.) and the indirect effect of lost linked trips arising from the impact on Co-op.

(iv) Other Retail Considerations

- 4.24 We concur with both Applicants that even as a consequence of the levels of impact predicted, the new Co-op in Amesbury could continue to trade at or around its company average. We would not anticipate this store's closure as a consequence of the levels of impact predicted. However, we consider at the levels of impact predicted there would be a significant adverse

effect on Amesbury's vitality and viability, reducing the overall vitality and viability of the centre and leading to a broad impact on a range of other convenience retailers and services in the town which would be likely to be replicated at a large out-of-centre food superstore.

- 4.25 We have previously recommended that the Council investigates the prospects of a replacement foodstore operator taking the former Co-op unit. While this would not accommodate a superstore of the size proposed by the Applicants, the potential to accommodate a supermarket by redevelopment of the store and adjoining car park has not been ruled out. If this was a realistic option, it would be necessary to consider the additional implications of the food superstore proposals on this option, and the extent to which this would help to meet identified needs and provide further choice and competition.
- 4.26 The provision of another foodstore operator in the town centre, potentially occupied by a discount food retailer or a quality supermarket, would clearly have an impact on the current turnover of Co-op, and as a consequence the cumulative impact of a large out-of-centre food superstore on the viability of this unit would be more significant.
- 4.27 In the event that there is a realistic option to secure another supermarket in Amesbury Town Centre, to provide additional choice and competition to the Co-op, it would also be relevant to consider what if any risk a large out-of-centre food superstore would pose to securing such investment. In these circumstances we consider both the Applicants and, if necessary, the Council should investigate the future of this unit further before determining the current out-of-centre proposals.
- 4.28 On a related point, we have previously advised the Council in respect of proposals by Lidl for a discount foodstore outside Amesbury Town Centre. We concluded that there is likely to be capacity for this scale of additional convenience retailing in Amesbury, and that this type of development would provide a qualitatively different offer and would not give rise to the levels of impact and concerns which we have highlighted in the case of the current proposals. However, given the potential of the former Co-op store to accommodate this capacity we, advised that the Council should explore the availability of the former Co-op store before determining the Lidl proposals.
- 4.29 If following these investigations the Council concludes that the Lidl proposals are acceptable and resolves to grant planning permission for this development, it will be necessary to consider the cumulative impact of these proposals and the large food superstore proposals currently before the Council. At the levels of impact predicted in the case of the current food superstore proposals, if these levels of impact were over and above the more modest impact of a discount food operator our concerns would be compounded.

- 4.30 Given the importance of this issue, we recommend that the Council should investigate with the Co-op the current situation regarding the availability of this unit, and establish whether there is any realistic prospect of reoccupation of the entire unit and/or redevelopment of a larger site to accommodate a new foodstore capable of making a significant contribution to meeting the identified quantitative capacity and qualitative needs in the area.

5. SUMMARY AND CONCLUSIONS

- 5.1 The current proposals by Tesco and Asda are for large out-of-centre food superstores selling a mix of convenience and comparison goods.
- 5.2 We have reworked the retail capacity analysis undertaken as part of the RLNS. At current market shares we conclude that there is some modest quantitative capacity for additional convenience goods floorspace in Amesbury, although this identified capacity would not come close to supporting the scale of additional convenience goods floorspace included in the current proposals. Depending on the future of the former Co-op store in the town centre, there may be capacity to support a more modest supermarket or discount foodstore based on constant market shares,
- 5.3 A new large food superstore, as proposed by Tesco and Asda, is potentially supportable based on a significant increase in Amesbury's market share. Consistent with our conclusions in the RLNS, we are satisfied that either proposal would be capable of increasing the level of trade retention in Amesbury, and would trade successfully. We have also previously acknowledged that a new large foodstore would provide additional choice and competition to the existing retail offer, and by reducing the need to travel would lead to potentially more sustainable shopping patterns.
- 5.4 There is no reason why Amesbury Town Centre cannot and should not aspire to increase its market share. However, we have highlighted that a large food superstore outside the town centre would be likely to lead to a significant impact on the vitality and viability of Amesbury Town Centre. It is also necessary to thoroughly examine whether there are any more central opportunities in Amesbury Town Centre which could contribute to meeting an identified need.
- 5.5 Depending on the future of the former Co-op store in Amesbury Town Centre, and the Council's determination of the current application for a discount foodstore submitted by Lidl on land at London Road, these proposals would be likely to address the modest capacity identified based on Amesbury's current market share and provide additional choice competition to the Co-op store. Clearly in policy terms a replacement foodstore in the former Co-op unit will be the preferred option and would contribute to meeting identified needs. If this option is not available, permitting an out-of-centre discount foodstore may be acceptable in policy terms, and would provide for additional choice and competition without leading to a significant impact on Amesbury Town Centre.

- 5.6 Tesco and Asda estimate the impact of their proposals on the convenience goods sector of Amesbury at between 33% - 37%. Based on the most up-to-date estimate of Amesbury's current turnover, estimated by Tesco at £15.3m, the impact of the Asda store would be significantly higher, i.e. well in excess of 40% on the basis that this proposal incorporates a higher proportion of convenience goods floorspace and Asda have assumed a higher store turnover. In practice we consider the impact of either store will be likely to be circa 35-40% but could be higher.
- 5.7 At these levels of impact, we anticipate the new Co-op store in Amesbury Town Centre would still be likely to trade at or about company average and we would not expect this store to be at risk of closure. Clearly the cumulative impact of one or both of the current proposals, in addition to a replacement foodstore in the former Co-op unit (and/or a discount retailer such as Lidl located outside the town centre) would lead to a much more pronounced impact on this store, although in our experience it is still unlikely that it would be vulnerable to closure.
- 5.8 However, we remain concerned that the impact of either proposal on Amesbury's convenience retail sector would be significant, and that the consequences of a large full line superstore would be a more broad based impact on both the Co-op store and other local retailers who are likely to benefit from linked trips generated by this town centre 'anchor'. In contrast to the more modest impact of a discount food retailer, as previously advised, either of the large food superstore proposals would be likely to include a range of in-store facilities and to largely replicate the every day convenience and services offer of Amesbury Town Centre.
- 5.9 We acknowledge that these concerns need to be balanced against the additional choice and competition and more sustainable shopping patterns which could be achieved by one of the current proposals. In our view in purely retail planning terms we consider the potential harm to Amesbury Town Centre would outweigh these benefits, although we recognise this is essentially a planning judgement which officers and members of the Council need to reach.
- 5.10 However, we would strongly recommend that further investigations are made to establish the future of the former Co-op unit in the town centre, and that any consideration of the current food superstore proposals also needs to have regard to the Council's position on the other discount foodstore proposals in Amesbury. The Council should carefully consider the opportunities to accommodate further convenience retailing in the town centre, and to have regard to the potential cumulative impact of the current proposals and any other proposals before the Council at the current time.
- 5.11 In the event that the Council decides to support a large food superstore in Amesbury, we do not consider there is any clear retail planning basis to differentiate between the two sites or

operators, although the Asda proposals are indicated as having a significantly higher convenience impact. We have not considered other planning policy considerations or material considerations which may have a bearing on the decision of the Council.

- 5.12 In the event that the Council resolves to approve a new food superstore in Amesbury, we recommend that the Council determines which proposal it is minded to support, and the planning grounds for doing so, and explores the use of planning conditions governing the size/mix of store, range of in-store facilities etc. to minimise impact on Amesbury Town Centre.

Appendix 2

CJBG/smr/02A729630

13 March 2008

Ms Sarah Hughes
Salisbury District Council
The Council House
Bourne Hill
Salisbury
Wiltshire
SP1 3UZ

DRAFT

chris.goddard@gvagrimley.co.uk
Direct Line 020 7911 2202

Dear Sarah

AMESBURY – SUPPLEMENTARY ADVICE ON RETAIL MATTERS

Further to our review of the proposed Lidl Foodstore dated November 2007, and subsequent review of the Tesco/Asda Food Superstore proposals which we completed in January 2008 you have requested our supplementary views on a number of further matters which have arisen since then, in order to inform your recommendation and deliberations in respect of the current Amesbury proposals.

Specifically, you have requested clarification of the implications of the current application received to redevelop the former Co-op Store in Amesbury Town Centre, which we understand is to comprise a development of a new foodstore for Sainsbury's comprising 3,082 sq.m gross (1,858 sq.m net), and the deliverability of this option. You also requested clarification of the cumulative effects of the Council permitting all or a combination of the current out of centre proposals and, in the event that the Council resolved to approve more than one of the current out of centre stores and these were not 'called in', the probability of two stores actually being built.

The context for this advice is well rehearsed and on the basis of our review of the various Applicants' supporting statements, there is a degree of consensus emerging in respect of the baseline and impact issues emerging to date. Specifically, it is broadly common ground that the new Co-Op Store in Amesbury is trading very strongly and on current market shares there is expenditure capacity for reoccupation of the former Co-Op Store if this was a viable/available option.

We have previously concluded that if this store is only partially reoccupied by a smaller convenience operator or a retailer achieving a low turnover there is likely to be sufficient capacity based on constant market shares for a discount foodstore type operation such as Lidl in the Amesbury area, and have concluded that the impact of such a store is unlikely to materially affect the vitality and viability of Amesbury. If the former Co-Op Store was to be reoccupied or redeveloped for a similar size store capable of accommodating the requirements of a discount type food operator, this would go some way to meeting an identified need and provide choice/competition to the Co-op within the town centre, which is the preferred option in national policy terms.

As far as the current proposals for large out-of-centre food superstores are concerned, it is common ground that a store of this size is not supportable based on Amesbury's current market share, but there is a realistic expectation of a new large food superstore being able to increase the amount of trade retained in the Amesbury area, with the attendant benefits of increased choice/competition. The issue is the impact of such a development and, in the light of the latest proposals for the former Co-Op Store, whether a large quality foodstore could be accommodated in the town centre in line with policy guidance.

In common with the Applicants, we estimate the impact of a large food superstore outside Amesbury is likely to be circa 40% although the estimates vary depending on the turnover of the new store, the assumed turnover of the existing retailers in Amesbury and detailed trading assumptions. Assuming the impact of a single store is of this order of magnitude, our overall conclusion is that such a development would lead to a significant adverse impact on Amesbury Town Centre, but would be unlikely in itself to lead to the closure of the Co-Op Store. Failure to do so would potentially leave a decision to allow an out-of-centre proposal open to a 'call in' by the Secretary of State.

It follows from our analysis that in order to reach a decision on the current out-of-centre proposals, the Council needs to consider carefully the suitability, viability and availability of the former Co-Op Store and potentially adjoining properties and the potential to contribute to meeting identified needs within Amesbury Town Centre in accordance with national planning policy guidance. There is a clear requirement for both the Applicants promoting out-of-centre stores, and the Council to consider carefully the potential of this option before supporting less central options.

To date, there appears to have been little progress made towards securing a replacement convenience operator for the former Co-Op Store. We understand the original intention was to subdivide the unit and secure a replacement convenience operator for part of the unit which for the reasons outlined above would in our view still leave some surplus capacity even based on Amesbury's current market share, and would not provide effective choice and competition to the new Co-Op Store. There have been discussions between the Co-Op and Aldi in respect of the potential reoccupation of this unit for a discount foodstore. More recently an application has been submitted for a foodstore comprising 1,858 sq.m net sales floorspace, which would be likely to comprise circa 1,600 sq.m net convenience goods floorspace. We understand that this proposal would involve the acquisition of adjoining land, including a Council owned car park although we do not have full details of the proposals.

We have previously advised that the Council needs to have thoroughly examined the potential of this town centre opportunity to accommodate a replacement foodstore, or redevelopment for a larger store, before supporting any of the current out-of-centre proposals. We have reviewed the comments submitted by Lidl dated 8th February 2008 and the previous comments of Atisreal which consider the suitability, viability and availability of this unit for their requirements, and their views on the likelihood of the reoccupation of the unit by Aldi, or redevelopment for Sainsbury's. We understand that indications have been given by Co-Op at the unit and/or site could be available for an alternative convenience retail occupier, although from the evidence available to us there appears to be a significant degree of uncertainty as to the genuine availability and suitability of this unit for a discount foodstore.

In our view the examples provided elsewhere where the Co-Op appears to have sought to oppose the development of competing foodstores in similar situations, and the apparent contradictory evidence as to its intentions for the Amesbury Store do not in themselves justify discounting this option at the current time. However, we consider the Council needs

to seek a clear commitment from the Co-Op as to its intentions for this unit in order to reach a decision as to whether this unit or wider site is likely to be suitable, viable and available to either an alternative discount foodstore, or to a larger quality supermarket, before it is able to support any of the current out-of-centre proposals.

If, on further investigation, the Council concludes that the former Co-Op Store would be suitable, viable and available for occupation by Aldi or another alternative discount foodstore this would meet the qualitative need for choice and competition and provide the benefits of a discount foodstore identified by Lidl. It would also go some way to meeting the identified capacity in Amesbury, based on current market shares, and reduce the level of over trading in the new Co-Op Store. In these circumstances, we consider the case for supporting an out-of-centre discount foodstore as proposed by Lidl would be significantly reduced.

In the case of a proposal for redevelopment of the former Co-Op Store, as part of a larger scheme to provide a store to accommodate a Sainsbury's, we have reviewed the comments of Atisreal in their letter dated 19th February 2008 and concur with their conclusion that, if viable, such a store would be likely to increase Amesbury's market share by changing the perception of Amesbury and providing a significant quantitative and qualitative improvement in the town's retail offer. This would substantially address the overtrading of the new Co-Op Store, but would be unlikely to seriously undermine its vitality and viability. The overall consequence of this option, if the Sainsbury's proposals are concluded to be suitable, viable and available, would be to provide materially improved convenience shopping facilities in Amesbury Town Centre, provide choice and competition, and to help to claw back into the town centre trade lost to competing large foodstores.

Subject to the realism of this option, and the Council's satisfying itself that it could genuinely be regarded as suitable, viable and available, we consider that such an option would largely meet a quantitative and qualitative need in Amesbury, and would materially reduce the justification for supporting any further out-of-centre convenience shopping provision in the area, in the current time. We are not able to comment on the realism of this option without undertaking a detailed audit of the planning/highways issues involved and the owners/developers/retailers intentions and commitments. However, such a proposal would inevitably be complex and problematical in planning/implementation terms.

While we consider the potential redevelopment of the former Co-Op Store for a Sainsbury's supermarket would meet an identified need, this option would still potentially leave a role for a discount foodstore operator in Amesbury. The Sainsbury's proposals would meet any identified quantitative need, but we acknowledge that a discount foodstore would provide additional choice and would to some extent be complementary to the roles of the new Co-Op and a new Sainsbury's store. In the context of the likely performance of the town centre Co-Op and new Sainsbury's store in this scenario, we consider the impact of an out-of-centre discount superstore as proposed by Lidl would be unlikely in itself to seriously undermine the viability of either store.

In the context of the significant improvement to the performance of the town centre as a whole, we consider the impact of the proposal would be relatively modest.

In the case of the current out-of-centre food superstore proposals, submitted by Tesco and Asda, we have previously advised that the impact of either proposal is likely to be in the region of 40% on the convenience retail sector of Amesbury Town Centre. At these levels of impact, we anticipate that the new Co-Op Store in the town centre would still be likely to trade at or about company average and would not expect the store to close, although we still remain concerned about the consequence of this level of impact for the vitality and viability

of Amesbury Town Centre. The consequence of the partial or total reoccupation of the former Co-Op unit in Amesbury Town Centre would be to reduce, to some extent, the current strong turnover of the Co-Op Store and as a consequence the impact of a large out-of-town centre on this town centre anchor store would be more pronounced although we still anticipate the store would be unlikely to close or be seriously affected in these circumstances.

In the event that the proposal to redevelop the former Co-Op Store to provide a larger unit for a quality foodstore operator like Sainsbury's was approved and implemented, for reasons outlined previously we consider this option would meet the quantitative and qualitative need and would be likely to secure an increase in market share and claw back trade into Amesbury Town Centre in line with national policy guidance. In these circumstances, the policy justification for supporting an out-of-centre large new superstore would be significantly diminished, based on the absence of need and the potential availability of a sequentially preferable site.

We also consider that in the event that the Council concludes the 'Sainsbury's' proposal can be regarded as suitable, viable and available, there must be a significant prospect that the grant of planning permission for a large out-of-centre superstore would be likely to prejudice this investment. We consider that it is extremely unlikely that a retailer like Sainsbury's would be prepared to commit to this development with the prospect of a large out-of-centre food superstore remaining. The prospect of prejudice to such a significant new town centre investment would further undermine the case for an out-of-centre food superstore in this scenario.

Finally, we have been asked to consider the issue of cumulative impact, and implications of the Council deciding to permit more than one of the current out-of-centre foodstore proposals. For reasons outlined above, we consider it is impossible to divorce this issue from the question of the potential re-occupation or redevelopment of the former Co-Op Store as this fundamentally affects the need and policy justification for any out-of-centre store, and also has a material bearing on the impact arguments.

If the Council concludes that there are no realistic options for re-occupation of the former Co-Op Store in its entirety, or redevelopment for a larger foodstore, we consider the impact of an out-of-centre discount foodstore as proposed by Lidl would be relatively insignificant. The Co-Op Store would be likely to continue to trade above average and the impact on other convenience retailers in the centre would be extremely limited. The impact of a large out-of-centre food superstore, as proposed by Tesco and Asda, would be circa 40%, and while the new Co-Op Store would still be likely to trade at or above company average in this scenario we consider the level of impact would be likely to lead to a pronounced adverse affect on Amesbury's vitality and viability.

We have not previously considered the cumulative impact of permitting both large out-of-centre food superstore proposals, and/or the Lidl proposal. Dealing first with the cumulative impact of allowing one out-of-centre foodstore and the Lidl proposals, this would clearly lead to a level of impact above the circa 40% projected in the case of the food superstore proposals alone. There would be some element of "mutual impact" between the new food superstore and discount foodstore and for the reasons outlined previously, we consider the impact of the discount foodstore itself is unlikely to be significant. If a non food superstore and discount foodstore were permitted and developed this would compound our concern about the overall impact on the convenience retail sector of Amesbury based on its current representation (i.e. the new Co-op store) and could prejudice securing new investment in a replacement operator or wider redevelopment of the former Co-Op Store (if this proves a realistic option).

If the Council was minded to approve both the current out-of-centre food superstore proposals, and assuming the applications were not "called in" and both operators proceeded to build and open new stores, there would be a significant "mutual impact" between the stores themselves. Both stores would be likely to trade significantly below the retailers normal expectations, and in practice in our view the prospects of both operators building and opening new stores in the circumstances would be remote. However, in the unlikely event of both proposals being permitted and not called in by the Secretary of State, and ultimately being built and occupied, their cumulative impact on Amesbury Town Centre would be significantly above the 40% figure estimated for a single store.

At this level of impact, we consider the impact on the Co-Op, and 'knock on' effects on other retailers in Amesbury would be very significant, and would be likely to seriously undermine the vitality and viability of the town centre. In these circumstances, if the Council was minded to support an out-of-centre superstore, we would strongly advise against resolving to permit both.

I trust this clarifies our advice on this issue, but please do not hesitate to contact me if you need to discuss.

With best wishes,

Yours sincerely

CHRIS GODDARD
Executive Director
For and On Behalf of GVA Grimley Ltd

22nd April 2008
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SP1 3AH

Salisbury District Planning Department	
Rec. 23 APR 2008	
Acknowledged	-----
Copy to	-----
Action	----- <i>AM</i> -----

GL HEARN 

Dear Mr Madge,

**PLANNING APPLICATIONS ON BEHALF OF TESCO STORES LTD AND GREGORY
DISTRIBUTION LTD REFERENCE: S/2007/1865 & S/2008/572**

**Proposed Retail Store (Class A1 Use), Associated Car Parking, Landscaping,
Alterations to Access and Direction of Freestanding Wind Turbine on Land and
Buildings at 140 London Road, Amesbury, SP4 7EQ**

I refer to the helpful meeting with yourself and Sarah Hughes on 17th April 2008, when we discussed the above two planning applications, which you advised should be considered at the 8th May committee at the same time as the planning application for a Food Store submitted on behalf of Asda. You advised that you would need to complete your committee report by no later than the 25th April, hence I trust the timing of this letter is helpful, being in advance of that date.

In respect of both Tesco applications, which of course are essentially for the same development and supported by the same documents, it is helpful that there are no outstanding issues relating to the submitted Environmental Statement and there are no outstanding issues relating to matters of detailed design, layout or landscaping associated with the scheme.

I also confirm for the avoidance of doubt that the proposed Tesco Store would not include either a pharmacy or a post office and if you considered it necessary, we would have no objections to imposition of a condition to that effect.

Your email (18/04/08) asked for clarification on security measures for the car park. Tesco Stores Ltd has confirmed that there would be security at the site and they would provide measures to secure the car park if it is being abused out of opening hours. If it was considered necessary we would accept an appropriate planning condition.

While you have yet to complete your report to committee in respect of the two Tesco planning applications, you advise that there are two issues which lead you to recommend refusal and one other outstanding matter. The two issues are:

Retail impact on the town centre

Employment policy

The outstanding issue is the response of the County Highway Authority in respect of highway matters.

We discussed all three and I trust that my clarification was helpful and could lead you to reconsider in respect of retail impact and employment and that the expected response of the County Highway Authority will resolve the third issue.

RETAIL MATTERS

Retail Need

The retail planning context for consideration of the Tesco planning applications must now include the resolution by SDC to grant planning permission for the Lidl discount store on land at the Minton Distribution Park to the north east of the Tesco site. That resolution requires a prior Section 106 Agreement restricting the range and type of goods to a discount operation.

If the Section 106 Agreement is signed and the permission issued and if Lidl trade from this site, then SDC will have approved a discount store for Amesbury, but not addressed the fundamental retail need acknowledged by all parties, namely the need for a major food store to address significant leakage to other towns.

The Sequential Approach

The SDC decision, in respect of Lidl, has also removed the uncertainty about the availability of the town centre site, at the former Co-op store and adjoining land, including Salisbury District Council car park. That site is now not available. Aldi has confirmed that the approval for a Lidl at the Minton site means that they have withdrawn any interest in pursuing a discount store in the town centre within the former Co-op building, whether or not indeed this opportunity was, realistically, available to them.

The submitted planning application by Frobisher on behalf of J Sainsbury, in respect of a site including the former co-op store, SDC town centre car park and adjoining third party land is still unregistered and Frobisher have appealed against the SDC requirement for an Environmental Impact Assessment. There is currently, therefore, no registered planning application in respect of a small food store in the town centre, but more importantly the letter from the Co-operative Group (CGP) to SDC 10th April 2008 confirms beyond doubt that the Frobisher scheme could not proceed as the Co-op land will not be made available. The statement from Ruairidh Jackson, Head of Planning and Property Strategy for CGP cannot be more clear:

"Finally, please also be aware that if Lidl is approved and Aldi withdraw the offer for our site, we will not remain willing to support the Frobisher scheme as a cumulative impact of both the Lidl and a new Sainsbury's on our store in the town centre is so high as to severely damage our interests".

At our meeting, Sarah Hughes referred to a SDC intention to promote an allocation for a food store within Amesbury town centre to include the former Co-op store site and the Council car park as part of the emerging LDF. Sarah advised that, that intention might be argued by SDC as indicating that a sequentially preferable site could be available when considering the Tesco applications. I repeat my concern about that approach and that any conclusion by SDC of such a future potential allocation could be argued, now, to demonstrate that this is realistically available, suitable and viable alternative site in the context of determinations by SDC of the Tesco scheme.

It would not be credible for SDC at a Committee in May 2008 (or even subsequently) to advance the argument that the town centre site comprising the Co-op store (not supported by the Co-op), a Council owned and well used car park and other third party land is a sequentially preferable site for a major food store to address the identified retail need, which would be satisfied by a Tesco food store.

Salisbury District
Planning Department
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Action

As recently as 10th April 2008, in determining the Lidl food store application for an out of centre site to the north east of the Tesco scheme, SDC determined that this town centre site was not a realistic option, i.e. not a realistic option in the context of a Lidl food store in out of centre location. There were no statements to members in April 2008 about a potential food store site being allocated in the town centre through the emerging LDF.

Notwithstanding the fact that this proposed town centre site would be of insufficient size to provide a food store of adequate scale to address the retail need, there is no certainty that a store of even a smaller scale would be approved, having regard to matters of detailed design, the Conservation Area context and highway/transportation issues. With the clear and unequivocal objection from the CGP, the major land owner involved, such a proposal would require the use of Compulsory Purchase Powers with no certainty of a CPO being successful. The SDC handling of the Lidl planning application, effectively allowing an out of centre discount store when the Co-op indicated they were willing to facilitate either a small supermarket or a discount store in the town centre would surely be a material consideration in a decision in respect of any CPO against the wishes of CGP.

In summary, if SDC were to advance the town centre Co-op/SDC car park/third party site as a sequentially preferable location in the context of the proposed Tesco store, any such judgement would be flawed and clearly contrary to the stance already taken by SDC in respect of the Lidl application.

Retail Impact

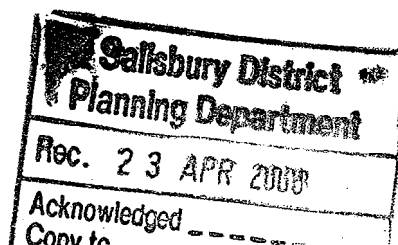
I appreciate that your "officer view" is informed by the GVA Grimley (GVAG) retail advice and I repeat my concern that you ensure members are provided with accurate advice in respect of all matters, including retail impact, if they wish to be informed on any differences between the Tesco and Asda schemes.

The GVAG advice to SDC January 2008 accepted the GL Hearn impact assessment of some 33% (32.5%) on the town's convenience sector (at 2009), with the assumption that most impact could fall on the Co-op. They also advised in the same report that the Asda stores convenience turnover would be nearly £10m more than the proposed Tesco, reflecting the higher convenience goods sales floor space in the proposed Asda. GVAG made their own assessment of impact for Asda, based on the more up to date GLH estimates of Amesbury's turnover, and concluded that the Asda impact on the Amesbury convenience goods sector would be considerably higher at some 48%.

The impact figure of 40% therefore that has been adopted by GVAG, and by SDC in the Lidl Committee report, represents an average of the two impact figures and should not be used as a figure to represent the likely impact of a Tesco store on Amesbury town centre convenience goods retailers. The correct figure accepted by GVAG is some 32.5% or as rounded by GVAG, 33%, at 2009.

It is accepted by GVAG, and all other parties in respect of these retail schemes, that the anticipated impact on Amesbury's non food sector (comparison goods) would be less significant given the limited non food offer of the town at present.

Following the SDC resolution to approve the Lidl food store, it is necessary to consider cumulative impact. The GVAG advice to the Council, accepted by SDC, is that the impact of the Lidl discount food store "on other convenience retailers in the centre would be extremely limited". On that basis, the cumulative impact of a Tesco food store and the Lidl store would be very little different to the assessed and agreed impact of the Tesco store alone, i.e. some 33%. Again it should be noted that the GVAG assessment of an Asda food store alone is some 48%.



We have consistently advised in respect of the Tesco proposal for Amesbury that SDC and Amesbury have a clear choice, either to accept some impact on Amesbury's town centre, but with the advantage of a modern food store in Amesbury, or accept the status quo. The overwhelming public response in respect of the food store applications is welcoming a new food store to address the leakage and provide Amesbury with the shopping provision it needs. Approving the Lidl discount store has not addressed this retail need and does not solve the problem. Rejecting a Tesco store will effectively maintain the status quo as there is no realistic prospect of the town centre site being made available for a food store, and even if it was, it would not be of sufficient scale to address the leakage i.e. to address the retail need.

SDC Committee Members should be prepared to take this important decision for Amesbury. Public preferences for one retailer over another must not be a material consideration and clearly the judgement by your Members will be on the basis of which site and scheme is acceptable. That should lead to approval of the Tesco scheme. It is accepted that there will be some impact on the town centre though GVAG confirm that it would not cause the closure of the existing Co-op store, even allowing for the Lidl proposal. The appropriate impact figure to consider (for convenience goods) is not 40%, but it is 32.5% in respect of Tesco and 48% in respect of Asda. There is a significant and material difference in impact on the town centre convenience goods turnover between the two proposals.

EMPLOYMENT POLICY E16

At our meeting I expressed my concern that your conclusions in respect of employment policy are clearly at odds with the interpretation of the same policy in the Committee report 10th April 2008 in respect of Lidl. You indicated that the use of the Gregory site and adjoining land for a food store would be contrary to your Policy E16 and hence a reason for refusal.

I referred you to the Committee report in respect of Lidl "Section 4 Employment Land", which concluded for an existing employment site, but which is not "allocated" as an employment site within the local plan (identical to the Tesco site) that:

"It is considered that the proposed development is an acceptable alternative employment use that provides a similar number and range of job opportunities".

As stated in the supporting documentation to the Tesco scheme, the new store will provide a new source of employment within Amesbury, with the provision of between 200-220 full time equivalent jobs, with usual employee numbers between 317-340 full and part time. We have also confirmed that the former Gregory Transport Depot, which comprises about half of the area of the application site, is an eyesore and is almost derelict and all existing commercial premises within the remainder of the site are being relocated to improved or purpose built premises nearby. The Great Western Ambulance Depot is due to be declared surplus for operational reasons and is to be relocated to new premises on Solstice Park.

Sarah Hughes also referred to employment land supply figures as a reason to refuse the application, on the basis that use of the site for a food store would thereby require additional new employment land. Such an objection is again inconsistent when no objection was raised in the context of the Lidl application on an existing employment site at the Minton depot on adjoining land.

The LPA has 36.65 ha of employment land committed (refer paragraph 6.3.17 of the GL Hearn revised ES) and needs to find only 0.35 ha in the whole Salisbury district in the period up to 2026 to meet the RSS requirement of 37 ha. Clearly the large allocation at Solstice Park is an important part of this long term employment reserve.

Based on the decision by SDC to approve the Lidl application, and with that decision informed by officers advice in respect of employment land policy relating to that site, it is inconceivable that SDC could appropriately base an objection to the Tesco scheme on this site in the context of the same policy considerations. The proposed Tesco development will provide acceptable alternative employment use that provides a greater number of job opportunities.

The existing job opportunities are not lost, as all commercial operations are being relocated within the vicinity.

HIGHWAY MATTERS

You confirmed our understanding that the Highways Agency has no objections to the Tesco scheme and I advised you that Tony Chapman of ADL anticipates that the County Highway Authority should provide you with a formal response in respect of the Tesco scheme this week. The only outstanding issue still being assessed by County Highways is the A345/London Road junction where the amended design is being fed into the VISSIM model. We are hopeful that their consideration of revised modelling will confirm its acceptability. We understand there are no other outstanding issues and I set out below a summary of the highway works and contributions which would form the basis of a Section 106 Agreement in respect of the Tesco scheme:

Highway Works

1. New roundabout on London Road to provide access to the development proposals.
2. New bus lay-by and two new bus shelters on London Road with real time bus information.
3. Provision of new cycle/foot way across the site frontage linking into the new cycle way to be provided by Lidl to the east of the site.
4. Improvements to the Countess Road signals to improve the capacity, geometry and pedestrian crossing facilities at the junction. Pedestrian crossing points will be added to the Countess Road, London Road and The Centre. The signal controller would be replaced with the latest signal technology with Mova 6 to provide the latest vehicle activated control system.

Contributions

1. £50,000 towards improving pedestrian and cycle facilities between the store and the town centre.
2. £275,000 to fund the provision of a new circular bus service 6 days a week for 5 years, linking the new store with the town centre, Solstice Park and Archers Gate.

Accessibility by Non-Car Modes

At our meeting, I referred to information which was submitted in support of the Asda application by Cottee Transport Planning assessing the number of people within associated catchments for both Asda and Tesco based on walking, cycling and bus journey times. In particular I referred you to drawing 0719/34a and 35a and the associated "Accession Population Comparison Table - Town Centre Link". This purported to make a comparison between population within certain walking, cycling and bus journey time distances of the Tesco and Asda stores and we would caution SDC on making any judgement in respect of either scheme based on this information. The Note to the Table indicates that the figures are based on applying 4 people per dwelling to each development, whereas you confirmed at our meeting that an appropriate figure would be some 2.36 persons per dwelling. The population figures presented by Cottee are not accepted even if the ratio is corrected.

The Tesco site is accessible by non car modes and located within the housing development boundary and adjoining existing housing in Amesbury.

Salisbury District Planning Department
Rec. 23 APR 2008
Acknowledged _____
Copy to _____

Summary

In refusing planning permission for housing and employment development on the Gregory Site in 2005, SDC recognised the potential of the site to accommodate a range of uses, including retail development. The resolution to approve the Lidl store in an out of centre location does not address the recognised need for a major food store to address leakage from the Amesbury catchment area.

If members wish to address the recognised retail need and support the views of the resident population, then planning permission should be granted now for a food store. It would not be credible to refuse the Tesco scheme on the basis that the retail need might be met at some time in the future, on the site of the former Co-op store, council car park and third party land. The Council has rejected that site as a realistic sequentially preferable site for a smaller (discount) food store as recently as 10th April 2008.

The Council's resolution to approve Lidl was also based on the Council's judgement that such a proposal was not in conflict with Policy E16 and it would be inconsistent and indefensible to use Policy E16 as a reason to refuse the Tesco scheme.

The proposed Tesco site is previously developed land, a brown field site, including a derelict transport depot which has been vacant since 2000 and is an eye sore. All existing commercial operations on the remainder of the site are being relocated to better premises and the scheme will ensure the provision of between 200-220 full time equivalent jobs, with the usual employee numbers between 317-340 full and part time.

Amesbury needs a food store which will address the existing significant leakage of shopping trips from its catchment area. Of the competing proposals the Tesco scheme should be approved as:-

- It is closer to the town centre.
- It is not an allocated employment site.
- There would be less impact on the town centre convenience goods trade and less impact on the town centre as a whole.
- The scheme is deliverable.

Tesco Stores Ltd and Gregory Distribution are prepared to enter into an appropriate Section 106 Agreement covering the matters referred to above in relation to highway works and financial contributions and the proposed scheme is entirely deliverable. We confirm the acceptability to Tesco Stores Ltd of a condition precluding a pharmacy or post office and we would be pleased to discuss any other appropriate planning conditions.

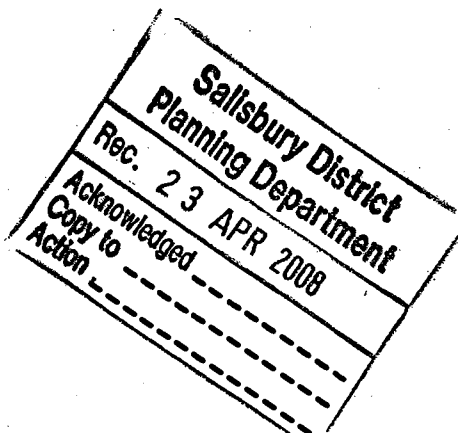
We would be pleased to meet to discuss any of the above or indeed any other outstanding matters if that would be helpful.

Yours sincerely,



MIKE BEESE
PLANNING DIRECTOR
mike_beese@glhearn.com

cc - T Robinson
S Gregory
J Gregory



Part 2

Applications recommended for Approval

4

Application Number:	S/2008/0251		
Applicant/ Agent:	THE AMESBURY PROPERTY COMPANY LTD		
Location:	END OF SOLAR WAY WHICH RUNS NOTH-EAST TOWARDS THE A303 SOLSTICE PARK AMESBURY SALISBURY SP4 7SQ		
Proposal:	ERECTION OF A SCULPTURE		
Parish/ Ward:	AMESBURY EAST		
Conservation Area:		LB Grade:	
Date Valid:	8 February 2008	Expiry Date:	4 April 2008
Case Officer:	Mrs S Appleton	Contact Number:	01722 434704

REASON TO REPORT TO MEMBERS

The H.D.S Does not consider it prudent to use his delegated powers.

SITE AND ITS SURROUNDINGS

The site forms part of a landscaped area located at the end of Solar Way, which runs northeast towards the A303. The site is located on the bank between the A303 and Solar Way.

THE PROPOSAL

The proposal involves the erection of a sculpture in the form of a mallow, a wildflower commonly found in Solstice Park.

PLANNING HISTORY

S/2003/0030 – Approval of Reserved Matters: Proposed development of B2 and B8 and ancillary B1 uses together with detailed drainage proposals and associated parking, landscaping and access roads at Solstice Park A/C 02/04/2003

The applicant states that this public art proposal forms part of the master plan for Solstice Park.

CONSULTATIONS

WCC Highways	No objection
Highways Agency	No objection
Defence Estates	No safeguarding objections

REPRESENTATIONS

Advertisement	Yes – Expiry 13/03/2008
Site Notice displayed	Yes – Expiry 13/03/2008
Departure	No
Neighbour notification	No
Third Party responses	Yes – two letters raising the following issues:

Keep it small or modest size. Not huge, not monumental, not imposing

A big white elephant would have been more appropriate

Parish Council response Yes – Object for the following reasons:

Not in keeping with the surrounding area.

Location close to the A303 could present a distraction to drivers and could cause a serious accident.

It does not take into account the Development Strategy for Solstice Park. It is not truly representative of the Common Mallow in, size, shape or colour.

MAIN ISSUES

Principle

Scale, design and impact on the visual amenities of the surrounding area

Impact on highway safety

POLICY CONTEXT

Adopted Salisbury District Local Plan, saved policies G2, D8, E8A and chapter 10 of 'Creating Places'.

PLANNING CONSIDERATIONS

Principle

Policy D8 states that where appropriate, the District Council will encourage proposals for public art of a high standard and quality, in the provision and enhancement of buildings and open spaces.

Policy G2 ensures developments do not an undue burden on existing or proposed services and facilities, the existing or proposed local road network or other infrastructure.

Policy E8A relates to the development of Solstice Park itself.

Chapter 10 of supplementary planning guidance 'Creating Places' states that public art should be used as a tool to reflect and promote local identity and enhance buildings and open spaces. The Council is keen to encourage developers to include the involvement of artists and public art as a part of their overall design proposals.

Scale, design and impact on the visual amenities of the surrounding area

The proposed sculpture will take the form of a Common Mallow, a wildflower found within the Solstice Park area. Whilst not in the potential location originally proposed in the master plan (the sculpture is located outside of Zone A, within the Landscaping), the sculpture will have an environmental focus on vegetation, which accords with the public art element of the Solstice Park master plan (page 5.8), which states:

"The ethos for the type of art in order to provide unity and consistency across the development is that any installations are to take the form of nature for their inspiration"

The sculpture will be approximately 8 metres in height and will include a flower head, along with two leaves. The 8 metre high post will be constructed from Lattix aluminium, spray painted to look like a stem whilst the petals and leaves will be formed from tubular steel with an aluminium mesh covering.

The sculpture will be located on a bank between Solar Way and the A303, this area forms a key view into Solstice Park from the A303. As a result of its position on the bank, which falls away from the A303, the top 3.3 metres of the sculpture will be visible from this road, whilst all of the structure will be visible when viewing within Solstice Park.

It is considered that the proposed sculpture would meet the criteria set out in Policy D8, as the concept of the Mallow flower is considered to be appropriate to the horticultural characteristics of the Solstice Park area. The sculpture is considered to be appropriate in its scale, design and height, to the surrounding area. It is however, considered necessary to add a condition to any approval, requiring samples of colours to be submitted to and approved in writing by the LPA before the erection of the sculpture.

The Town Council who feel that the sculpture will be out of keeping with the surrounding area and is not in accordance with the Development Strategy for the Solstice Park development has raised concerns. Whilst these issues have been dealt with above, the Town Council also have concerns that the sculpture is not a true representation of the Mallow Flower and over the potential impact on highway safety.

With regards to the form of the piece, the sculpture will consist of a modern interpretation of the Common Mallow and will have five, curved heart shaped petals and two leaves, which will each, have five points. The design of both the flowers and leaves are considered to appropriately represent the form of the Common Mallow Flower. With regards to colours, a condition will be added to any consent requiring the proposed colours to be used for the piece to be submitted to and approved in writing by the Local Planning Authority.

Impact On Highway Safety

Both the Highways Agency and County Highways Authority were consulted as part of this application. Neither authority has raised an objection to the proposal. Whilst the sculpture is relatively tall and is located close to a public highway, it is located on land, which falls steeply away from the A303 and it is therefore considered that it will not be unduly visible from the A303. Certainly, it is considered that it will cause no more harm to highway safety than the existing internally illuminated advertisements erected in relation to the leisure part of Solstice Park. Whilst these signs are located further to the west of the Park, they are positioned close to the Solstice Park/A303 junction and therefore have a much greater potential to impact on highway safety than the proposed non-illuminated sculpture.

Conclusion

It is considered that the proposed public art would be in accordance with the adopted saved policy context of the Salisbury District Local Plan, and would not be detrimental to the existing visual amenities of the area and will not have any adverse impacts on highway safety.

RECOMMENDATION: APPROVED WITH CONDITIONS

REASONS FOR APPROVAL

It is considered that the proposed public art would be in accordance with the adopted saved policy context of the Salisbury District Local Plan, and would not be detrimental to the existing visual amenities of the area and will not have any adverse impacts on highway safety.

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.

2. There shall be no installation of the sculpture until samples of the proposed paint colours have been submitted to and approved in writing by the Local Planning Authority. The development shall be implemented in accordance with the approved colours.

Reason: To secure a harmonious form of development

And in accordance with the following saved policies of the Adopted Salisbury District Local Plan:

G2 - General Criteria for Development
D8 - Public Art

Supplementary Planning Guidance: - Creating Places.

Application Number:	S/2008/0343		
Applicant/ Agent:	GERALD STEER		
Location:	192 BULFORD ROAD DURRINGTON SALISBURY SP4 8HB		
Proposal:	ALTERATIONS AND DEMOLITIONS TO EXISTING HOUSE FURTHER DEMOLITION OF GARAGES AND OUTBUILDINGS CONSTRUCTION OF FOUR THREE BEDROOM HOUSES WITH ASSOCIATED NEW GARAGING AND ENABLING WORKS DURRINGTON		
Parish/ Ward	DURRINGTON		
Conservation Area:	LB Grade:		
Date Valid:	19 February 2008	Expiry Date	15 April 2008
Case Officer:	Miss L Flindell	Contact Number:	

REASON FOR REPORT TO MEMBERS

Councillor Wright has requested that this item be determined by Committee due to: the interest shown in the application

SITE AND ITS SURROUNDINGS

The site is located within the Housing Policy Boundary of Durrington. 192 Bulford Road is currently located outside of the Conservation Area of Durrington, although it has been put forward for inclusion in the draft conservation area appraisal.

The site is set to the rear of Nos 194, 196, 198 and 200 Bulford Road. The site has two vehicular accesses (between 190 and 194 Bulford Road, and between 200 and 202 Bulford Road).

THE PROPOSAL

The proposal is to retain and to alter the existing dwelling (No 192), demolish existing garages and outbuildings on the site and to erect a terrace of four 2-storey three-bedroom dwellings in the garden with associated new garaging and enabling works.

No 192 has a single storey rear extension, the majority of which will be demolished as part of the application proposals. It is also proposed to change the roof of the porch on the front (west gable) from a gable to lean to roof, and the addition of a lean to porch to the north elevation. Other alterations not requiring planning permission in themselves but are included with the application include the removal of the lean to porch on the south elevation and the removal of the two first floor dormer bedroom windows on the north elevation (to avoid overlooking to the adjacent proposed dwellings). It is proposed to replace these with additional first floor bedroom windows to the west and east gable elevations. It is also proposed to add weatherboarding to the first floor west and east gables of No 192.

The garage to the west of the property will be demolished. A new-hipped roof double carport to be shared between 192 and House 4 of the proposed development is proposed on the south boundary of the site (adjacent to the hedge boundary with No 190).

The application documentation includes an Arboricultural Method Statement.

PLANNING HISTORY

01/1994	Erect a PVCU conservatory to rear / side of property	AC	03/12/01
07/2488	Alterations and demolitions to existing house further demolition of garages and outbuilding construction of four three bedroom houses with associated new garaging and enabling works	WD	04/01/08

This application was withdrawn as the red line around the application site included land that was not owned by the applicant, and notice had not been served on the other owners.

08/0071 Alterations and demolitions to existing house further demolition of garages and outbuilding construction of four three bedroom houses with associated new garaging and enabling work

WD 04/02/08

This application was withdrawn as the incorrect owner had been identified on the application certificate.

CONSULTATIONS

CPRE The current access to Bulford Road would be used for this back-land development; one can understand existing residents' worries given the school nearby. However, the proposal site includes an existing house and redundant garages; if all existing were in use, its doubtful whether any increase in traffic from the proposal would be enough to warrant objection. However, although the proposed terrace of 4 houses would be well away from the houses on both Bulford road and the parallel road to the east (and the connecting school road), thus hard to see from these roads, nevertheless the visual design does not complement the conservation area – especially the saw-tooth roofline. It is this inappropriate design aspect to which we object.

SDC Conservation

This part of Durrington is currently outside the CA boundary but proposed for inclusion. The justification for the extension, in the draft CA appraisal is:

The building to the junction of Bulford Road and School Road; Durrington Free Church, is an important and attractive, largely unaltered late nineteenth/early twentieth century historic church located on the corner of the road and providing a good setting and gateway to old Durrington. No 194 and the late nineteenth century shopfront and house (no 198 and 200) form robust traditional townscape with the shopfront providing a pleasant punctuation to the roadside. The loss of the thatch roof to No 194 is regrettable however the building nonetheless makes a positive contribution to the streetscene and forms a group with the shop and house to the north. On the opposite side of the road, the car park to The Plough forms an important part of the setting to these buildings and the open space to the south forms part of the gateway to the conservation area. Potential development on either of these sites would need to be very carefully considered in light of their importance in the streetscene. For this reason it is proposed to include these areas within the conservation area.

The garden to No 192 has some attractive trees, which form a green backdrop to the church and houses fronting Bulford Road. These gardens and the houses set back from the road are an important part of the setting of Bulford Road and so inclusion of these houses and their generous gardens is suggested. Individually some of these buildings proposed for inclusion are deemed to make a positive contribution towards the character and appearance of the Durrington Conservation Area as proposed (see Townscape Map) and cumulatively and in terms of their contribution to setting all buildings and their plots within the proposed extension are considered to be of sufficient importance to warrant inclusion in the conservation area.

In terms of the present application, I have no objection to a contemporary design approach. As the architect states, there is local precedent in the form of Robert Townsend's own home and office block. Furthermore the site is set back from the road and screened by other houses and vegetation. Nor do I have an objection to the demolition of the proposed buildings – none of which appears to have any architectural merit.

What I do object to is the loss of trees. The proposed extension of the Conservation Area specifically mentions the arcadian qualities of the garden of 192. This application involves the removal of 11 trees (the species of which they fail to identify) – a significant proportion of the trees on the site. I can see no reference to additional planting – which would presumably not be possible given the density of development (number of houses and need for parking/turning areas). (I would also add that the proposed site layout is misleading as it still shows trees to be removed).

Trees form an important part of the character of the Durrington Conservation Area (existing and revised). The loss of a significant number of trees would, in my opinion, have an adverse impact on the character of this part of Durrington. Indeed, many a time I have driven down Bulford Road from Bulford Hill and lamented the 'hard and sterile' road, which could so easily be made a much more pleasant environment by some sympathetic tree planting on the pavements (unfortunately Wiltshire CC do not like trees on pavements – witness their approach in Kelsey Road and St Marks).

My other concern is the access issue. The existing access is reasonably generous and yet in keeping with the semi-rural character of Durrington and harks back to the earlier farm occupancy. I would be concerned if the existing access had to be widened to achieve the necessary sight-lines. I note the application talks about surfacing in a 'modified tarmac', which will inevitably have a 'harder' appearance than the existing treatment.

WCC Highways Refer to the amended plan reference 1042/P7A3 recommend no highway objection be raised subject to the following conditions.

The shared driveway should be minimum width of 4.5m for the first 6m and shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason:- in the interests of highway safety.

Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway details of which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety.

County

Archaeologist There are no known archaeological sites within the area of the proposal or its vicinity. This location appears to be outside the medieval settlement of Durrington. I therefore have no comments to make on this application.

Natural England

Under Regulation 48(3) of the Habitats Regulations 1994 and based on the information provided, Natural England is of the opinion that the proposal, either alone or in combination with other plans or projects would not 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 the special scientific interest of the River Avon System Site of Special Scientific Interest (SSSI).

Please note it is responsibility of the lpa to fully assess the impact of the proposal on protected species under the Wildlife and Countryside Act 1981 (as amended) the Conservation (Natural Habitats &c.) Regulations 1994 (as amended). Paragraph 98 of the Circular states that "the presence of a protected species is a material consideration when a planning authority is considering a development proposal that, if carried out, would be likely to result in harm to the species or its habitat". A list of all protected species of animals and plants can be found in Annex A of Circular 06/2005 accompanying PPS9.

In particular, as existing buildings and trees occur on the site, it is possible that bats may be present.

SDC
Arboricultural
Officer

Arboricultural Method Statement is acceptable.

Wessex Water The development is located within a foul sewer area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

The developer has proposed to dispose of surface water to existing storm drainage and 2 no. new soakaways. Surface water should not be discharged to the foul sewer. It is advised that your Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal. Please note the proposed development is within a Source Protection Zone and any surface water discharge will need to be in line with the Environment Agency guidelines.

With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure.

The developer should also be aware of the importance of checking with WW to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected change WW's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.

Authority

Wiltshire Fire and Rescue Service Have submitted a letter of recommendations with regard to fire safety measures. This information could be added as an informative to any consent.

REPRESENTATIONS

Advertisement	Yes, expiry date 20 th March 2008
Site Notice displayed	Yes, expiry date 20 th March 2008
Departure	No
Neighbour notification	Yes, expiry date 13 th March 2008
Third Party responses	Six letters of objection, material planning considerations summarised as follows:

- Additional dwellings will have a negative impact on local people.
- Lack of adequate parking facilities and increase in traffic (already a busy and dangerous part of Durrington - parents use Bulford Road to park and collect children from All Saints Infant School – The Plough Inn car park is used by parents). Vehicles will cross a pathway to approach the driveway which is used by many children walking to/from school. Increased risk of accidents
- Insufficient parking will lead to increased on-street parking along Bulford Road, inconveniencing existing residents on Bulford Road without garages who rely on parking here.
- Insufficient access/blocked by parking for emergency service vehicles
- 192 Bulford Road and house 4 has only been allocated one parking space

- Both entrances are single track, causing problems when cars try to enter or exit at the same time.
- Illegal to reverse down a track onto a main road.
- It is not clear if residents would access their properties by the very narrow driveway between 198 and 200 Bulford Road – if so increase in highway hazard, opposite site entrance to The Plough/recently approved scheme for three dwellings
- No footpath from 198 to 192 Bulford Road
- Bin store impractical (residents will have to walk to the bins), and concerns about hygiene and smell to adjacent properties
- Site proposed to be included in Conservation Area; development will destroy a beautiful part of the village/area of land/house and generous/well maintained garden are an asset to Durrington. Urbanisation will seriously affect the character of the area. It is important to conserve/protect this beautiful and unique part of the village. Other sites more suitable for development in Durrington and Amesbury
- Terrace of four houses (density, layout and design) is out of character with detached dwellings in this part of Durrington.
- New properties have single sloping roofs of a modern design, visual effect contradicts with existing traditional character of dwellings. Design out of character, reminiscent of 1970s/post war architecture
- Set precedent for further development in the area, destroying rural character of area
- Loss of wildlife and habitat. Even though trees will be retained, the noise and disturbance will be damaging to wildlife.
- Environmental impact in terms of runoff/drainage. Hard surfacing to a very large area of green space.
- Impact to protected species, colony of bats live in the garden (it is an offence to destroy or disturb a habitat/kill a protected species) – developer will need to adhere to this legislation.
- Loss of trees – garden contains many trees and an orchard. The spread of the more mature trees may have been measured incorrectly. Although none of the trees have TPO's should they be included in the Conservation Area, they would be protected. Fruit trees are not included in arboricultural method statement.
- Overlooking to adjacent gardens (not currently overlooked).
- Loss of light to neighbouring dwellings
- Additional noise/traffic unacceptable impact to adjacent dwellings

One letter from the agent summarised as follows:

- The Conservation Area Appraisal is in draft form and has not yet been adopted as a final document. The application should be determined against the existing adopted policy framework.
- This area of Durrington has been in the past a trial area for contemporary design, particularly the house and offices of the late architect Robert Townsend.
- Design reflects the type of approach being adopted for energy efficient housing schemes (reflected in the architecture)
- Modern design gaining support
- Amount of traffic is not likely to make a large impact on current situation, WCC highways have raised no objection to the scheme.
- Provision of parking has been adequately dealt with
- Existing garages on the site could be let to neighbours, increasing the number of car trips in and out of the site
- Bat and owl surveys and an arboricultural method statement have been submitted covering aspects of tree retention and preservation. The tree officer has raised no major concerns.

Parish Council response OBJECT

Durrington Parish Council object to this application on the grounds of Out of Character, Design, Density, Back-Lane over development and road safety.

The proposed alterations to the existing house are acceptable. It is the new 4 house development that gives us concern.

Out of character

We consider the proposed development of a terrace of four houses would not preserve or enhance the existing character of the area and the loss of associated garden space which is considered to make a positive contribution to the character of the area would be harmful to that character. The proposal would therefore be contrary to policy H16 and CN9 6.18 of the Local Plan.

Design statement

Even after informing the architect and the planning department, the errors in the first issue of the Design and Access statement, there are still a number of errors, which give misleading information especially to those consultees not familiar with the area.

For example:-

Para 4.5 Quote when describing the design of the new terrace: "of particular emphasis is the way the dormer and gabled roofs reflect the steeper pitches of the terrace 8-16 Kings Street, adjacent". The new houses do not have dormer and gabled roofs and King Street is not in Durrington.

Para 4.6 identifies garages. On the plans they are carports. We believe there is a fundamental difference between garages, lockable with doors and carports that are open and not secure.

Para 4.7 identifies cycle racks and bin stores. Cannot find them on the plans.

Para 7.1 The flood area map, which identifies the development by a red circle. The circle is centred near the RC church in Charles Road, which is about half a mile from the development site.

Even on the mains plans on one page its states "painted joinery" on another page "stained joinery" not consistent.

Design

192 Bulford Road is on the edge of Durrington Conservation Area. The views in and out of a CA are important and must be preserved. The main characteristics of this area are single dwellings at different orientation surrounded with largish gardens and trees extending outwards from East End Manor.

To add a four-house terrace is out of character with the area and is a backland over development. The overall "Cheese Block" shape of the roofs are defiantly out of character. The developer has stated that the vast majority of houses in Durrington are either brick or rendered construction with slate or tile pitched roofs. He then proposes to use either Douglas Fir or Western Cedar Wooden cladding for the first floor of the new houses. We consider this cladding not to be in keeping with the rest of the village. In fact there are only two wooden clad buildings in the whole of Durrington. One happens to be next to the development but it is a converted old wooden barn not a wooden clad modern building.

The developer has chosen a shallow flat single pitch roof for the terrace. To our knowledge there is not another single domestic dwelling in Durrington with the same shaped roof.

Therefore we consider the design of the terrace to be not only out of character with the area, but Out of Character with the whole village.

We also cannot understand why the developer has chosen materials and a design, which we consider to require relatively high maintenance to keep it looking presentable. Wooden cladding and semi-flat roofs are notorious as high maintenance areas. All wood requires treatment at regular intervals.

The plans indicate that solar panels will be fitted for each new dwelling. Manufacturers of solar panels (from internet) advice for optimum efficiency solar panels are mounted between 40 and 70 degrees from the horizontal depending no type and manufacture. Where positioned on the plans the roof is at 15 degrees therefore the solar panels would be very inefficient, and some types would not work. We are also concerned that if, when installed, they were mounted on a frame to bring them to the correct angle they would be instantly visible from the CA and not in keeping.

On the side elevation of the terrace a 2 metre wall/fence is indicated to screen the old property from the new. The position is not shown on the plan view.

The occupants of three of the terrace houses have no access from the front of the property to the rear without having to pass through the sitting room. They may be able to pass freely in a wheel chair but any garden tools/toys and rubbish will have to be carried through the living

accommodation. This will be detrimental to the standard of living of the residents, and below the minimum standard of accommodation we accept in Durrington. Even the terraces of ex council houses on Coronation Road have a shared internal access from front to rear. Out of character with Durrington.

Density/road safety

This development if built would attract families with children. Each with a number of vehicles. A family of four with two grown up offspring could easily have four vehicles. The outlet onto Bulford road is into an area, which is highly congested at times in the morning and afternoon as the local schools start and finish. School Road gets so congested the school have introduced a park and stride system using the Plough car park, for children to be escorted in a crocodile to school. Five houses could add 10 to 20 cars exiting onto the already busy junction. There are already approved plans for new houses on that junction so Road safety and congestion will need to be severely addressed if both developments go ahead. Although the minimum standard is one and half parking spaces per house we consider this standard needs to be increased for this location. The area gets so congested at times and there is not overflow parking space on other access roads the need to keep as many vehicles off the road is paramount to allow safe and free passage for busses and local traffic along Bulford Road, and to safeguard our children going to and from school.

Following receipt of the SDC document Conservation Area Appraisals and Management Plans the Durrington PC wish to add to our previous return on this proposed development.

Because of the appraisal of Durrington Conservation Area now included 192 Bulford Road within the CA, the PC strongly object to this application as being completely out of character with the CA in terms of design and density.

We consider the proposed development of a terrace of four houses would not preserve or enhance the existing character of the area and the loss of associated garden space which is considered to make a positive contribution to the character of the area would be harmful to that character. The proposed would therefore be contrary to policy H16, CN8, CN9, CN10, CN11 of the Local Plan.

MAIN ISSUES

Principle of development

Impact on character and appearance of conservation area/street scene/trees

Impact to residential amenity

Highway safety

Protected Species

R2

POLICY CONTEXT

Salisbury District Local Plan 'saved' policies:

G1 (sustainable development)

G2 (General)

H16 (Housing Policy Boundary)

D2 (infill development)

R2 (Recreational Open Space)

CN11 (Views into and out of Conservation areas)

Government guidance:

PPS3 – Housing

PPS1 – Delivering sustainable development

PPS9 – Protected Species

PLANNING CONSIDERATIONS

Principle of development

The site is located within the Housing Policy Boundary of Durrington. Policy H16 supports the principle of residential development, subject to three criteria relating to backland or inappropriate

tandem development, loss of open area that contributes towards the character of the settlement and the proposal not conflicting with other relevant policies of the Local Plan.

It is considered that the development of four dwellings to the rear of existing properties to the west (fronting Bulford Road) would constitute backland development, although this is not necessarily a reason to refuse planning consent, since it is whether the proposal as "backland development" is inappropriate. Paragraph 4.42 of the Local Plan states that "*Proposals for such (backland) development will only be allowed where there is proper means of access which is convenient and safe for both drivers and pedestrians, there is adequate space for car parking, and adequate space between old and new buildings to avoid spoiling the amenity of neighbouring houses*".

In accepting backland development, the local planning authority therefore needs to be satisfied that the development would not cause undue harm to adjacent dwellings and adequate access/parking can be achieved.

Impact on character and appearance of conservation area/street scene/trees

The site is located adjacent to the conservation area. Section 72 of the Planning (Listed Buildings and Conservation Areas) Act 1990 requires Local Planning Authorities to pay special attention to the desirability of preserving or enhancing the character or appearance of the conservation area.

PPS3 and PPS1 gives clear guidance to the Government's objective and commitment to promoting the efficient use of land, however, this must be balanced against the need to protect and improve the established character and local distinctiveness of existing residential areas and should not be allowed if it would be out of character or harmful to its locality.

Whilst the site is recommended for inclusion in the conservation area, the conservation area appraisal is only in draft form and as such has no statutory weight as development plan policy. However, the site is adjacent to the conservation area and policy CN11 of the local plan requires that views from and into conservation areas should be safeguarded.

The conservation area appraisal identifies that the gardens and the houses set back from the road are an important part of the setting of Bulford Road and so inclusion of these houses and their generous gardens to be included in the conservation area is suggested. However, the proposed dwellings are set back and will be screened from Bulford Road by the existing houses to the west (Nos 194-200 Bulford Road).

Objections have been raised (summarised above) on the grounds that the design of the dwellings is non traditional and modern with monopitched sloping roofs, in a terrace form and of materials (rendered and timber clad walls) which is out of character with the locality.

Policy D2 states that proposals for street and infill development will be permitted where the proposals respect or enhance the character or appearance of an area. This area of Bulford Road does include a mixture of dwelling types and designs and the Conservation Officer has raised no objection to the contemporary design approach as there is a local precedent in the unusual roof and design of 202 Bulford Road (designed as a home and office by the architect Robert Townsend) or to the demolition of the existing garages.

However, the conservation officer has objected to the application on the grounds that the development involves the loss of trees, as these are considered to form an important part of the character of the Durrington conservation area. The arboricultural officer requested an arboricultural method statement during one of the previous withdrawn applications, which has been included with this application. This identifies on a 'tree protection plan' that ten trees will be removed as part of the application, but that eight individual trees (species including beech, ash, cherry and yew) and one group of fruit trees within the site boundaries will be retained and protected during the construction works.

It is considered that the yew tree to be retained on the west boundary of the site and the backdrop of the taller beech trees to the rear of the site are the most prominent trees viewed from outside the site. The tree protection method statement includes details of the driveway

construction in order to protect to the roots of these trees to be retained. The arboricultural officer has raised no objections to the arboricultural method statement. Subject to conditioning that the development is completed in accordance with the arboricultural method statement, it is considered that the important trees will be adequately protected and as such the development will not have an adverse impact to the character of the conservation area.

Impact to residential amenity

Policy G2 requires that development should avoid unduly disturbing, interfering, conflicting with or overlooking adjoining dwellings to the detriment of existing occupiers.

Objections have been raised on the grounds of overlooking, loss of light and additional noise and disturbance from increased use of the site.

The proposed dwellings will be sited approximately 23m from the west boundary of the site (the rear gardens of Nos 194-200 Bulford Road). Whilst bedroom windows are proposed at first floor level it is considered that this distance between dwellings will not result in undue overlooking or overshadowing to adjacent properties.

The access drive between No 190 and 194 Bulford Road has mature hedging to the south boundary and close boarded fencing to the north boundary. The private garden area of No 194 is separated by a driveway running along the north close boarded fence boundary with hedge to the north side of the driveway to the private garden area of No 194.

No 200 Bulford Road has an open back garden accessed from the driveway between 200 and 202 Bulford Road. This is the access route to the L-shaped block of 5 garages and open carport located along the north boundary of the site. The agent has stated in the design and access statement 'it is not anticipated that use need to be made of the secondary vehicular access between 200 and 202 Bulford Road' and has correctly identified in a further letter that the existing garages could be rented out separately, increasing vehicular movements to and from the site without the need for planning permission.

It is not considered that the development will have a significant adverse impact to residential amenity.

Highway safety

Objections have been received with regards to the numbers of parking spaces, and increased demand for on street parking leading to congestion and conflict with adjacent school uses.

Wiltshire County Council highways department requested a plan of the proposed parking arrangement for the new dwellings and that this would need to incorporate sufficient space to provide the needs of emergency service vehicles and operating space.

The agents have submitted an additional plan (reference 1042/P7A3). Each dwelling on the site will have two parking spaces (house 4 and the existing dwelling will have an uncovered parking space and one within a carport)

Policy TR11 of the Local Plan requires the provision of car parking spaces on the basis of the guidance given at Appendix V of the Local Plan. Appendix V refers to car parking standards of 2 spaces per house plus one per five units. However, these are maximum car parking standards with the intention to reduce on-site parking provision to a level consistent with the need to minimise car use. The standards are applied having regard to the accessibility of individual development sites to alternative modes of transport. Bulford Road is in an accessible location with a public bus route along School Road.

Wiltshire County Council highways have raised no objections to the proposal, subject to conditions to prevent disposal of surface water onto the highway and that the driveway should be widened to a minimum width of 4.5m for the first 6m to allow space for two vehicles to pass at the entrance.

The conservation officer has raised concern that the existing access may need to be widened and hard surfaced in tarmac. The existing driveway is approximately 3.2m wide at the entrance

with a grass verge to the north side of approximately 2.8m wide (as scaled from the submitted plans). The grass verge is planted with what appears to be cherry trees. The highway requirements to widen the drive will require the removal of two of these trees, which do soften the appearance of the existing 2m high close-boarded fence to the boundary with No 194. It is considered that subject to conditioning additional landscaping (for example hedging) that the north boundary to the access drive could be adequately softened to be appropriate to the overall appearance of the area. The existing property shares a wide tarmac layby that extends across the entrance to No 194, 192 and 190 and it is considered that a 6m deep section of tarmac will not be sufficiently out of character with the existing situation to detract from the appearance of the area.

Protected species

Planning authorities are required to take account of the presence of protected species, when considering applications for planning permission. Paragraph 99 of Circular 06/2005 states 'bearing in mind the delay and cost that may be involved, developers should not be required to undertake surveys for protected species unless there is a reasonable likelihood of the species being present and affected by the development'. The protected species legislation also applies independently of planning permission, and the developer has legal obligations towards any protected species that may be present.

R2

The scheme relates to the creation of new residential development and in order to comply with the requirements of policy R2 of the local plan, applicants are required to enter into a unilateral undertaking and provide a commuted financial payment. Applicants are now required to sign agreements during the course of the application. The applicant has signed and returned the agreement. Payment will be requested if members are minded to approve the application.

CONCLUSION

The site is located within the Housing Policy Boundary where the principle of residential development is accepted subject to being considered against other relevant policies within the local plan.

The proposed development would result in an efficient use of land within a built up area, without resulting in significant harm to the living conditions of the proposed and surrounding properties. Subject to landscaping and tree protection conditions, it is not considered that the proposed development will have an adverse impact to character or appearance of the adjacent conservation area.

RECOMMENDATION: APPROVE, SUBJECT TO THE APPLICANT ENTERING INTO A SECTION 106 LEGAL OBLIGATION RELATING TO THE PROVISION OF RECREATIONAL PUBLIC OPEN SPACE

REASON FOR APPROVAL

The proposed development would result in an efficient use of land within a built up area, without resulting in significant harm to the living conditions of the proposed and surrounding properties. Subject to landscaping and tree protection conditions, it is not considered that the proposed development will have an adverse impact to character or appearance of the adjacent conservation area. It would therefore comply with policies H16, G2, CN11 and D2 of the Adopted Salisbury District Local Plan.

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

- (2) 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 wall[s] and roof[s] 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 ensure that the dwellings are appropriately detailed due to the site being adjacent to the Conservation Area

- (5) The shared driveway (between 190 and 194 Bulford Road) shall be widened to a minimum width of 4.5m for the first 6m and shall be properly consolidated and surfaced (not loose stone or gravel) in accordance with details, which shall have been submitted to and approved in writing by the Local Planning Authority. The driveway shall be completed in accordance with the agreed details prior to the first occupation of the new dwellings hereby approved.

Reason:- in the interests of highway safety.

- (6) Provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have been submitted to and approved in writing by the Local Planning Authority before development commences. The development shall be completed in accordance with the agreed details before the first occupation of the new dwellings hereby approved.

Reason: In the interests of highway safety.

- (7) Notwithstanding the provisions of Class[es] A to E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling(s) nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: To enable the Local Planning Authority to retain control over the development in the interests of amenity.

- (8) No development shall take place until details of the treatment of the boundaries of the site (to include plans and typical elevations) have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the occupation of the new dwellings hereby approved.

Reason: To secure adequate standards of privacy for the occupants of the proposed dwellings and neighbouring dwellings.

- (9) This development shall be in accordance with the following drawing[s] received on the 19th February 2008:-

1042P13A3 Rev A

P12A3

1042/P1A3 Rev B

1042/P3A3 Rev D

1042/P4A3 Rev A

1042/P5A3

1042/P6A3 Rev A

1042/P8A3 Rev A

1042/P9A3 Rev A

as amended by the following drawing received on the 12th March 2008:-

1042/P7A3 Rev B

Reason: For the avoidance of doubt

- (10) Approval of the details of the landscaping scheme including site clearance and a statement of the methods of its implementation shall be submitted to the Local Planning Authority and approved in writing before development commences on the site. The scheme must include details of the proposed planting including a plan, details of species, stock sizes and numbers/densities, and including a timetable for its implementation. If any plant dies, becomes diseased or fails to thrive within a period of 5 years from the date of planting, or is removed, uprooted or destroyed, it must be replaced by another plant of the same kind and size and at the same place, unless the Local Planning Authority agrees to a variation beforehand in writing.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act 1990 so as to ensure a satisfactory appearance to the development.

- (11) The development shall be completed in accordance with the Arboricultural Method Statement received by this office on the 7th February 2008 unless otherwise agreed in writing by the Local Planning Authority.

Reason: To comply with the duties indicated in Section 197 of the Town and Country Planning Act, so as to ensure that the amenity value of the most important trees growing within the site are adequately protected during the period of site clearance and construction.

- (12) Prior to the first occupation of any of the dwellings, hereby approved, the access, turning space and garaging/parking which relates to it as indicated on the approved plans shall be constructed and laid out, and these shall thereafter be retained and kept available for those purposes at all times.

Reason -In the interests of highway safety.

INFORMATIVES: - POLICY

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

- G1 (sustainable development)
- G2 (General)
- H16 (Housing Policy Boundary)
- D2 (infill development)
- R2 (Recreational Open Space)
- CN11 (Views into and out of Conservation areas)

INFORMATIVE:- Wessex Water Authority

The development is located within a foul sewerage area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

The developer has proposed to dispose of surface water to existing storm drainage and 2 no. new soakaways. Surface water should not be discharged to the foul sewer. It is advised that your Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal. Please note the proposed development is within a Source Protection Zone and any surface water discharge will need to be in line with the Environment Agency guidelines.

With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure.

The developer should also be aware of the importance of checking with WW to ascertain whether there may be any uncharted sewers or water mains within (or

very near to) the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected change WW's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.

INFORMATIVE:- S106 AGREEMENT

This permission shall be read in conjunction with the Section 106 Agreement, which is applicable to this application, in terms of its restrictions, regulations or provisions

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

In the UK, certain species, e.g. slow worms, are protected under Part 1 of the Wildlife and Countryside Act 1981 (as amended) and some of these, e.g. bats and great crested newts, are additionally protected by the Habitats Regulations 1994 (as amended). Badgers are protected under The Badgers Act 1992. Protected species legislation applies independently of planning permission, and the developer continues to have legal obligations towards protected species after permission is granted, including where necessary, obtaining a licence to undertake the work from Natural England.

All species of bats and their roosts are legally protected. Bats may use trees with suitable holes, crevices or cavities for roosting at anytime of the year but they are usually difficult to detect. If you think tree works may affect a bat roost, you should seek advice from a bat expert who will be able to advise on how to avoid harming bats. If bats are discovered during tree works, you should stop work immediately and consult Natural England at their Devizes office 01380 725 344.

All birds are legally protected and their nests and eggs are protected during the breeding season. For most species this is between 1st March and 31st August but it may occur outside this period. If there is a likelihood breeding birds are present, you must delay tree works until young birds have left the nest or the nest has been abandoned.

Application Number:	S/2008/0558		
Applicant/ Agent:	RELPH ROSS PARTNERSHIP		
Location:	STADDLESTONES STATION ROAD GREAT WISHFORD SALISBURY SP2 0PA		
Proposal:	OUTLINE APPLICATION FOR THE ERECTION OF A NEW DWELLING		
Parish/ Ward	GREAT WISHFORD		
Conservation Area:	LB Grade:		
Date Valid:	19 March 2008	Expiry Date	14 May 2008
Case Officer:	Mrs S Appleton	Contact Number:	01722 434704

REASON FOR REPORT TO MEMBERS

Councillor West has requested that this item be determined by Committee due to the interest shown in the application.

SITE AND ITS SURROUNDINGS

The site is adjacent to the existing dwelling known as Staddlestones and forms part of the garden of that property. The site is laid to grass and includes various shrubs and trees. The side and rear boundaries are formed of 1.8 metre high (approx) close board fence, whilst the front boundary includes a low stonewall.

The site is situated within a village location inside the designated Housing Policy Boundary and just outside the Great Wishford Conservation Area. The immediate surrounding dwellings along station road are mainly modern bungalows, whilst the dwellings to the rear, along South Street are more traditional, period houses.

THE PROPOSAL

The application is for outline planning permission for a single dwelling with detailed consent for access only, all other matters are reserved.

PLANNING HISTORY

S/2008/0102 – Outline application for erection of single dwelling – Withdrawn on 14/03/2008

The above application was withdrawn due to unacceptable access arrangements.

S/1998/1627 – O/L application – for erection of bungalow – A/C 13/11/2000

CONSULTATIONS

WCC Highways No objections subject to conditions.

Wiltshire Fire and Rescue Building regulations advice

Arboricultural Officer No objections, comments as follows:

The application will require a tree protection plan to demonstrate how the retained trees will be protected. A condition to this affect will be sufficient.

Conservation Officer Comments as follows:

I understand this is an outline application seeking approval for the principle of a new house in this plot.

I would recommend refusal of this application on the basis that this site is adjacent to the boundary of the Conservation Area and that a development in this location would have an impact on the Conservation Area. It is therefore imperative that we consider a scheme where we can properly assess the full impact of the proposals i.e. a full application.

Wessex Water

Comments as follows:

The development is located within a foul sewer area. It will be necessary for the developer to agree a point of connection onto the system for satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

The developer has proposed to dispose of surface water to soakaways. Surface water should not be discharged to the foul sewer. It is advised that your Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal.

The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, applications should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus.

REPRESENTATIONS

Advertisement	No
Site Notice displayed	Yes – Expiry 24/04/2008
Departure	No
Neighbour notification	Yes – Expiry 15/04/2008
Third Party responses	Yes – Five letters of objection. The issues raised in these letters are summarised as follows:

Although the site currently lies outside of the Conservation Area, this may change in the near future and as such it is prudent to consider the guidance of the Conservation Officer regarding any new proposed building, which would in the near future end up in a redrawn Conservation Area.

It is not clear why moving the boundary to include more equal plots would be beneficial. The proposed increase in the size of the plot would detract from the outlook, position and garden that Staddlestones currently enjoys. Reducing the plot size would leave the new dwelling with little distance between Staddlestones and Mirandi and this would appear to be in conflict with aspects of SDC Adopted Policy.

The height, size and position of the proposed new dwelling would mean that at certain times of the year, the south facing ground floor rooms of Staddlestones would not receive direct sunlight for large parts of the day. Fenestration on the southern elevation of Staddlestones would confront a brick wall and chimney in close proximity. There would also appear to be a small bathroom window that has a line of sight into a first floor room of Staddlestones.

Almost all properties in Station Road enjoy good-sized plots; the proposed dwelling would significantly change this housing mix.

Staddlestones is the only modern chalet bungalow in Station Road, should Staddlestones be sued as an example to justify the building of more chalet bungalows?

The new dwelling would dwarf the neighbouring property known as Mirandi. Being within a few metres and twice as tall. Windows inserted into the northern elevation of Mirandi will be within a few metres of a large brick wall and high chimney, which would detract from the overall setting and market value of our property. The new dwelling would cut out light to Mirandi.

The new dwelling would reduce an important view across the Wylve Valley by 80%.

The size and frontal elevation of the proposed new dwelling is at odds with infill development policy and the proposal would introduce an element of high density housing into a very small, old village that has character and charm, and where there are no such type of buildings. The proposed new large dwelling almost fills the frontal elevation of the plot, and may be more appropriate to infill suburban development. The dwelling is out of character with existing dwellings in Station Road.

Although Station Road contains a mix of properties, there is a case to be made for not allowing further building which is not sympathetic with existing properties in the vicinity, otherwise the character of the village would continue to change with more and more buildings being constructed which are "arguably less sensitive" as time goes by.

The proposal is an example of over development and detracts from the Conservation Area.

In terms of sewerage and the disposal of surface water, which will inevitably run downhill, may affect the property known as Wywurie (to the east).

The privacy of Violet Cottage to the east would be affected by the proposal, as views from the new dwelling would look directly into the property. The development will also have an impact on the afternoon sun enjoyed by the occupiers of Violet Cottage.

The dwelling is too large for the site and will impose on the surrounding area.

With regards to the consent for Mirandi in 1996, it was advised that any dwelling had to be a bungalow and built in stone and flint to blend in with the area. It would make sense in terms of the number of bungalows already in Station Road if the proposed dwelling would be single storey in height as it would sit better on the site and would not impinge on the quality of life of the surrounding community.

Parish Council:

Comments as follows:

The Council's previous observation that the planned building overdeveloped the site still applies and it is disturbed that the department is still minded to approve the plans.

The original plan to build a bungalow on the site was agreed, the lower level having less impact on the neighbouring homes, not disturbing, interfering or conflicting with or overlooking adjoining dwellings.

There is much public disquiet about this proposal and we would refer you to the many objections made by neighbours and ask that a site visit could be made, not only to Station Road but to South Street. It is vital that the planning department take into account the lie of the land and appreciate that impact that a building of this height would have on the properties below it. Of the three house most affected, two, Rectory Cottage and Wy Wurie, are currently uninhabited and therefore no representation can be made from them.

The case for the character and nature of small villages such as Great Wishford has been made elsewhere, and the awareness that this property affects buildings within the current Conservation Area and is very likely to be within the redrawn Conservation Area itself should be taken into careful consideration.

MAIN ISSUES

Principle of development
Scale, design and impact on the visual amenities of the surrounding area
Impact on amenities
Highway Safety

POLICY CONTEXT

Adopted Salisbury District Local Plan, saved policies G2 (General), D2 (Design), H16 (Housing Policy Boundary), C6 (Special Landscape Area), CN11 (Conservation Area) and R2 (Recreational Open Space).

PLANNING CONSIDERATIONS

Principle

The site is located within a Housing Policy Boundary as designated within the adopted Salisbury District Local Plan. As a result, the principle of a new dwelling on the site is accepted provided the criteria within policies D2 and G2 are met. Policy D2 states that proposals for street and infill development will be permitted where they respect or enhance the character of appearance of an area in terms of the building line, scale of the area, heights and massing of adjoining buildings and the characteristic building plot widths, the architectural characteristics and the type, colour of the materials of adjoining buildings and the complexity and richness of materials, form and detailing of existing buildings where the character of the area is enhanced by such buildings. Policy G2 ensures developments do not have any significant adverse impacts on the residential amenities of the neighbouring dwellings and also ensures that sites have a satisfactory means of access and turning space within the site along with appropriate parking.

The site is also located within a Special Landscape Area and as such, policy C6 applies. This policy states that developments should have a particular regard to the high quality of the landscape.

Policy R2 requires the developer to make a financial contribution to recreational open space. In this instance, as this application is in outline only, the applicant is not required to make a contribution at this time, rather, such a contribution should be made during the reserved matters application.

Whilst the site may in the future become part of the Great Wishford Conservation Area, at this time, the site is outside the Conservation Area. As a result, the only conservation policy that this application can be judged against is CN11, which ensures views into and out of the area are safeguarded.

Scale, design and impact on the visual amenities of the surrounding area

Members should note that this application has been submitted in outline only with detailed approval sought for means of access. The applicant's agent has supplied elevational drawings, which show an initiative layout and design, however as the application does not seek detailed consent for layout, scale, appearance or landscaping these issues cannot be considered at this stage. Rather such issues will be dealt with in a Reserved Matters application. As a result, in this instance, only the principle of a dwelling on the site, along with the means of access can be considered.

Notwithstanding the above, as various issues relating to the scale and design of the dwelling have been raised during the consultation period of the application, a brief comment will be made on the suitability of the proposed scale and design below.

With regards to plot size, the existing plot will be split to provide two smaller plots, one of which will contain the existing dwelling at Staddlestones, whilst the other will be used for the proposed new dwelling. Both plots created will be similar in size to other plots within the immediate vicinity. Indeed the new building plot created will be of a similar width to the plot at neighbouring Mirandi and is of a size that would accommodate a modest dwelling with appropriate outside space. As a result, it is considered that the plot sizes created by the proposal would be in keeping with other plot sizes in the immediate vicinity.

With regards to the indicative siting and elevation details, whilst not forming part of this application (as explained above), it is considered that the dwelling shown in these drawings would be of a scale and design that is out of keeping with the character of both the street scene and adjacent Conservation Area. The height of the dwelling in particular causes concern, as the

majority of dwellings situated on Station Road are modest in their scale being single storey in height. Therefore, the proposed dwelling as a result of its scale and design, will not be acceptable to the Local Planning Authority should the applicant wish to proceed to the reserved matters stage with such a proposal.

Should members be minded to approve this outline application and the applicant wishes to proceed to reserved matters stage, a smaller dwelling of a design more in keeping with the locality can be negotiated.

Impact on amenities

As mentioned above, the plot will be of a size that is considered appropriate for a modest sized dwelling, which would not impact massively on the residential amenities of its neighbours. The dwelling proposed in the indicative drawings, due to its height could result in some adverse impacts on the residential amenities of neighbouring properties in terms of overshadowing/overbearing especially the dwelling at Mirandi and on Staddlestones itself. With regards to the properties to the rear, whilst it is noted that the dwellings along South Street are at a lower level than those on Station Road, it is considered that a dwelling on the proposed site would be an appropriate distance from the properties to the rear (approximately 10 metres from the boundary) so as to not cause any significant overbearing/overshadowing. With regards to overlooking, due to the height of the property shown in the indicative drawings, any first floor window could result in some adverse overlooking into the neighbouring dwellings to the rear. The indicative drawings also show a roof light on the northern side elevation. This will be supplying an en-suite and as such any overlooking from this light would be prevented through obscure glazing. The impact of the ground floor windows could be limited through appropriate boundary treatments.

It is considered that with care throughout the development of the scale and design of the proposed dwelling at reserved matters stage, such a dwelling on the site need not have any significant adverse impacts on the residential amenities of neighbouring dwellings and therefore, it is considered that this is not a valid reason to refuse this outline application.

Highway safety

The proposed means of access is part of the outline application that can be considered as the applicant has requested detailed consent for access. The access has been proposed after consultation with the highways authority at Wiltshire County Council, who have subsequently raised no objections provided conditions are added to any consent. Such conditions relate to the width of the access along with restrictions on entrance gates and the gradient of the access.

Conclusion

Whilst the indicative scale and design of the dwelling are not considered appropriate, these issues cannot be considered within this outline application, which simply requests detailed consent for the means of access only. Rather such issues can be dealt with under a reserved matters application following the granting of outline consent.

The proposed plot sizes to be created by the sub-division, are considered to be appropriate to the sizes of plots within the surrounding area and subject to further details being considered at reserved matters stage, a dwelling on the site need not cause any significant adverse impacts on the amenities of the surrounding area or on the residential amenities of neighbouring dwellings.

RECOMMENDATION: APPROVED WITH CONDITIONS

REASON FOR APPROVAL

Whilst the indicative scale and design of the dwelling are not considered appropriate, these issues cannot be considered within this outline application, which simply requests detailed consent for the means of access only. Rather such issues can be dealt with under a reserved matters application following the granting of outline consent.

The proposed plot sizes to be created by the sub-division, are considered to be appropriate to the sizes of plots within the surrounding area and subject to further details being considered at reserved matters stage, a dwelling on the site need not cause any significant adverse impacts on the amenities of the surrounding area or on the residential amenities of neighbouring dwellings.

And subject to the following conditions:

1. Approval of the details of the layout, scale, appearance of the building and the landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority in writing before any development is commenced.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

2. Plans and particulars of the reserved matters referred to in condition 1 above, relating to the layout, scale, external appearance of any buildings to be erected, and the landscaping of the site, shall be submitted in writing to the Local Planning Authority and shall be carried out as approved.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

3. Application for approval of the reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

4. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved.

Reason: This permission is in outline only and is granted under the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order, 1995.

5. The finished floor level[s] of the proposed building[s] shall be in accordance with details to be submitted to, and approved in writing by, the Local Planning Authority before development is commenced.

Reason: To ensure the exact finished floor level[s] of the buildings.

6. No development shall take place until details of provision for recreational open space in accordance with policy R2 of the Salisbury District Local Plan have been submitted to and agreed in writing by the Local Planning Authority.

Reason: In order to comply with Policy R2 of the Salisbury District Local Plan.

7. 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 wall[s] and roof[s] 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.

8. A recessed entrance having a minimum width of 3.0m shall be constructed 4.5m back from the carriageway edge and its sides shall be splayed outward at an angle of 45 degrees toward the carriageway edge. The area between the entrance and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall have been submitted to an approved in writing by the Local Planning Authority prior to development commencing.

Reason: In the interests of highway safety

9. Any entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of 4.5m from the carriageway edge.

Reason: In the interests of highway safety

10. The gradient of the access way shall not at any point be steeper than 1 in 15 for a distance of 4.5 metres from its junction with the public highway.

Reason: In the interests of highway safety.

11. Before the dwelling hereby permitted is first occupied the area between the nearside carriageway edge and a line drawn 2.0m parallel thereto over the entire site frontage shall be cleared of any obstruction to visibility at and above a height of 1.0m above the nearside carriageway level and thereafter maintained free of obstruction at all times.
Reason: In the interests of highway safety.

12. No development shall take place until details of the treatment of the boundaries of the site have been submitted to and approved in writing by the Local Planning Authority. Any tree screening, hedges, walls or fences thus approved shall be planted/erected prior to the occupation of the buildings.

Reason: In the interests of the amenity and the environment of the development.

13. Notwithstanding the provisions of Class[es] A-E of Schedule 2 (Part 1) to the Town and Country Planning (General Permitted Development) Order 1995, (or any Order revoking and re-enacting that Order with or without modification), there shall be no extensions to the dwelling(s) nor the erection of any structures within the curtilage unless otherwise agreed in writing by the Local Planning Authority upon submission of a planning application in that behalf.

Reason: To enable the Local Planning Authority to ensure that sufficient space is retained around the dwelling(s) in the interests of neighbourliness and amenity.

INFORMATIVE: - R2

You are advised to contact the Local Planning Authority prior to any submission of details so that compliance with Policy R2 can be discussed.

29 :- And in accordance with the following saved policies of the adopted Salisbury District Local Plan:

- G2 - General Criteria for Development
- H16 - Housing Policy Boundary
- D2 - Design
- C6 - Speical Landscape Area
- CN11 - Conservation Area
- R2 - Recreational Open Space