

STRATEGIC PLANNING COMMITTEE

MINUTES of a MEETING of the STRATEGIC PLANNING COMMITTEE held at ANTROBUS HOUSE, AMESBURY on TUESDAY 22 SEPTEMBER 2009.

PRESENT:

Cllr Andrew Davis (Chairman), Cllr Philip Brown, Cllr Christine Crisp, Cllr Peter Fuller, Cllr Chris Humphries, Cllr Julian Johnson, Cllr Francis Morland, Cllr Jeff Ody, Cllr Stephen Petty, Cllr Tony Trotman, Cllr Fred Westmoreland and Cllr Graham Wright.

Cllr John Brady and Cllr John Noeken also attended the meeting.

5. **Apologies** Apologies for absence were received from Cllr Russell Hawker (who was substituted by Cllr Francis Morland), Cllr Mark Packard and Cllr Ian West (who was substituted by Cllr Stephen Petty).
6. **Members' Interests** Cllr Fred Westmorland declared a personal interest in the following item because he had been a member of the former Salisbury District Council's Northern Area Committee and also of Amesbury Town Council, both of whom had debated the issue. However, he had not taken part in a debate or voted on the matter.
7. **Amesbury: Proposed Construction of Regional Distribution Centre and Associated Infrastructure Works including Roads, Parking Areas, Drainage and Landscape Planting at Solstice Park, Porton Road for Kenmore Capital Portfolio Ltd (Application No. S.09.0794)** At the beginning of the item the Committee received statements from the following members of the public expressing their views regarding this planning application to which the Chairman responded:

The following people spoke against the proposal

Mr Robert Bedford, a local resident

Mrs Sue Money, a local resident

Mr Nigel Key, Chairman of Stonehenge Estate Residents' Association

The following people spoke in favour of the proposal

Mr Martyn Smith, agent for the applicant

Mr Cliff Whitley, applicant

Mr Henry Angel James, applicant

The Committee also received:-

- (a) a statement from Mr Roger Fisher, Mayor of Amesbury

- (b) a statement from Cllr John Noeken, a local Councillor
- (c) a schedule of late representations
- (d) a petition containing 784 signatures against the proposal presented by Ms Sue Lewis, a local resident

The Committee then considered the detail of a report by the Service Director, Development. It was reported that in the interests of clarifying the report & appendix 6, an Appropriate Assessment had not been undertaken. In consultation with Natural England an exercise had been carried out & concluded that the proposed development either alone or in combination with other projects would not be likely to have a significant effect on the River Avon SAC.

After discussion,

Resolved:

- (1) To refer the application to the Secretary of State informing him that the Council's Strategic Planning Committee, following a visit to the site and carefully considering the application taking into account all of the material considerations, particularly the views of those opposed to the scheme and the views of those in support, is minded to grant planning permission, subject to the completion of a Section 106 Agreement in the terms set out at A, B and C below, for the reasons set out below and subject to the conditions set out below.
- (2) Should the Secretary of State direct that he does not wish to call-in the application for his determination, to grant planning permission, subject to the completion of a Section 106 Agreement in the terms set out at A, B and C below, for the reasons set out below and subject to the conditions set out below.

(A) To vary the Section 106 Agreement dated 20 January 2000 (as varied) as follows:-

- a. To increase the limit of land to be developed before 2011
- b. To vary the areas of open space / Strategic Landscape areas, to take account of this application and any consequential amendments to the landscape management plan.
- c. To vary the location of the main Off road / Cycle way
- d. To remove the local centre provision
- e. To enhance the Travel Plan
- f. To amend the approved Landscape Management Plan

(B) To secure the Lorry Routeing Agreement provisions under the following Heads of Terms:-

- g. To prevent Lorries using the C11, C32 (north of the A303) the B390, B3083, B3086 and London Road, Amesbury.
- h. To restrict the number of lorries using the A345, North of Countess Road Junction and South of Stock Bottom junction.

- i. Traffic Regulations on local roads where considered necessary by the Highways Authority.
- j. Establishing a Local Forum for dealing with concerns and issues raised by local people regarding lorry movements as a direct result of the development.
- k. To set up a data scheme to enable lorry movements to be recorded and monitored.
- l. To develop an effective means of enforcing the restrictions placed upon lorry movements.
- m. To make a payment to ensure the delivery of a Toucan Crossing

(C) To make any further consequential amendments found to be necessary.

Reasons for Granting Permission

Whilst the proposal will result in a large scale development resulting in a material departure from the approved Master Plan for Solstice Park, and from saved policy E8A of the adopted Salisbury District Local Plan in terms of the provision of additional employment land that it would bring forward before 2011, when having had regard to, in particular, the Regional Economic Strategy (RES), it is considered that the wider economic benefits to the area ahead of the proposed phasing outweighs the provisions of policy E8A.

Whilst the proposal will result in a layout that differs materially from the approved Master Plan in terms of zones and uses, the Environmental Statement (ES) clearly identifies that no demonstrable harm will result to interests of acknowledged importance provided that the ES and the mitigations measures set out within it, are conditioned.

It is considered that 'on balance' and in combination with the implementation (subject to conditions) of the full details of the application and the Environmental Statement (ES) and consultations, that a local planning policy objection to the proposal based on policy E8A of the adopted Salisbury District Locals Plan is outweighed by the wider economic considerations for the district and its surrounding environs. As such the proposal is considered to be acceptable from a Town & Country Planning Standpoint having regard to all material planning considerations and to otherwise accord with the policies of the development plan.

Subject to the following conditions

- (1) The development hereby permitted shall be begun before the expiration of 5 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) No development shall commence until a scheme for the drainage of surface water from the buildings and land has been submitted to and approved by the Local planning authority. Surface water shall be disposed of in accordance with the scheme thus approved, including

via a suitable infiltration system (Designed and constructed as recommended in CIRIA report 156 "Infiltration drainage, Manual of Good Practice" and to ensure that there is no surface water runoff from the site for all events up to 1 in 100 year storm (including an allowance of 10% increase in peak rainfall intensity to take account of climate change in accordance with Planning Policy Statement 25).

Reason: To ensure that satisfactory provision of drainage facilities to serve the proposed development.

Policy: G5 Development and water services, adopted Salisbury District Local Plan

- (3) No development shall commence until a scheme for surface water drainage from impermeable parking areas and hardstandings for vehicles commercial lorry parks and petrol stations, has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be carried out as approved and shall ensure that surface water shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. Roof water shall not pass through the interceptor.

Reason: To prevent petrochemical substances from car parking surfaces polluting the water environment and in accordance with the details in the EIA.

Policy: G5 Development and water services, adopted Salisbury District Local Plan

- (4) Oil or chemical storage facilities should be sited in bunded areas The capacity of the bund should be at least 10 times greater than the capacity of the storage tank or if more than one tank is involved the capacity of the largest tank within the bunded area Hydraulically inter Linked tanks should be regarded as a single tank There should be no working connections outside the bunded area.

Reason: To prevent pollution of the water environment in accordance with the details of the EIA.

Policy: G5 Development and water services, adopted Salisbury District Local Plan

- (5) 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

Policy: G5 Development and water services, adopted Salisbury District Local Plan

- (6) No development shall commence on site until a scheme for allowing access at all reasonable times to any archaeologist nominated by the Local Planning Authority, has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the nominated archaeologist shall be allowed to observe the excavations and to record items of interest and finds, in accordance with the approved scheme.**

Reason: To safeguard the site of archaeological interest.

Policy: CN22 Archaeological recording, adopted Salisbury District Local Plan

- (7) No development shall commence until a Construction Management Plan has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Secretary of State for Transport and Wiltshire Council). The plan will include construction vehicle movements, construction operating hours (which shall be in accordance with those set out in condition 21 of this decision), which shall confirm that the following activities shall not be conducted outside the approved hours:**

- 1. Use of piling equipment and rigs**
- 2. Movement and use of tracked box excavators**
- 3. Movement and use of tracked box excavators over 18T**
- 4. Movement and use of vibrating rollers**
- 5. Delivery and movement of steel**
- 6. Cleaning and maintenance of heavy plant**
- 7. Control and suppression of dust emissions;**

construction vehicle routes to and from the site, construction delivery hours, expected numbers of construction vehicles per day, car parking for the contractors, specific measures to be adopted to mitigate construction impacts in pursuance of Environment Code of Construction Practice and details of a scheme to encourage contractors to use alternative means of transport to the private motor vehicle. Construction works shall be carried out strictly in accordance with the Construction Management Plan.

Reason: To ensure that a best practice approached to the construction management of the site is adopted and in accordance with the details of the EIA.

Policy: G1 Principles of Sustainable development and G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (8) The development hereby approved shall be carried out in complete accordance with the submitted "Lighting Strategy" dated June 2009, received 08/06/09.**

Reason; In the interest of avoiding light pollution and disturbance from light to the nearby residential properties, and the visual amenity of the wider area.

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (9) The development hereby approved shall not be carried out otherwise than in complete accordance with the materials schedule as set out on page 20 of the Design and Access Statement and shall be subject to final confirmation following the provision of samples of materials to illustrate texture, colour and finishes, to be used for the external wall's and roofs of the proposed development. Development shall be carried out in accordance with the approved details.**

Reason: To secure a harmonious form of development.

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

D1 Extensive Developments, adopted Salisbury District Local Plan

- (10) No development shall commence until the details of the Paladin type fence to be erected around each of the buildings have been submitted to and approved in writing by the local planning authority. The details shall include height, colour finish and texture.**

Reason: In the interest of visual amenity

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (11) No development shall commence until details of the finished floor levels of the proposed buildings have been submitted to, and approved in writing by, the Local Planning Authority.**

Reason: To ensure the exact finished floor levels of the buildings.

Policy: G2 Criteria for considering new development, and D1 Extensive Developments, adopted Salisbury District Local Plan

- (12) No development shall take place until details of the treatment to all hard surfaces have been submitted to and approved in writing by the Local Planning Authority. The development shall accord with the details as so approved unless otherwise agreed in writing by the Local Planning Authority.**

Reason: In the interests of the amenity and the environment of the development.

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (13) Landscaping shall be carried out in accordance with the details of the landscaping proposals as illustrated within the RPS "Landscape**

Master Plan" Drawing No: 011 Rev B and the " Landscape Master Plan, Sections and Planting schedule dated March 2009", set out in the Environmental Statement Supporting Appendices Volume 2 at Appendix 4.3.

Reason: in the interest of the visual amenity of the landscape and to accord with the details of the EIA

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (14) No development shall commence until full details of the proposed 3 metre high acoustic barrier to be erected along the south west boundary of the site have been submitted to and approved in writing by the local planning authority. The approved barrier shall be erected in its entirety to its full length as illustrated on the "Acoustic Barrier Location Plan" received 03/09/09, before the commencement of any of the approved on site works.**

Reason: To protect the nearby residential properties from unreasonable levels of noise disturbance and in the interest of visual amenity and the security of the site and nearby residents and to accord with the details of the EIA.

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (15) All lorry loading bays shall be fitted with mains electricity points allowing refrigeration units to connect and operate whilst loading / unloading.**

Reason: To prevent the use of noisy generators in the interest of avoiding unnecessary disturbance from noise to nearby residential properties and to accord with the details of the EIA.

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (16) No development shall commence until full details of the implementation (including an implementation programme) of the landscape scheme specific to this development, have been submitted to and approved in writing by the LPA. The implementation shall be carried out in complete accordance with the approved details unless the LPA agrees to any variation.**

Reason: In the interest of the visual amenity of the landscape and the continuity of the landscaping provisions of the approved Master Plan for Solstice Park.

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (17) No development shall commence until a landscape management plan has been submitted to and approved in writing by the Local Planning**

Authority. The plan shall including long term design objectives, management responsibilities, timing of planting and phasing and maintenance schedules for all landscape areas within the site. The landscape management plan shall be carried out as approved.

Reason: To enable the Local Planning Authority to secure the satisfactory evolution, management and maintenance of landscape works, in the interests of visual amenity and to accord with the details of the EIA.

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (18)** All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in strict accordance with the approved implementation programme and any trees or plants which within a period of 10 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: In the interests of the amenity and the environment of the development.

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (19)** No development shall commence until details of the propose Mechanical Plant systems have been submitted to and approved in writing by the Local Planning Authority. Details shall include proposed noise control measures, fan location, duct- discharge positions and supplementary ventilation systems. The development shall be carried out in accordance with the approved details without variation unless otherwise agreed in writing by the LPA.

Reason: In the interest of residential amenity.

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (20)** None of the buildings shall be occupied until works for the disposal of foul and surface water, have been provided on the site to serve the development hereby permitted, in accordance with details contained within the Environmental Statement Volume 1, Hydrology and Drainage and the 'Commitment to Mitigation Measures'.

Reason: To ensure that the development is provided with a satisfactory means of drainage and to accord with the details of the EIA.

Policy: G2 Criteria for considering new development and G5 Water services adopted Salisbury District Local Plan

- (21) No ground works or construction shall be undertaken outside of the following hours:
Monday to Friday: 8.00am- 6pm Saturday: 8.30 am - 1pm Sundays & bank holidays: No construction or ground working. This condition does not apply to works of fitting out and decoration.**

Reason: to protect the amenity of nearby residential property

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (22) No construction shall commence on site, until plans for the extension of Equinox Drive, Sunrise Way and Meridian Way, including details of pedestrian and cycle facilities to connect the site with the Solstice local services and to the proposed Toucan crossing on Porton Road, have been submitted to and approved in writing by the local planning authority, and the works completed in accordance with the approved plans prior to the site being brought into operational use.**

Reason: In the interests of highway safety

Policy: G2 Criteria for considering new development, adopted Salisbury District Local Plan

- (23) No buildings shall be occupied on the site a site until a Travel Plan, which is compatible with the overall Solstice Park Travel Plan, has been submitted to and approval in writing by the local planning authority. The site shall be operated in accordance with the requirements and principles of the approved Travel Plan.**

Reason: In the interests of encouraging access to and within the site by sustainable modes of transport.

Policy: G1 Principles of Sustainable development, adopted Salisbury District Local Plan

- (24) No buildings shall be occupied on the site, until detailed plans for the site access, servicing and parking facilities have been submitted to and approved in writing by the local planning authority and the works completed in accordance with the approved detailed plans. Such plans shall include all necessary details of construction, drainage and site levels. The service and parking areas shall at no time be used for storage of goods or materials.**

Reason: In the interests of highway safety, and to ensure that the site is constructed and operated without prejudice to highway interests.

Policy; G2 Criteria for considering new development, adopted Salisbury District Local Plan

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 butt, spray taps, low flow showers (1) and white goods where installed with 11 maximum water efficiency rating. Grey water 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 [www.environmentagency.gov.uk/Subjects/Water Resources/ How We Help to Save Water/Publications/Conserving Water in Buildings](http://www.environmentagency.gov.uk/Subjects/Water%20Resources/How%20We%20Help%20to%20Save%20Water/Publications/Conserving%20Water%20in%20Buildings) for detailed information on water saving measures. A scheme of water efficiency should be submitted in accordance with the information supplied on the website.

The following may also be helpful 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 green house gas emissions and helps to limit and adapt to climate change. Running costs of the building can also be significantly reduced.

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 found at: www.environmentagency.gov.uk/business/444251/444731/ppgversion1&ang=e

INFORMATIVE:

The PLA should confirm that a design life of 40 years as stated in paragraph 5.4 of supporting appendix 8 is appropriate to this form of development. The LPA should also confirm with their building control section that and the adopting Highway Authority if relevant that this will be acceptable to them. We do not accept any liability for the detailed calculations contained in 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 provisions, bylaw, order or regulation. Flood Risk cannot be eliminated and is expected to increase over time as a result of climate change and this letter does not absolve the developer of their responsibility to ensure a safe development.

INFORMATIVE:

Any oil storage facility of 200 litres or more must include a bund and comply with the Oil Storage Regulations. The Control of Pollution Oil Storage England Regulations 2001 a copy of which has been forwarded to the Applicant Agent

INFORMATIVE:

Protected Species; If planning permission is granted the applicants should be informed that this does not absolve them from complying with the relevant law protecting species in particular bats including obtaining and complying with the terms and conditions of any licences required as described in Part IV B of Circular 06 2005. If the application is amended Natural England should be re-consulted for a further 21 days in accordance with Circular 08 2005

Plan References:

14976 / AD / 001 Proposed site Plan.
14976 / A1 / 5000 Plot 1, Building Plan.
016 Revision A Review of Public Open Space Provision.
14976 / A1 / 5310 Revision C Plot 2, Proposed elevations.
14976 / A1 / 5300 Revision B Plot 1, Proposed elevations.
14976 / A1 / 5020 Application Comparison.
14976 / A1 / 5101 Plot 2, Typical Warehouse Section.
14976 / A3 / 5010 Plot 1, Transport Office Layout.
14976 / A3 / 5011 Plot 2, Transport Office Layout.
14976 / A1 / 5005 Plot 1, Office Layout.
14976 / A3 / 003 Revision B, Ridge Level Location Plan.
14976 / A1 / 5100 Plot 1 Typical Warehouse Section.
14976 / A1 / 5001 Plot 2, Building Plan.
14976 / A1 / Revision B, Plot 2 Office Layout.
Acoustic Barrier Location Plan, received 03/09/09
L.269:14/1E approved Solstice Park Master Plan

(Duration of meeting: 6.0pm – 8.10pm)

The Officer who has produced these minutes is Roger Bishton, Democratic & Members' Services, direct line (01225) 713035 or e-mail

roger.bishton@wiltshire.gov.uk

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

