

## Section 5 Planning Policies

5.1 This Brief has been formulated within the hierarchy of planning policy that comprises national planning guidance and strategic and local policies provided by the development plan. Section 54A of the Town and Country Planning Act 1990 is a very important provision as it states that any determination made under the planning Acts shall be made in accordance with the development plan, unless material considerations indicate otherwise. Therefore, the status of the development plan has been elevated from being one material consideration to the primary consideration in the decision making process. The key policy issues, together with the most relevant planning opportunities and constraints are summarised below. However, the list below is not exhaustive and reference should be made to the relevant documents for the wider policies and other guidance that may be applicable.

### Central Government Planning Guidance

5.2 The government is committed to the principles of sustainable development. The most commonly used definition of “*sustainable development*” is “*development that meets the needs of the present without compromising the ability of future generations to meet their own needs.*” (The Brundtland Report - Report of the 1987 World Commission on Environment and Development). Most recently, the Government’s strategy has been set out in “*A better quality of life - a strategy for sustainable development for the UK.*” This document, which was published in May 1999 poses the question - What is sustainable development? It answers as follows: “*at its heart is a simple idea of ensuring a better quality of life for everyone, now and for generations to come.*” (Paragraph 1.1).

5.3 The strategy then continues - “*Although the idea is simple, the task is*

*substantial. It means meeting four objectives at the same time, in the UK and the world as a whole:*

- *Social progress which recognises the needs of everyone;*
- *effective protection of the environment;*
- *prudent use of natural resources; and*
- *maintenance of high and stable levels of economic growth and employment.” (Paragraph 1.2).*

5.4 Planning Policy Guidance notes (PPG’s) set out the Government policies on different aspects of planning. Local Planning Authorities must take their content into account in preparing their development plans. The guidance may also be material to decisions on individual planning applications and appeals. A key theme which underpins the Government’s guidance in PPG’s is the need to adhere to the principle of sustainable development. PPG1 “*General Policy and Principles*”, February 1997, for example, emphasises the importance of sustainable development.

5.5 PPG6 “*Town Centres and Retail Developments*”, June 1996 emphasises the importance of a plan-led approach to promoting development in town centres. The Countess Road East site may be deemed an “*out-of-town*” site (defined in PPG6 as an out-of-centre development on a green-field site, or land not clearly within the current urban boundary). Therefore, if the commercial operator is proposing retail or leisure development on the site that is not ancillary to the new Visitor Centre, a “*sequential test*” will need to be carried out to demonstrate that all potential town centre options have been thoroughly assessed, before less central sites are considered. This is intended to produce more sustainable patterns of development and revitalise town centres. In such circumstances, the commercial operation will also be

required to prepare and submit a full Retail Impact Assessment to the Local Planning Authority.

- 5.6 However, it should be noted that the primary function of the new Visitor Centre is to offer, just outside the World Heritage Site, a high quality interpretation facility of the Stone Circle and its wider setting. Catering and retail facilities will be an ancillary, yet necessary requirement to fulfil visitor expectation.
- 5.7 PPG9 “*Nature Conservation*”, October 1994 sets out the Government’s objectives for nature conservation and the considerations required in respect of both national and international conservation designations. For example, the PPG states that development proposals in or likely to affect SSSI’s must be subject to special scrutiny. It states, however, that Local Planning Authorities should not refuse permission if consent can be granted subject to conditions, if those conditions will prevent damaging impacts on wildlife habitats or important physical features.
- 5.8 The PPG also sets out the approach to be taken in considering a development proposal that would affect a Special Area for Conservation (SAC) or candidate Special Area for Conservation (cSAC). The PPG points out that SAC’s are protected through measures contained in the Conservation (Natural Habitats, &c) Regulations 1994 (the Habitats Regulations). These are also applied to cSAC’s in order to protect them whilst under consideration by the EC. The protective mechanisms for both designations are clearly explained in Annexe C of PPG 9. In particular, Regulation 48 requires an appropriate assessment of any project that could have a significant impact on the internationally important interests.
- 5.9 PPG13 “*Transport*”, March 1994 provides advice on how Local Authorities should integrate transport and land use planning in ways which help to

reduce growth in the length and number of motorised journeys, encourage alternative means of travel which have less environmental impact and, hence, reduce reliance on the private car. In particular, the PPG advises on mitigating the impact of transport proposals on the natural environment.

5.10 PPG15 "*Planning and the Historic Environment*", September 1994 was issued jointly by the Secretary of State for the Environment and the Secretary of State for National Heritage and provides protection for historic buildings and conservation areas, including World Heritage Sites. The PPG states that no additional statutory controls follow from the inscription of a site onto the World Heritage list. Inscription does, however, highlight the outstanding international importance of the site as a key material consideration to be taken into account by local planning authorities in determining planning and listed building consent applications, and by the Secretary of State in determining cases on appeal or following call-in.

5.11 The PPG encourages Local Planning Authorities to work with owners and managers of World Heritage Sites in their areas, and with other agencies, to ensure that comprehensive Management Plans are in place. These plans should:-

- appraise the significance and condition of the site;
- ensure the physical conservation of the site to the highest standards;
- protect the site and its setting from damaging development;
- provide clear policies for tourism as it may affect the site.

5.12 Accordingly, proposals will need to demonstrate that they are consistent with the principles of sustainable development and in accordance with the

general guidance for World Heritage Sites.

- 5.13 PPG16 “*Archaeology and Planning*”, November 1990 sets out the Secretary of State’s policy on archaeological remains and how they should be preserved or recorded both in an urban setting and in the countryside. The Guidance Note also provides advice on the handling of archaeological remains and discoveries under the development plan and control systems.

### **Development Plan Policy**

- 5.14 The Town and Country Planning Act 1990 (as amended) establishes a development plan-led system of planning control in which any determination made under the Planning Acts (including the determination of planning applications) must be in accordance with the development plan, unless material considerations indicate otherwise. As a consequence, where an applicant proposes a development which is contrary to the provisions of the development plan, the application will need to be supported by strong and convincing reasons as to why the benefits of the proposal outweigh the provisions of the development plan. However, where an applicant proposes a development in accordance with a development plan, in terms of policy, the proposal is likely to be received favourably by a Local Planning Authority.

- 5.15 The “development plan” for the Salisbury Plain area comprises the South Wiltshire Structure Plan (SWSP) approved in 1993 and the Salisbury District Local Plan (SDLP) adopted in March 1996. Wiltshire County Council is currently in the process of preparing a new single County-wide Structure Plan to cover the period up to 2011. The Deposit Draft Wiltshire Structure Plan (DDWSP) has been through an Examination in Public and Proposed Modifications published in February 1999 for public consultation. The DDWSP will form part of the statutory development plan when it is

adopted which is expected in Autumn 2000. However, the draft policies do indicate the most up to date strategic aspirations of the County Planning Authority and are material considerations in the determination of any planning application.

5.16 Similarly, Salisbury District Council is in the process of preparing a new local plan. The Salisbury District Local Plan, Replacement Draft for Deposit (SDRLP), June 1998 covers the period up to 2011 and is due to be the subject of a Local Plan Inquiry commencing on the 12<sup>th</sup> October 1999. This is likely to last until May 2000. Following discussions with Salisbury District Council, it has been decided not to pursue the new Visitor Centre proposals at the forthcoming Local Plan Inquiry.

5.17 The policies of the SWSP, DDWSP, SDLP and the SDRLP are summarised below by broad topic area. This list is not exhaustive. Reference should be made to the relevant documents for the full range of planning-related policies. However, selected policies have been reproduced in Appendix 4, for ease of reference. Moreover, a table at Appendix 3 highlights the main planning and environmental policies affecting the Countess Road East site.

### **World Heritage Site**

5.18 The policies emphasise that the World Heritage Site of Stonehenge and Avebury should be afforded protection from inappropriate development to reflect its outstanding international value. The SWSP and DDSWP state that no development should take place which by reason of its scale, siting and design would prejudice the designation and setting in the landscape. The SDLP and SDRLP state development that would adversely affect the setting of the Stonehenge World Heritage Site will not be permitted. There are additional restrictions on development in the vicinity of Stonehenge. Permitted development rights relating to agriculture and forestry operations

within an area of seven and a half square miles around Stonehenge have been withdrawn under Article 3 of the General Development Order 1950 (now Article 4 of the General Permitted Development Order 1995).

### **Archaeology**

- 5.19 Most of Salisbury District is defined in the SDLP and SDRLP as an Area of Special Archaeological Significance, including the Stonehenge World Heritage Site and Countess Road East. In such areas, the policies essentially state that development that would adversely affect Scheduled Ancient Monuments or other important features of archaeological or historic interest, or their setting will not be permitted. Other regionally or locally important archaeological or historic features will also be protected from harmful development.

### **Transport**

- 5.20 The policies highlight the need to provide for appropriate public transport, cycling and walking. Development proposals are required to provide appropriate mitigating measures to offset any adverse affects on the transport network arising from traffic generated at both construction and operational stages. The Stonehenge Master Plan makes provision for enhanced and improved public access and an environmentally sensitive and sustainable transport system to the drop-off points.
- 5.21 The development plan recognises the significance of the A303(T) (and programmed improvements to it) and the possible closure of the A344 between Airman's Cross and Stonehenge. However, as referred to earlier in this Brief, this no longer represents the up-to-date position. Highway improvements, to which the Government, the Highways Agency and

Wiltshire County Council are committed, form an integral part of the Stonehenge Master Plan.

### **Nature Conservation**

- 5.22 The Avon River corridor, which abuts the eastern boundary of the Countess Road East site is defined as an Area of High Ecological Value (AHEV) and designated as a Site of Special Scientific Interest (SSSI). It is also a candidate Special Area of Conservation (cSAC). The eastern fringe of the Countess Road East site is affected by the AHEV designation. The Local Plan policies essentially state that development which would have a significant detrimental effect on an AHEV will only be permitted where the importance of the development outweighs nature conservation interests. Where permission is granted, conditions will be used to ensure that harm to nature interests is minimised and to secure compensatory habitat creation.

### **Special Landscape Area**

- 6.26 The majority of the Salisbury Plain area is defined in the SWSP and the DDWSP as a Special Landscape Area. This is a high quality landscape within which any proposals for development should have regard to the need to protect landscape character and scenic quality. It should be noted that the Countess Road East site is not included within a Special Landscape Area.

### **Tourism**

- 5.24 The SWSP and DDWSP acknowledge that tourism in Wiltshire is based on its historical and natural heritage and recognises the international importance of the Stonehenge/Avebury World Heritage Site. New and improved facilities to serve tourism are identified as being of prime importance. Accordingly, the policies state that the provision of recreation

and tourist facilities will normally be permitted where they do not impair the quality of the built or natural environment and where the scale and location satisfy a number of criteria.

- 5.25 It should be noted that the SDLP and SDRLP contain a specific policy which states that a new Visitor Centre will be provided for the Stonehenge World Heritage Site (see paragraphs 23 and 43 of Appendix 4).

### **Development Restraint Area**

- 5.26 The northern-most part of the Countess Road East site lies within a Development Restraint Area which has been defined around the nearby sewage treatment works in order to minimise potential risks of occasional odour nuisance.

### **Retail Development**

- 5.27 If retail proposals (other than those ancillary to the new Visitor Centre) are proposed on the Countess Road East site, strategic and local retail policies will apply. These seek to maintain and enhance the existing hierarchy of shopping centres in the sub-region in which Salisbury is classified as the sub-regional centre and Amesbury is identified as a small town centre. In line with Central Government guidance contained in PPG6 "*Town Centres and Retail Developments*", June 1996, the policies essentially seek to:-

- locate development within or adjacent to centres consistent with the objectives of the sequential approach and direct development to locations which serve community needs and which are accessible by a choice of means of transport;

- ensure proposals will not affect the vitality and viability of city or town centres and
- ensure proposals will not give rise to serious problems of access, road safety and traffic congestion.

### **General Criteria for Development**

5.28 The policy framework established by the SDLP and the SDRLP contains a range of criteria which all new development will be expected to meet and include, for example, matters such as density, satisfactory means of access, appropriateness in terms of design, scale, layout and siting.