

SUMMARY

SALISBURY DISTRICT COUNCIL

TOWN AND COUNTRY PLANNING ACT 1990

**TOWN AND COUNTRY PLANNING (INQUIRIES PROCEDURES)
RULES 1992**

**APPEAL BY ENGLISH HERITAGE.
SITE AT LAND EAST AND WEST OF COUNTESS ROAD,
AMESBURY**

**Appeal against Salisbury District Council's: Refusal of planning permission
for construction of new Stonehenge visitor centre, transit system,
undergrounding of 33kv power line, removal of existing visitor facilities and
restoration works to the A344**

**Proof of evidence of David John Milton, BA (Hons) MA MRTPI Cert Mgt
(Open), Team Leader Forward Planning and Conservation, Salisbury
District Council**

Planning Inspectorate Reference: APP/T3915/A/05/1193511

Local Planning Authority Ref: S/2004/0001

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1.0 INTRODUCTION

1.1 My name is David John Milton and I hold the position of Team Leader of Forward Planning and Conservation with Salisbury District Council. I am the case officer responsible for determining the application the subject of this appeal.

1.2 In my evidence I will explain the background to the case including the process involved in determining the planning application the subject of this appeal including steps taken to audit the Environmental Statement. I will also explain the subsequent reconsideration of a similar application by the Local Planning Authority and the additional information that led members' to resolve to grant planning permission subject to conditions, and a section 106 agreement. I will describe how these subsequent events, together with the conditions and section 106 Agreement, accepted by the appellant mean that the Council will not be contesting the reasons for refusal.

2.0 LOCATION AND SITE DESCRIPTION

2.1 This is as set out in the Statement of Common Ground.

3.0 THE PROPOSAL

3.1 This is as set out in the Statement of Common Ground.

4.0 REASON FOR REFUSAL

4.1 The two refusal reasons are quoted in section 4 of my Proof of Evidence and the decision notice forms Appendix 1 to this.

4.2 It should be noted from the outset that the position of the Local Planning Authority has moved on since the refusal and will not be contesting the refusal reasons.

5.0 PLANNING HISTORY

- 5.1 The planning history of the site is described in the Statement of Common Ground. In summary the application the subject of this appeal and a subsequent identical application (S/2006/0700) are central to my evidence.

6.0 PLANNING POLICY BACKGROUND

- 6.1. The Local Planning Authority determined the application, the subject of this appeal, in accordance with Section 54A of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 1994, having regard to the national, strategic and local planning policies as set out in the Statement of Common Ground.
- 6.2 The analysis of the policy issues at a national regional and local level, plus the implications of Supplementary Planning Guidance is included in Section 12 to 14, page 39 of my committee report, which is at Appendix 2 of this Proof. It is my assessment that the proposal the subject of this appeal is in accordance with national, regional and local planning policy as well as Supplementary Planning Guidance.

7.0 LOCAL PLANNING AUTHORITY'S RECONSIDERATION OF THE PROPOSALS

- 7.1 As part of the preparation for this appeal and consideration of a second, identical planning application (S/2006/0700), exhaustive further analysis of the two refusal reasons was carried out.
- 7.2 Regarding the first refusal reason related to the land train route and its potential impacts, my starting point was to acknowledge is that members have already accepted the principle of development on the Countess East site by the adoption of a Planning Brief as Supplementary Planning Guidance. Once this was accepted it was always implicit that there would be the need for a transit system to take visitors to and from Stonehenge. Indeed the adopted brief makes this explicit.

- 7.3 Given this acceptance in principle, my detailed analysis has centred on the likely impacts as highlighted in the Environmental Statement, detailed site analysis and consideration of alternatives. The findings of this assessment is that the proposed land train route is the best option available and will not have an unacceptably adverse impact upon the neighbours, archaeology or the setting of the World Heritage Site.
- 7.4 The issue of the ensuring that the requisite A303 improvements are delivered to support the scheme has been re-assessed and the legitimacy of the use of Grampian style conditions revisited.
- 7.5 Central to this consideration is that both the Environmental Statement and the Transportation Assessment have both been based on the assumption that the published A303 Improvement Scheme (Order 200) has been completed. This forms a key part of the baseline. These assessments do not take account of any change in impacts should an alternative road scheme be delivered by the Government.
- 7.5 My analysis has confirmed that a Grampian style condition can be quite legitimately used to tie the delivery the of the visitor centre to the key elements of the A303 scheme even with the current review being undertaken. No demonstrable harm can be seen to derive from such an approach, and indeed on reflection it does offer the council a valuable mechanism of reviewing the potential change in environmental impacts should a different road solution to the published scheme be decided by the Secretary of State.

8.0 PLANNING ISSUES

- 8.1 In section 8 of my proof I set out my view with regard to the planning issues as set out by the Inspector at the Preinquiry meeting.
- 8.2 A detailed re-appraisal of the previous refusal reasons has been carried out, including a members' site visit to the rear of the houses in Fargo Road. This analysis has led to a change in position of the Local Planning Authority from a position of refusal to no objection subject to the conditions and section 106 agreements.

8.3 I can find no material harm from arising from this proposal which merits refusing the planning application, the subject of this appeal. In this case, starting from the Development Plan policy framework, through to issues such as impact on the highways network, landscape, archaeology and wildlife issues, I consider there emerge grounds for approving this application.

9.0 PROCESSING THE APPLICATION

9.1 I took great care to ensure that the Environmental Statement was robustly and objectively scrutinised. I set up a Technical Consultative Group comprising key statutory consultees, so that each topic and the conclusions could be robustly analysed and discussed with a panel of experts. At no time did I simply accept the information within the document at face value without subjecting it to a tough auditing process.

9.2 This auditing has led me to the opinion that the Environmental Statement as revised by the Supplementary Information submitted in May 2000, is both a credible document and clearly demonstrates the acceptability of the planning application.

9.3 In section 9.7 of my proof I set out the detailed consultation and publicity measures I undertook to ensure stakeholder engagement in the planning process. This included sending over 11,479 neighbour notification packs, 108 consultations, 100 site notices displayed around the World Heritage Site, a week long local public exhibition, dedicated pages on the Councils website, press releases and advertisements. A detailed summary of the responses are set out in Section 9 of the officer's committee report (pages 19 to 27), which forms Appendix 2 to this proof.

9.4 In brief summary, no statutory consultees objected to the application, 17 non-statutory consultees objected, as did 760 neighbours. Some 51 neighbours supported the proposals.

9.5 In summary, on a detailed analysis of all the grounds of objection highlighted by the community and non-statutory consultees I do not consider that they raise material considerations which justify not granting planning permission.

10.0 APPROPRIATE ASSESSMENT UNDER THE HABITAT REGULATIONS

10.1 In section 10 of my proof I set out the Appropriate Assessment completed by Salisbury District Council as competent authority.

10.2 In summary I do not consider that the scheme, either alone or in combination, will adversely affect the integrity of the Special Area of Conservation (SAC) subject to conditions to secure the satisfactory implementation of the mitigation measures set out within the Construction Environmental Management Plan, Water Strategy and Ecological Management and Monitoring Plan. These plans of action would mitigate impacts both during construction and operation of the new visitor centre. The conditions are included as 35, 36 and 37 in the Statement of Common Ground.

11.0 OVERALL CONCLUSIONS

11.1 The Local Planning Authority's position has moved on since the refusal of the application the subject of the appeal. As per the subsequent resolution of the Local Planning Authority on an identical application on the 10th June 2006, the Council considers that the planning merits of the case mean that planning permission should be granted, but only subject to the conditions and section 106 agreement as set out in the Statement of Common Ground.

11.2 I consider that this planning application is well conceived, in accordance with policy, and benefits from some excellent architectural design in the form of the new visitor centre building. Furthermore, while there are areas where adverse impacts will be produced, most notably upon the setting of the Cursus and the loss of high grade agricultural land, it is undoubtedly the case that these impacts are more than compensated for through the net benefits that the application will bring; not least of which is that it will help to return Stonehenge to a more respectful setting more befitting of its international reputation.

12.0 CONDITIONS AND SECTION 106 AGREEMENT

- 12.1 Should the Inspector be minded to grant planning permission then I would request the conditions and section 106 Agreement as set out in the agreed Statement of Common Ground.