

REPORT TO THE SOUTHERN AREA PLANNING COMMITTEE

Date of Meeting	26 January 2012		
Application Number	S/2011/1395 FULL		
Site Address	The Lime Yard, Crockford, Crockford Corner, West Grimstead, Salisbury. SP5 3RH		
Proposal	Change of use of land form Lime Yard to B2/B8 mixed use with B2 use constrained to the existing crushing plant area.		
Applicant/ Agent	Mr Tony Allen		
City/Town/Parish Council	Grimstead Parish Council		
Electoral Division	Alderbury & Whiteparish	Unitary Member	Cllr Richard Britton
Grid Reference	420277 126562		
Type of Application	FULL		
Conservation Area:	NA	LB Grade:	NA
Case Officer:	Case Officer Mr Warren Simmonds	Contact Number:	01722 434553

Reason for the application being considered by Committee

The application is a resubmission of an application called to Committee by Councillor Britton on grounds of environmental/highway impact concerns and concerns raised by the parish council.

1. Purpose of report

To consider the above application and the recommendation of the Area Development Manager that planning permission be **GRANTED** subject to conditions.

2. Report summary

The main issues in the consideration of this application are as follows:

- Principle of development
- Impact upon highway safety
- Impact upon visual amenity and landscape character
- Impact upon neighbour amenity
- Ecological impacts

The application has generated objections from Grimstead Parish Council; no comment from Alderbury Parish Council; and ten written representations of objection from third parties.

3. Site Description

The application site consists of an area of land of approximately 1.6 hectares to the east of the settlement of West Grimstead. The principal access to the site is via a gated access driveway from the north (off Grimstead Road). The site has been used for a number of years for the storage, grading and crushing of lime, before being distributed for re-sale. At the western end of the site are a row of substantial steel framed, open-sided sheds used for the storage and drying of delivered limestone. The site is very well screened on all sides by existing mature trees and woodland, the surrounding land principally consists of countryside and is designated as Special Landscape Area. The closest neighbouring residential properties are approximately 100m to the north east and 140m to the east.

4. Relevant Planning History

Application Number	Proposal	Decision
S/90/0161	Change of use from agricultural to storage of agricultural machinery used in connection with established agricultural lime business	28.03.1990
S/91/1347	Construct building for storage of agricultural lime	AC 03.10.91
S/92/1450	Extension to building to be used for agricultural lime storage	AC 24.11.92
S/96/0549	Extension to lime storage building	AC 03.08.96
S/00/1242	To not comply with Condition 4 (occupancy and restoration) of planning permission S/90/0161	Variation approved 02.11.2000
S/11/0678	Change of use of land from lime yard to a B2/B8 mixed use with B2 use constrained to the existing crushing plant area	REF 09.08.11

5. Proposal

The application proposes the change of use of the land from an agricultural lime yard to a B2/B8 mixed use with B2 use constrained to the existing crushing plant area. The proposed B2 (general industry) use would be restricted to the western end of the site and would incorporate the existing steel framed buildings. The remainder of the site would be used for B8 storage and distribution (no new buildings or structures proposed). The access remains the same as existing.

6. Planning Policy

Local Plan: policies G2, C2, C6, E16, C11, CN21 & South Wilts Core Strategy; Core Policy 5

The site lies within the designated Special Landscape Area and is an Area of Special Archaeological Significance

Central government planning policy: PPS4, PPS9

Ministerial Statement (23 March 2011) by the Right Hon Greg Clark 'Planning for Growth'

7. Consultations

Wiltshire Highways

No Highway objections

Highways Agency

No objections to the application

District Ecologist

No objection subject to Conditions

WC Archaeology

No objection

Environmental Health

Concern re potential impact of B2 activities on amenity of nearby dwellings

Environment Agency

No objection subject to Condition and Informative

8. Publicity

The application was advertised by site notice and neighbour consultation.

Ten third party representations objecting to the proposal were received. Grimstead Parish Council also maintained their objection to the proposal.

Summary of key relevant points raised:

- The original planning consent was temporary and the land should revert to agriculture
- Impact on neighbour amenity
- Ecological impacts
- Traffic generation and highway safety

9. Planning Considerations

9.1 Principle, policy and recent planning history

The application site constitutes an area of previously developed land in the countryside. The site is particularly well screened within the immediate and wider surrounding landscape by reason of extensive tree screening. The site also has

good highway links to the nearby A36. Whilst the previously authorised use of the land was limited by Condition to revert to agriculture, consideration should be given to the potential economic implications of the loss of the site as a more intensive and economic use.

PPS4 is a national planning policy document which sets out the Government's comprehensive policy framework for planning for sustainable economic development in urban and rural areas. Policy EC6.2c in particular states that local planning authorities 'should support the conversion and re-use of appropriately located and suitably constructed existing buildings in the countryside (particularly those adjacent or closely related to towns or villages) for economic development'.

The recent Ministerial Statement (23 March 2011) by the Right Hon Greg Clark 'Planning for Growth' publishes 'an ambitious set of proposals to help rebuild Britain's economy'. The planning system has a key role to play in this, by ensuring that the sustainable development needed to support economic growth is able to proceed as easily as possible, and the statement sets out the steps the Government expects local planning authorities to take with immediate effect. The Statement directs that, in determining planning applications, local planning authorities are obliged to have regard to all relevant considerations, should ensure that appropriate weight is given to the need to support economic recovery, and that applications that secure sustainable growth are treated favourably (consistent with policy in PPS4).

The Statement is a material planning consideration in the determination of planning applications.

Also relevant in terms of policy context to the application are local plan policy E16 which seeks to retain employment opportunities on land used for employment purposes, and South Wiltshire Core Strategy Core Policy 5 which also seeks to retain employment land in employment use unless the retention of the employment use of the land would be otherwise unacceptable in amenity or environmental terms.

Taking into consideration the existing condition of the site, being set out for commercial scale activities with large existing industrial scale buildings in good condition, and the well screened nature of the site having no undue adverse impact on the surrounding landscape, and the location of the site with good vehicular access and highway links to the A36, it is considered desirable, on balance, that the site remains available for economic and employment use.

The reasons for refusal of the previous scheme (under planning reference S/2011/0678) centered on the unrestricted nature of the proposed B2/B8 use of the site and its implications for the amenity of nearby residents, together with the vehicular traffic movements generated from the proposed use of the site being detrimental to highway safety and the amenity of local settlements.

In addressing the previous reasons for refusal it is proposed that the nature of the use of the site, and the hours of operation and use of external lighting are controlled by Condition, together with other Conditions relating to the management of traffic movements and the safeguarding of nature conservation interests (discussed below).

9.2 Impact on Highway safety

Following concerns expressed during the determination of the previous application, the applicant has provided a Transport Statement (produced by Scott White and Hookins transport consultants) to assess the traffic and transport impact of the proposals.

The Transport Statement provides a comparison between the anticipated trip generation for the proposed development, and compares this against the fall back position for the site as a lime crushing facility. The report concludes that the existing vehicular access onto Grimstead Road exceeds the requirements in respect of visibility splays and manoeuvring space for large vehicles to turn in and out safely, and the traffic generated from the proposed use would not have an adverse highway safety impact.

The Transport Statement proposes mitigation measures to dissuade large vehicles from using village roads. These include:

- the modification of the access with Grimstead Road to prevent large vehicles from turning right (out of the site)
- the imposition of a Traffic Management Plan to confine lorries to suitable routes via the A36 rather than via village roads
- measures within the site to remind drivers of the appropriate exist route before they leave
- measures to inform prospective site users with the same advice on which routes to use

The Highways agency has assessed the proposal and raises no objections to the application.

Wiltshire Highways has provided an updated consultation response raising no Highway objection to the proposal.

Taking into consideration the suitable access and highway links to the site, that the proposal would not raise highway safety implications, the mitigation proposed in the submitted Transport Statement, and taking into consideration the desirability of maintaining the site in use as an operational site in the interests of employment and economic development, it is considered the proposed development would be acceptable in Highway and transport terms, subject to a Condition requiring the submission and agreement of a Traffic Management Plan to impose measures to ensure large vehicles associated with activities on the site are routed via the A36 rather than local village roads.

9.3 Impact on visual amenity/landscape character

The site is very well screened on all sides by existing mature trees and woodland, the surrounding land principally consists of countryside and is designated as Special Landscape Area. By reason of the high level of existing boundary and wider

screening around the site it is considered the proposed development would not adversely affect visual amenity within, or the existing character of, the surrounding landscape.

9.4 Impact on neighbour amenity

In the previous reason for refusal the authorised use of the site was referred to as being *sui generis*, however it could be argued that the authorised use falls within Class B2 of the Use Classes Order, being either a 'Lime (agricultural) processing and manufacturing place', a 'Lime works', 'Limestone breaking up place' or a 'Limestone crushing place', all of which would be considered as B2 uses according to the Land Use Gazetteer (3rd ed.).

The site is very well screened on all sides by existing mature trees and woodland, the surrounding land principally consists of countryside and is designated as Special Landscape Area. The closest neighbouring residential properties are approximately 50m to the north east and east.

The proposal constitutes a mix (split into two defined areas) of B8 open storage and B2 general industry. The B2 area is located to the westernmost end of the site, and the furthest away (approximately 180m to the north east and 220m to the east) from the closest residential properties.

The Environmental Health officer has assessed concerns in respect of the B2 element of the proposed use, and its potential to have noise impacts on the nearest dwellings. However, the proposed B2 (general industry) use would be restricted to the western end of the site (that being the furthest area of the site from the closest dwellings) and would be incorporated within the existing steel framed buildings. The remainder of the site would be used for B8 storage and distribution (no new buildings or structures proposed).

It remains a material consideration that the existing authorised use of the whole site (as a 'Lime (agricultural) processing and manufacturing place') falls within Use Class B2 and is uncontrolled in terms of hours/days of use and vehicular movements.

By reason of the distance and relationship between the proposed B2 area of the application site and the nearest residential properties, it is considered the proposed development would not unduly disturb, interfere, conflict with dwellings or uses to the detriment of existing occupiers.

9.5 Ecological impacts

The application site is within a predominantly rural area and adjoins the Oakridge Wood County Wildlife Site along its southern boundary. The surrounding habitat therefore is suitable for a variety of protected species, including badgers, bats, breeding birds, reptiles and great crested newts, all of which are recorded in the vicinity of the site.

The site itself consists mostly of bare ground, roadways, steel structures and mounds of limestone – habitats which in themselves have little potential for protected

species. The applicant has submitted an Extended Phase 1 Habitat Survey (Ahern Ecology, November 2011) for the site which has been assessed by the Council's District Ecologist. On the basis of the additional information submitted, the District Ecologist now raises no objection to the proposed development, subject to Conditions.

10. Conclusion

The proposed development accords with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), C2 (Development in the Countryside), C6 (Landscape Conservation), E16 (Employment), C11 (Nature Conservation) & CN21 (Archaeology) of the saved policies of the adopted Salisbury District Local Plan (including the saved policies listed in Appendix C, of the draft South Wiltshire Core Strategy), and the aims and objectives of PPS4 (Planning for Sustainable Economic Growth), PPS9 (Biodiversity and Geological Conservation) and the Ministerial Statement by the Rt Hon Greg Clark (23.03.2011) 'Planning for Growth', insofar as the proposed development is considered an appropriate re-use of a previously developed site that would retain employment opportunities and promote economic development without undue detriment to the character and appearance of the surrounding Special Landscape Area and without undue detriment to Highway safety of the amenity of nearby residential occupiers. The proposed development would not adversely affect nature conservation interests.

11. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development accords with the provisions of the Development Plan, and in particular Policies G2 (General Criteria for Development), C2 (Development in the Countryside), C6 (Landscape Conservation), E16 (Employment), C11 (Nature Conservation) & CN21 (Archaeology) of the saved policies of the adopted Salisbury District Local Plan (including the saved policies listed in Appendix C, of the draft South Wiltshire Core Strategy), and the aims and objectives of PPS4 (Planning for Sustainable Economic Growth), PPS9 (Biodiversity and Geological Conservation) and the Ministerial Statement by the Rt Hon Greg Clark (23.03.2011) 'Planning for Growth', insofar as the proposed development is considered an appropriate re-use of a previously developed site that would retain employment opportunities and promote economic development without undue detriment to the character and appearance of the surrounding Special Landscape Area and without undue detriment to Highway safety of the amenity of nearby residential occupiers. The proposed development would not adversely affect nature conservation interests.

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 the Planning and Compulsory Purchase Act 2004.

2) This development shall be in accordance with the submitted drawing[s] deposited with the Local Planning Authority on 16.09.2011, unless otherwise agreed in writing by the Local Planning Authority.

Reason: For the avoidance of doubt

3) If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until the developer has submitted, and obtained written approval from the Local Planning Authority for, a remediation strategy detailing how this unsuspected contamination shall be dealt with. The remediation strategy shall be implemented as approved.

REASON: To protect controlled waters.

Policy: G2

4) No development shall commence on site until a Traffic Management Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Management Plan shall include details of:

- the modification of the access with Grimstead Road to prevent large vehicles from turning right (out of the site)
- the imposition of a Traffic Management Plan to confine lorries to suitable routes via the A36 rather than via village roads
- measures within the site to remind drivers of the appropriate exist route before they leave
- measures to inform prospective site users with the same advice on which routes to use

Development shall be carried out in accordance with the mitigation measures within the agreed Traffic management Plan.

REASON: In the interests of road safety and reducing the impact of vehicular traffic on local roads in the vicinity of the development.

POLICY: G2

5) No development shall commence on site until a scheme for the protection of protected species and the management of the habitat of protected species has been submitted to and approved in writing by the Local Planning Authority. The scheme shall include:

(i) Details of the position and type of fencing which will be erected to protect habitats and species from site operations. All habitats likely to support reptiles including vegetation and rubble piles will be fenced off from the operational part of the site

(ii) Details of ongoing management and maintenance work that will be undertaken to ensure protected species are not harmed during long term operation of the site, including timing/frequency of specific operations and persons who will be responsible for these works.

If there is doubt / disagreement with the planning authority about what parts of the site should be fenced, a detailed reptile survey will be undertaken by an independent expert as described in the approved Extended Phase 1 habitat Survey report by Ahern Ecology dated November 2011. The scheme shall subsequently be implemented in accordance with the approved details before the development is first brought into use, and maintained as such thereafter unless otherwise agreed in writing by the local planning authority.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

POLICY: Planning Policy Statement 9: Biodiversity and Geological Conservation.

6) The measures in relation to badgers, birds and great crested newts detailed in the approved Extended Phase 1 Habitat Survey report by Ahern Ecology dated November 2011 shall be carried out in full prior to the first bring into use/ occupation of the development (Recommendations - Section 4, page 12).

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

POLICY: Planning Policy Statement 9: Biodiversity and Geological Conservation.

7) No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels, specification of timing switches and light spillage data have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

POLICY: G2, Planning Policy Statement 9: Biodiversity and Geological Conservation

8) The B2 use shall be limited to the area(s) within the footprint of the existing building(s) only, and shall not take place outside of the footprint of the existing buildings or in any other area within the site. The area outside of the footprint of the existing buildings (within the defined B2 use area) shall be used for ancillary storage to the B2 use only.

REASON: In order to control the extent of the site under B2 use, in the interests of amenity.

POLICY: G2

9) The use(s) hereby permitted shall only take place between the hours of 0700 hours and 1900 hours from Mondays to Saturdays. The use(s) shall not take place at any time on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY: G2

10) The maximum height to which any materials, goods, containers etc. stored in the open on any part of the site shall not exceed 5 metres above ground level.

REASON: In the interests of visual amenity

POLICY: G2, C6

INFORMATIVE

If a new septic tank/treatment plant is the only feasible option for the disposal of foul water, or if there is an increase in effluent volume into an existing system, an Environmental Permit may be required. This must be obtained from the Environment Agency before any discharge occurs and before any development commences. This process can take up to four months to complete and no guarantee can be given regarding the eventual outcome of any application. The applicant is advised to contact us on 03708 506 506 for further details on Environmental Permits or visit <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>.

NOTE TO APPLICANT

If you want to discharge treated sewage effluent, to a river, stream, estuary or the sea and the volume is 5 cubic metres per day or less, you might be eligible for an exemption rather than a permit. Similarly, if you want to discharge sewage effluent, to groundwater via a drainage field or infiltration system, and the volume is 2 cubic metres per day or less, you might be eligible for an exemption rather than a permit.

Please note, this Environmental Permit may be subject to an Appropriate assessment under the Habitats Directive, which would involve consultation with, and agreement from, Natural England. This is likely to apply if it is proposed to discharge into a watercourse that is within or up to 3km upstream of a SAC, SPA, Ramsar or SSSI. This may also apply if it is proposed to discharge into the ground (Eg soakaway) within 250m of a SAC, SPA, Ramsar or SSSI.