



Appeal Decision

Site visit made on 27 June 2012

by **C J Anstey BA(Hons) DipTP DipLA MRTPI**

an Inspector appointed by the Secretary of State for Communities and Local Government

Decision date: 18 July 2012

Appeal Ref: APP/Y3940/A/12/2170099

The Lime Yards, Crockford Corner, West Grimstead, Salisbury, Wiltshire, SP5 3RH.

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr D Lush against the decision of Wiltshire Council.
 - The application Ref S/2011/1395/FULL, dated 15 September 2011, was refused by notice dated 2 February 2012.
 - The development proposed is the change of use of land from lime yard to B2/B8 mixed use with B2 use constrained to the existing crushing plant area.
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Decision

1. The appeal is dismissed

Main Issue

2. The main issue is the effect of the proposal on highway safety, the local landscape, wildlife, and the amenities of residents, having regard to the existing use of the site.

Reasons

3. The appeal site, which measures about 1.6 ha in area, lies in the countryside to the west of the village of West Grimstead. The site has been used for over 20 years for the storage, grading and crushing of lime, which is then sold for agricultural purposes. At the western end of the site are a row of substantial steel framed, open-sided sheds used in the processing of the lime. The site is mainly open, uneven and poorly surfaced. There are numerous items of plant and equipment dispersed across the site, although some appear not to have been used recently. At the time of my site visit there were no processes being undertaken on the site.
4. The appeal application is for the change of use of the land from an agricultural lime yard to a B2/B8 mixed use. The B2 (General Industry) use would be located at 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).
5. Both local and national planning policies encourage the re-use of existing employment sites and buildings in the countryside for employment purposes. However in order to assess the likely effects of such schemes it is important to have up-to-date and accurate information on existing site usage, as well as

details of the proposal. In this way a comparison can be made of the land use implications of the existing and proposed and whether any additional impact would result.

6. Although much is made of the fallback position for the appellant (i.e. the existing use of the site as a lime yard) there is limited information as to the scale and intensity of the existing use of the site. Submissions by local people would suggest that in recent years the use of the site for lime processing has been sporadic and the number of lorry movements limited. Indeed it is stated in the appellant's written submissions that the operations on the site are becoming more limited in their capacity for future use due principally to the increase in transport costs. In view of this it is by no means certain that the existing operation generates, or is likely to generate, the level of traffic movements claimed in the appellant's transport statement of over 70 heavy lorry movements per day at peak operating periods. Even if such levels were to be generated it is likely that this would be on an infrequent basis rather than constantly.
7. To compound the difficulty of making a comparison only limited information is provided as to the nature of the proposal other than it involves the provision of a considerable amount of land for B2 and B8 use (i.e. the appellant's transport survey refers to about 5,000 sq m of B2 use and 11,000 sq m of B8 use). Clearly if permission was granted a large industrial and warehousing/storage site could be established that is likely to be operational throughout the year. Although no additional buildings are proposed at this stage in the event that the appeal is allowed subsequent applications for buildings related to B2 and B8 uses would be difficult to resist, subject to acceptable design and layout. Given the uneven nature of the ground across the site and the poor state of the existing surface it is also likely that the site would have to be suitably levelled and hard-surfaced to facilitate the intended uses. Such an improved site would appeal to a variety of operators and in turn could generate high levels of traffic, including large commercial vehicles, vans, and cars, throughout the working day. In my view the traffic generated by the proposal could be significantly more and of a different type than that generated by, or likely to be generated, by the existing use.
8. I do not consider that the rural lanes in the local area, including those through West Grimstead are suitable for carrying the likely additional traffic flows through the day that could occur if the development was allowed. The lanes to the east are generally narrow, twisting and often lack proper footways. Consequently there is the real possibility of conflict between traffic generated by the proposal and other vehicles, cyclists, horse-riders and pedestrians. Although I am aware that the railway bridge prevents certain heavy lorry movements this would not prevent vans and cars using this particular route. Furthermore there are other routes available through the village that would not be so restricted. I do not believe that the proposed alterations to the site access and a Traffic Management Plan would guarantee that all vehicles, including vans and cars, would only use the lanes to the west of the site. I am mindful that the Highway Authority is not opposed to the scheme on highway safety grounds but this does not alter my view that unacceptable harm could occur.
9. The Council is also concerned about the impact on the local landscape, wildlife and the amenities of local residents. I accept that given the substantial tree-

belts around the site that the appeal development, subject to appropriate conditions is unlikely to detract visually from the appearance of the Special Landscape Area. The appellant's Extended Phase 1 Habitat Survey demonstrates that provided the various habitats and areas of vegetation across the site are retained and various mitigation measures introduced wildlife would not be prejudiced. As regards the impact on those living in the area I am concerned that certain B2 uses could frequently generate higher levels of noise and disturbance than the existing use of the site. Although the nearest dwellings are some distance away in the absence of any information as to the intended B2 usage unacceptable noise disturbance for those residing in the area cannot be ruled out. Noise from the additional traffic likely to be generated by the proposal would cause further disturbance for those living nearby

10. I conclude, therefore, on the main issue that the proposal is likely to be detrimental to highway safety and the amenities of residents. Consequently the scheme is in conflict with the objectives of *Policies G2* and *E19* of the *Salisbury District Local Plan* which seek to ensure, amongst other things, that new development does not compromise highway safety or the living conditions of local residents. These findings constitute compelling grounds for dismissing the appeal. None of the other matters raised outweigh the considerations that have led to my decision.

Christopher Anstey

Inspector