

Application No: 24/01043FULL Full Application

Site: Jewsons, Common Road, Whiteparish, Salisbury SP5 2QW

Proposal: Change of use of land and buildings from builders merchant (sui generis) to light industrial (Use Class E[g](iii)), and storage & distribution (Use Class B8) including open storage use.

Applicant: Stark Building Materials UK Ltd.

Case Officer: Ben Gilpin

Parish: Whiteparish Parish Council

1. REASON FOR COMMITTEE CONSIDERATION

Contrary to Parish Council view.

2. POLICIES

Principal Development Plan Policies

DP2 General development principles

DP12 Flood risk

DP18 Design principles

SP5 Nature conservation sites of international importance

SP6 The natural environment

SP15 Tranquillity

SP42 Business and employment development

SP43 Existing employment sites

DP44 Redevelopment of existing employment sites

Supplementary Planning Documents

Design Guide SPD

NPPF

Sec 11 - Making effective use of land

Sec 12 - Achieving well-designed places

Sec 15 - Conserving and enhancing the natural environment

3. MEMBERS COMMENTS

None received.

4. PARISH COUNCIL COMMENTS

Whiteparish Parish Council (further consultation 15.05.2025):
Recommend refusal.

Reason for recommendation:

After viewing the Wiltshire Council drainage conditions, believe they are weak and do not give confidence should enforcement be required.
Further to that there are no references relating to traffic management on and off of the A36, or operating hours and a reminder that there are to be no buildings on common land.

Whiteparish Parish Council (initial consultation (15.10.2024):
Recommend refusal, for the reasons listed below.

Whiteparish Parish Council resolved to recommend refusal regarding issues with drainage caused by ignoring previous planning rules. If the Planning Officer is minded to approve the application, the drainage problems must be resolved along with no building on part of the site which is common land, known as Holmere Common CL6.

5. CONSULTEES

National Highways (the A36 is managed by National Highways as part of the Strategic Road Network, SRN): No objection.

The application is seeking consent for the change of use of the former Jewsons Builders Merchants to provide E(g)(iii) light industrial uses and B8 storage and distribution. There are no proposals to alter the existing buildings. The development site benefits from a direct access onto Common Road, which connects to the A36 at a priority junction approximately 150m to the south-west. There are no proposals to change the existing site access arrangements.

The A36 in this location is single carriageway and subject to the national speed limit. A right turning lane is provided for vehicles turning from the A36 into Common Road and there appears to be no collision history associated with the use of the junction. We consider that the proposed uses are unlikely to result in a material change in the number and type of trips arising from the development compared to those that could be generated by the existing use.

National Highways therefore considers that the proposed change of use is unlikely to result in an unacceptable or severe impact on the SRN in safety or capacity terms, in accordance with the NPPF and DfT Circular 01/2022.

Wiltshire Council Highways: No objection

Given the close proximity of the site to the A36 trunk road, National Highways should be consulted on the planning application.

In terms of car parking, no objection to the level proposed. Happy with the cycle parking provision provided it is covered and secure.

Having regard to the former use of the site as a building merchants the access and internal layout are already established and able to accommodate HGVs and other delivery vehicles.

Wiltshire Council Drainage Team (Lead Local Flood Authority (LLFA)): Support subject to conditions in relation to the detailed drainage design.

Tree Officer: No objection.

Having reviewed the information and considered the existing use, the proposed change of use will not have a detrimental impact on existing tree stock.

Ecologist: Comments on BNG and designated sites; objection in relation to previous impacts on protected species. The application involves the change of use – rather than an increase in built footprint – and therefore the requirement for Biodiversity Net Gain (BNG) is not engaged.

Objection due to insufficient information to assess impacts on protected species (bats). If the application is taken forward for approval on the basis of the planning balance, it would be necessary to secure further details of biodiversity mitigation, compensation and enhancement via condition, as well as a lighting strategy.

6. REPRESENTATIONS

One letter of objection has been received citing:

- Surface Water run-off from site to neighbouring property; and
- Impact of this on amenity.

7. RELEVANT HISTORY

Erection of storage building; cladding to existing mill building; external racking; external building and pole mounted lighting; barrier; demolition of existing warehouse (21/00399) withdrawn on 01 June 2022

Display of 1no. non-illuminated post mounted sign (Application for Advertisement Consent) (22/00164) refused on 03 May 2022.
Subsequent appeal allowed on 18 January 2023

Reconstruction of one building following demolition of three buildings and associated works (SDC/S/00/01053) approved on 10 July 2000

Demolition and part reconstruction of existing buildings to rationalise offices, toilets, service counter area and external yard (SDC/S/99/01409) approved on 04 October 1999

8. ASSESSMENT

Application Site

8.1 The site comprises a large area of previously developed land formerly occupied by Jewsons building merchants. It is located approximately 65 metres north-west of the A36 junction. The site includes 3 x existing shed type buildings, to be used for warehousing and storage, and area of hardstanding on the site of a demolished building, an area of covered, open-sided storage and an area of open storage (at the southern end of the site).

8.2 The southern part of the site is within an area identified by the Environment Agency as being vulnerable to surface water flooding. In addition, circa 40% of the site is classified as Common Land (CL6), at the site's southern end, albeit a sizeable portion of that area has been developed (historic works) and this application does not involve any further development on this part of the site.

Proposed Development

8.3 The planning application seeks permission for the change of use of land and buildings from builders' merchant (*sui generis*) to light industrial (Use Class E[g](iii)), and storage & distribution (Use Class B8) including open storage use.

8.4 No physical changes are proposed to the scale, mass or footprint of the site or associated buildings. The only associated operational development would be the installation of cycle stands on an area of hardstanding.

Consideration

8.5 The key issues in this case are the principle of development; highway considerations; flood risk; the impact on ecology; and the impact on neighbouring amenity.

8.6 With regards to the status of part of the site as Common Land, the Government Guidance relating to such areas sets out that consent is required from the Planning Inspectorate on behalf of the Secretary of State for Environment, Food and Rural Affairs to carry out any works that would prevent or impede access to common land or for works for the resurfacing of land. These works could include:

- Putting up new fences;
- Erecting buildings;

- Making ditches or banks;
- Resurfacing the land; and
- Building new solid surfaced roads, paths or car parks.

8.7 In this instance, as the proposal seeks permission for a change of use only, with the installation of cycle stands on existing hardstanding, the above requirement, to apply to the Secretary of State (SoS) at DEFRA, via the Planning Inspectorate, is not engaged. In addition, were any development to include such works as listed, an applicant would need to apply to the SoS irrespective of planning. It is recommended that an informative is included to highlight this separate requirement to the applicant should permission be granted.

8.8 The site is considered to be an existing employment site. In addition, the land is also deemed to be previously developed land. Policy SP43 supports the retention of existing employment sites throughout the National Park. This is in recognition of the need for employment sites to continue to come forward and be actively used within the National Park area to meet identified needs for additional employment floorspace. This is currently achieved through criteria-based policies and windfall employment development, rather than site allocations.

8.9 As the application proposes a change of use, Policy DP44 (Redevelopment of existing employment sites) is also relevant. Policy DP44 permits the redevelopment of established employment sites for industrial, office, business and low-key storage uses will be permitted throughout the National Park where:

- a) there would be minimal additional effect on the visual impact of the site in the landscape, or on the amenities of nearby properties, or on traffic or other disturbances from the site;
- b) where feasible, the redevelopment scheme deals comprehensively with the full extent of the site;
- c) the replacement buildings would be appropriate to their surroundings in terms of scale, design and materials; and
- d) the redevelopment scheme would be contained within the existing site boundary.

8.10 The proposal would comprise a change of use with minimal visual impact of the site in the landscape and relates to the full extent of the site. The existing buildings would be retained and the proposed change of use would be contained within the existing site boundary. The application therefore complies with the key requirements in Policy DP44. The principle of development is considered acceptable subject to accordance with other pertinent elements of the development plan, which are considered in the following paragraphs.

8.11 In relation to highway considerations, National Highways and Wiltshire Council (Highways) have both been consulted. In terms of impacts on the A36, the development site benefits from a direct access

onto Common Road, which connects to the A36 at a priority junction approximately 150m to the south-west. There are no proposals to change the existing site access arrangements. The A36 in this location is single carriageway and subject to the national speed limit. A right turning lane is provided for vehicles turning from the A36 into Common Road and National Highways have commented that there appears to be no collision history associated with the use of the junction. They consider that the proposed uses are unlikely to result in a material change in the number and type of trips arising from the development compared to those that could be generated by the existing use. National Highways therefore considers that the proposed change of use is unlikely to result in an unacceptable or severe impact on the strategic road network in safety or capacity terms, in accordance with the NPPF and DfT Circular 01/2022.

8.12 Wiltshire Council (Highways) have commented that having regard to the former use of the site as a building merchants the access and internal layout are already established and able to accommodate HGVs and other delivery vehicles and have no objection to the proposed car parking or cycle parking provision. Overall, there is no objection from Wiltshire Council (Highways).

8.12 In respect of flood risk, part of the site has been identified as being at potential risk from surface water flooding. A Flood Risk Assessment has been provided and Wiltshire Council Drainage Team have been consulted as Lead Local Flood Authority (LLFA). The drainage team supports the proposal subject to conditions to secure detailed design drawings in respect of drainage and the undertaking of a CCTV survey of the existing drainage network and outfall connections to ensure they are fully functional and working efficiently, with repair undertaken, if necessary, following this. Subject to the conditions recommended by the LLFA, it is concluded that the proposal is acceptable in relation to flood risk impacts.

8.13 In respect of potential impacts on trees and ecology, there is no objection from the Authority's Tree Officer as it is considered that the proposed change of use will not have a detrimental impact on existing tree stock.

8.14 Initial ecological concerns were raised regarding the unauthorised demolition of the building identified as removed, and associated matters regarding potential for a wildlife crime to have been committed have been raised, reviewed and case closed by the relevant authority (Wiltshire Constabulary) prior to issue of this recommendation. The matter relating to the above was the identified loss of a satellite bat roost, removed without the benefit of a licence. This matter has been reviewed by the Wiltshire Constabulary and this is the most appropriate route to assess these matters, rather than through the determination of a subsequent planning application.

8.15 In this instance, following the closure of the matter by the third party investigating, the Authority's Ecologist has stated that there would be no objection subject to the proposals being updated by a suitably competent person on behalf of the applicant, to include recognition of the satellite bat roost being lost without the benefit of a licence and measures being in place, and provide a substantive compensation proposal, to include / deliver replacement opportunities and enhancement of the maternity roost that remains on site. This would be secured by way of a planning condition requiring such mitigation to be identified, detailed and approved prior to the change of use taking place.

8.16 In addition, planning conditions requiring details of external lighting would also be required, knowing the propensity of bats to use the site and surrounds to roost and forage. The provision of such mitigation is necessary for addressing the harm that has been evidenced from previous unauthorised works at the site but would not be harmful to the fundamental acceptability of the proposed change of use. In light of this, subject to such planning conditions, the development would accord with the requirements of Policy SP6. The site comprises of a sealed surface and the proposal comprises a change of use with the installation of cycle parking on areas of hardstanding. The application therefore falls outside of the statutory requirements for BNG.

8.17 There are two residential dwellings to the west of the application site: Holmere House and Holmere bungalow. They are both situated within generous plots. Holmere Bungalow is the closest to the application site, being approximately 20 metres from the application site boundary and 45 metres from the nearest building. In view of these distances, the presence of boundary landscaping, and the fact that the proposed uses are little different in their characteristics to the existing use, it is not considered that the change of use would result in unacceptable adverse impacts on neighbour amenity in accordance with Policy DP2.

Conclusion

8.18 The application site comprises an existing employment site. The adopted local planning policies for the New Forest National Park support the appropriate re-use existing employment sites and this application accords with the main principles of local planning policy. The proposed change of use would comprise an appropriate reuse of the site. The development is capable of being accommodated without adverse impacts on the character and appearance of the surrounding area, highway safety, drainage, trees, ecology and neighbour amenity, subject to conditions and is therefore in accordance with policies of the adopted New Forest National Park Local Plan 2016-2036.

9. RECOMMENDATION

Grant subject to conditions

Condition(s):

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990 as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Development shall only be carried out in accordance with drawing nos: TP.21195-4, TP.21195-5, DR1, DR2, DR3, TP.21195-6, TP.21195-7, TP.21195-8, TP.21195-9.

No alterations to the approved development shall be made unless otherwise agreed in writing by the New Forest National Park Authority.

Reason: To ensure an acceptable appearance of the building in accordance with Policies SP16, SP17, DP18 and DP2 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

3. Prior to commencement of development, the condition of the existing outfall connections which will take surface water from the development site, should be investigated and reported to the National Park Authority. If necessary, improvement to its condition as reparation, remediation, restitution and replacement should be undertaken prior to development above slab level and before any connection is made.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

4. No development shall begin until a detailed surface water drainage scheme for the site, has been submitted to an approved in writing by the Local Planning Authority. The submitted details should include: a. A technical summary b. Detailed drainage plans to include type, layout and dimensions of drainage features including references to link to the drainage calculations. c. Evidence to show how the surface water system will be protected against groundwater ingress. d. Exceedence plans demonstrating the flow paths and areas of ponding in the event of blockages or storms exceeding design criteria. e. Details for the long-term maintenance arrangements for the surface water drainage scheme.

Development shall take place in accordance with the approved details.

Reason: To ensure that the proposed development can be adequately drained and to ensure that there is no flood risk on or off site resulting from the proposed development.

5. Prior to occupation of the buildings as detailed in this planning application, details of ecological compensation and enhancement measures, including for bat species, informed by a competent ecological professional shall be submitted to, and agreed by, the Local Planning Authority. Design should ensure bats are not exposed to contact with breathable membrane. Measures should be implemented prior to occupation and maintained thereafter in accordance with the details.

Reason: to ensure suitable ecological mitigation is delivered and secured, and to accord with the requirements of Policy SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

6. Within three months of the completion of the development, the ecological mitigation and enhancement measures shall be inspected by the Ecologist to ensure that they are functional and in accordance with the requirements of the submitted reports. Written confirmation of these measures shall be provided to the Local Planning Authority.

Reason: To safeguard protected species in accordance with Policies DP2 and SP6 of the adopted New Forest National Park Local Plan 2016- 2036 (August 2019).

7. The development hereby permitted shall not be occupied until the arrangements for parking and turning within its curtilage have been implemented.

These areas shall be kept available for their intended purposes at all times.

Reason: To ensure adequate parking provision is made in the interest of highway safety and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019) and Section 9 of the National Planning Policy Framework.

8. A scheme for the parking of cycles shall be submitted to and approved in writing by the National Park Authority and completed prior to the development being first occupied.

The spaces shall be retained and kept available for their intended purpose at all times.

Reason: To ensure adequate parking provision is made in the interests of highway safety and to comply with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019), Section 9 of the National Planning Policy Framework and the Development Standards SPD.

9. No activity shall take place on the site in connection with the approved use other than between the hours of 07.30 and 17.00 Monday to Fridays, and 08.00 and 12.00 Saturdays, not including recognised public holidays.

Reason: To safeguard the amenities of nearby residential properties in accordance with Policy DP2 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019)

10. Notwithstanding the provisions of the Town and Country Planning (Use Classes) Order 2020 and the Town and Country Planning (General Permitted Development) (England) Order 2015 or any subsequent re-enactments thereof, the buildings the subject of this permission shall be used for the purposes of Class E (g)(iii) and B8 and for no other use purposes whatsoever, including any other purpose in Class E of the Town and Country Planning (Use Classes) Order 2020 or any subsequent re-enactment thereof, without express planning permission first being obtained.

Reason: The application has been made, and the proposal supported, on the basis of the use of the buildings as permitted being appropriate for their setting in accordance with Policies DP2 and DP44 of the New Forest National Park Local Plan 2016-2036 (August 2019).

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification) no extensions, alterations and hard surfaces otherwise approved by Classes A, E, H, and J of Part 7 of Schedule 2 to the Order shall be erected or carried out without express planning permission first having been granted.

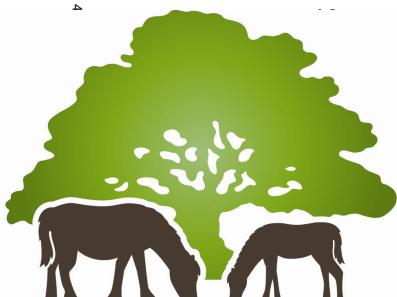
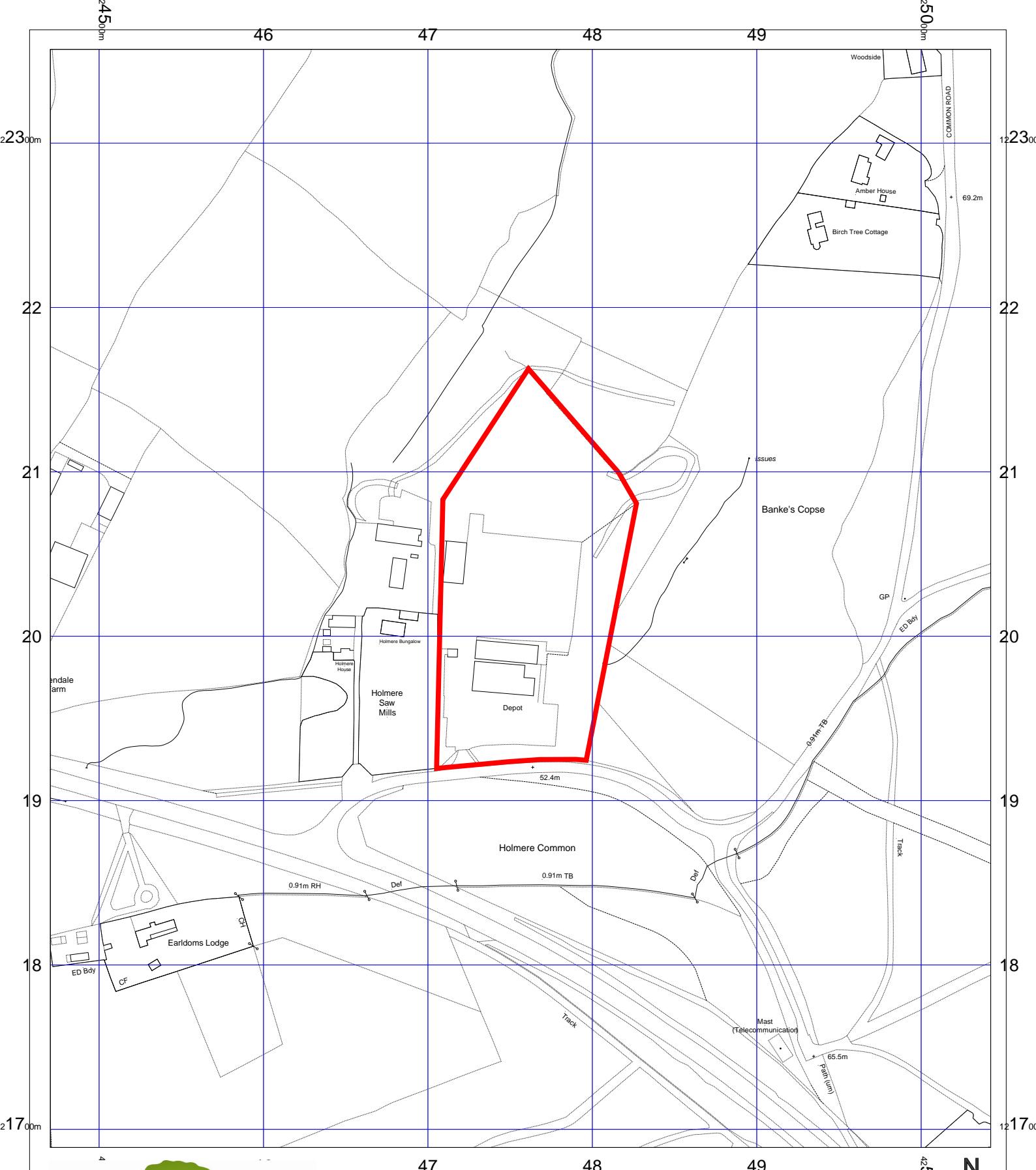
Reason: In view of the physical characteristics of the plot, the New Forest National Park Authority would wish to ensure that any future development proposals do not adversely affect the visual amenities of the area and the amenities of neighbouring properties, contrary to Policy DP2 and SP17 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

12. No external lighting No external lighting shall be installed on the site unless details of such proposals have been submitted to and approved in writing by the New Forest National Park Authority.

Reason: To protect the amenities of the area in accordance with Policies DP2 and SP15 of the adopted New Forest National Park Local Plan 2016 - 2036 (August 2019).

Informative(s):

1. For the avoidance of doubt, it should be noted that this consent relates solely to the change of use of the premises and parking provision and does not infer any permission for works to the exterior of the building, that would require consent in their own right.
2. Please note that part of the site is designated as Common Land. Separate consent would be required from the Planning Inspectorate on behalf of the Secretary of State for Environment, Food and Rural Affairs for any future works which would impact on access to common land or for works for the resurfacing of land.

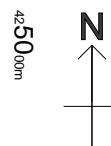


47
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48
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