Wiltshire Council

The Town and Country Planning Act 1990
Refusal of Application for Removal/Variation of Conditions
Application Reference Number: PL/2024/00041
Decision Date: 21 February 2024

Applicant:	Elite Garages C/o Agent
Particulars of Development:	Removal of conditions 5 & 6 of S/2013/0103
At:	110-112 Southampton Road, Salisbury, SP1 2LE

In pursuance of their powers under the above Act, the Council hereby REFUSE TO GRANT PERMISSION for the development referred to in the above application and plans submitted by you, for the following reason(s):

Refusal Reason(s): (1)

1 The site is located in an out of centre location, within a Principal Employment Area for Salisbury, on the A36 Southampton Road trunk road which is part of the Strategic Road Network. The application seeks an unfettered Class E use which would permit unrestricted retail uses. The retail use of the site is currently restricted and limited to the sale of golf equipment, golf shoes and apparel and as a golf practice area, with no mezzanines or additional internal floorspace permitted.

The revised NPPF Dec 2023 and Wiltshire Core Strategy CP38 requires planning applications for main town centre uses that are not in accordance with an up-to-date development plan to be refused where the applicant has not demonstrated compliance with the requirements of the sequential approach. Based on the information provided, and in the absence of a sequential test or impact assessment (as required by the NPPF para 94) it is considered that the current proposal fails to comply with the sequential approach or to provide an impact assessment of the proposed unrestricted retail floor space which could adversely affect the vitality and viability of Salisbury City Centre and adversely affect the viability of the allocated site at the Maltings/Central Car Park. The proposal would not accord with the guidance in the NPPF nor would it adequately address the aims of the Council's shopping strategy and policies set out in Core Policy CP38 and Core Policy 21. An open Class E use would also permit unrestricted retail uses, which could further undermine the employment objectives of the Principle Employment Area, set out in Core Policy 35 and Core Policy 20.

Furthermore, no transport assessment has been submitted and without this, it cannot

be concluded that an open Class E consent would not harm the ongoing safe and efficient operation of the Strategic Road Network, the A36 Southampton Road which is identified under CP66, contrary to the objectives of CP57 (xiv), CP60 and CP61.

Signed:

Parvis Khansari - **Corporate Director, Place**

NOTES

1. **Appeals.** If the applicant is aggrieved by the decision of the local planning authority to refuse permission, they may appeal to the Secretary of State for the Environment in accordance with Section 78(1) of the Town and Country Planning Act 1990 within six months of the date of this decision. (Information and forms relating to the appeals process can be found at the Planning Portal - Appeal a planning decision: Overview - GOV.UK (www.gov.uk)).