

KNIGHT

Consulting

ARCHITECTURE – SURVEYING - PLANNING

Statement of Case for Appeal

Site: Clover Park, Brickworth Road, Whiteparish, Salisbury, SP5 2QG

Application Number: PL/2025/09926

Proposal: Demolition of rear building and construction of a new warehouse extension with increasing daily operating hours to permit 24-hour operation.

1.0 INTRODUCTION AND SCOPE OF THE APPEAL

This Appeal Statement is submitted on behalf of the Appellant, Roebridge Foods, following the refusal of full planning permission by Wiltshire Council for development at Clover Park.

The application site operates as an established commercial premises dedicated to the distribution, storage, and processing of wholesale fruit and vegetables. The primary objective of this appeal is to secure full planning permission for the proposed replacement warehouse extension and the optimization of operating hours to support continued business growth.

However, if the Inspector remains minded that the 24-hour operational element cannot be supported due to unresolved residential amenity concerns, it would be respectfully and formally requested that a split decision be issued under the powers granted by Section 79 of the Town and Country Planning Act 1990.

The physical development—comprising the demolition of a substandard rear outbuilding and its replacement with a modern warehouse extension—and the operational development—seeking 24-hour use—are entirely distinct, severable components.

As demonstrated comprehensively within this statement, the warehouse extension is fully policy-compliant, poses no visual, landscape, or daylight amenity harm, and should not be withheld due to separate technical disputes regarding night-time noise. The acceptability was also included in the officer's report.

2.0 TIMELINE AND PROCEDURAL UNFAIRNESS

A detailed review of the application's history reveals a highly cooperative approach by the Appellant that was unfortunately met with procedural rigidity by the Local Planning Authority (LPA). While the Case Officer notes in their report that no formal pre-application advice was sought for this specific reference, the appellant was acting directly upon the planning history of the site. They had previously submitted application 15/01453/VAR to remove Condition 6 of planning approval S/2007/0596, which was refused due to potential noise impacts on neighbouring residential occupiers. This fresh application was carefully designed to address those historical reasons for refusal, backed by a newly commissioned Noise Impact Assessment (NIA) that the Appellant believed in good faith resolved previous concerns through structural and operational mitigation.

During the course of the application, the Council's highways and public protection teams identified deficiencies in the initial submissions. In response, the Case Officer repeatedly requested multiple extensions of time. The agent, with the appellant's approval, consistently and in good faith agreed to these extensions to allow technical consultations to proceed. Throughout these months of protracted correspondence, the Appellant invested heavily in updating technical documents, including submitting a Transport Statement and a comprehensive Version 2 Noise Impact Assessment on the 5th of March 2026. Crucially, at no point during this extended period did the Officer allude to or warn the agent that the operational hours element could completely jeopardize or "kill" the physical warehouse extension.

It caused considerable frustration when the planner emailed on the 11th of May 2026 to suggest that, following persistent objections from the Public Protection team, the application be withdrawn entirely. Given that the public consultation and internal reviews yielded zero negativity or objection toward the physical warehouse extension itself, the agent acting on behalf of the Appellant immediately requested that the 24-hour operational element be removed from the application wording, leaving the application to focus solely on the uncontentious physical extension.

The Case Officer refused this modification, stating that it was not a simple case of amending the description. The Officer argued that the Council would need further information and justification as to how the increased floor space and proposals would work within the permitted working hours, given an ongoing enforcement investigation into alleged out-of-hours operations. The Officer also claimed that the amendment would be different and would require a full re-consultation with third parties, adding that the Council had already been very reasonable in allowing additional information and that the application could have been refused straight off.

With this in mind, that the Council's refusal to issue a split decision or accept the description amendment—forcing an unnecessary refusal on an otherwise acceptable physical development—deprived the applicant of a fair administrative process and forms a solid basis for this appeal.

Can we also point out the officer was incorrectly assuming the hours increase were to allow the physical enlargement. This is wrong. The build is to remove a dilapidated shed and replace with chilled storage. This reduces deliveries. Also, linking the buildings means that the single night employee (who is picking orders for the morning shift drivers to deliver) no longer needs to use a forklift outside.

3.0 THE CASE FOR A SPLIT DECISION: THE WAREHOUSE EXTENSION

Should the Inspector decide to uphold the Council's objections regarding the 24-hour operating hours, the physical extension should be severed and approved independently based on several material considerations.

3.1 Principle of Development, Design, and Landscape Character

The Officer's report explicitly confirms that the principle of the extension is fully supported by Core Policy 34 of the Wiltshire Core Strategy (WCS), which promotes the expansion of existing rural-based businesses within or adjacent to Large Villages like Whiteparish.

It also aligns perfectly with Paragraphs 85 and 87 of the National Planning Policy Framework (NPPF), which champion a strong, competitive rural economy and recognize the specific locational requirements of storage and distribution operations in accessible locations to support the supply chain. The site is an established employment asset situated alongside the A27 and close to the A36 trunk road, making it an ideal location for business optimization.

The Council raised absolutely no objection to the physical built form or its impact on the countryside. The development involves the demolition of an existing rear outbuilding that is structurally outdated, empty, and unable to meet modern food safety, hygiene, and thermal performance standards. The new extension sits broadly on the same footprint, merely connecting to the main building to create an integrated workflow and reduce reliance on inefficient external storage.

Sited to the rear (south) of the main Roebridge Foods building, the extension is entirely screened from public views along the A27 Brickworth Road by the main structure and mature, well-established roadside hedging. Because the materials, scale, height, and design seamlessly match the existing warehouse, the Council concluded that the development would not result in significant adverse visual impacts or harm the character and quality of the surrounding Special Landscape Area, fully complying with WCS Core Policies 51 and 57, saved local plan policy C6, and the Wiltshire Design Guide SPD.

3.2 Rebuttal to the Council's Requirement for Further Justification

The Case Officer asserted that a reduced application for just the extension could not be evaluated without complex new information demonstrating how a larger building would function within the existing 7am to 7pm permitted hours. The Appellant strongly rejects this assertion as a disproportionate barrier to development. The extension is required to modernize the site and replace a derelict structure, and the submitted Transport Assessment explicitly confirms that the extension will not intensify the number of staff on site.

The increased floorspace is a result of connecting the two existing blocks, allowing Roebridge Foods to accommodate a larger volume of stock internally under modern thermal conditions. Rather than expanding operations, this added capacity will ultimately rationalize internal operations and reduce the required number of daytime delivery cycles, as larger bulk volumes can be securely stored on-site rather than requiring frequent, smaller drop-offs.

If the site were to continue to operate strictly within its currently permitted 7am to 7pm parameters, the physical extension will cause zero adverse impacts on neighbouring residential occupiers via overshadowing, privacy loss, or daytime noise. The Case Officer explicitly acknowledged this on page 10 of their report, stating that the scale, siting, and design are unlikely to cause amenity impacts and that Officers were not considering the amenity impacts of the proposed warehouse extension in this regard.

4.0 UPDATE ON OPERATIONAL NOISE MITIGATION

While the split decision remains a primary fall-back request, it is maintained that noise concerns regarding the 24-hour operation can be safely managed. The Council's refusal was primarily driven by a technical dispute over the Version 2 Noise Impact Assessment and objections from the occupiers of Tipplefield Farm to the east, who reported being disturbed by night-time vehicle movements and yard activities.

Since the refusal was issued, a critical commercial shift has occurred: the European supplier highlighted in the original Transport Assessment—who previously arrived for deliveries during sensitive night-time hours—is no longer delivering to the site. This commercial adjustment eliminates the primary heavy goods vehicle (HGV) movement generator responsible for the sudden night-time sound spikes, rumbling, and reversing alarms highlighted by Public Protection and neighbouring residents.

Any remaining activity outside of standard hours would be strictly restricted to a single night-shift employee working between 7pm and 5am to manage internal stock control and preparation. This dramatically scales down the noise profile of the 24-hour request, rendering the proposed restriction of the eastern yard between 11pm and 7am highly effective and fully enforceable. This ensures that

the proposal can operate without causing significant adverse effects, aligning the development with WCS Core Policy 57 (vii) and Paragraph 135 of the NPPF.

5.0 CONCLUSION AND REQUESTED OUTCOME

The physical warehouse extension is an essential, policy-compliant upgrade for an established local employer. It has been thoroughly assessed by Wiltshire Council's planning, highways, and landscape officers and found to be entirely acceptable in terms of design, highway safety, and visual impact. It remains the view of the Appellant that it is unreasonable to withhold permission for this critical business modernization due to separate disagreements over operating hours.

In light of these considerations, the Inspector is invited to consider the following options for determination:

1. Grant planning permission for the application as a whole, taking into account the material removal of the European night-delivery supplier which effectively resolves the root cause of local amenity concerns; or, alternatively,
2. Issue a Split Decision under Section 79, refusing the 24-hour operating hours extension but approving the demolition of the rear building and construction of the new warehouse extension, subject to the site's existing, lawful permitted operating hours of 7am to 7pm, Monday to Saturday.

Kind Regards,
Knight Consulting