

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

Report No.

Date of Meeting	5 th November 2008
Application Number	08/01689/FUL
Site Address	Callow Park, Callow Hill, Brinkworth
Proposal	Replacement of existing buildings for B1 employment use (amendment to 06/00313/FUL)
Applicant	Graham Smith UK
Town/Parish Council	Brinkworth
Grid Ref	403619 184375
Type of applications	Full Application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters of objection have been received

Summary of Report

Application for the erection of a new office building to replace a series of redundant agricultural buildings of scale, but different appearance. Those buildings are now removed. This application is submitted pursuant to a previous planning permission for similar under 06/00313/FUL.

This report is prepared to allow Members of DC Committee to consider the proposal in the context of planning policy and guidance. The key points to consider are as follows:

- Implications of Policy C3 of the adopted North Wiltshire Local Plan 2011
- Principle of development
- Visual appearance
- Residential amenity
- Extent of site and parking layout

Officer Recommendations

Planning Permission be **GRANTED** subject to the conditions.

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Proposal and Site Description

Originally a farm, the site has been the subject to several planning permissions for conversion of existing buildings for commercial re-use, and more latterly for replacement “purpose-built” office buildings. Although approximating the position of the buildings they replaced, there is no doubt that the appearance and general character of the site and buildings thereon is (and will) now be that of office development.

The proposed replacement office building takes the form of a single building with central two-storey element together with symmetrical single-storey mono-pitch wings positioned either side, giving a total of 534m² floorspace (as specified by the agent on submitted forms). The building is equally divided into two units.

The application now under consideration also includes a rearrangement of the proposed parking area, bringing the total to 45 spaces.

The entire site is positioned in close proximity to several residential properties which front directly onto the Callow Hill road.

The entire site is location within the open countryside, outside of any identified settlement.

Relevant Recent Planning History		
Application number	Proposal	Decision
05/01289/COU	Conversion and alterations of existing buildings for employment purposes (B1)	Approved 14/07/05
06/00313/FUL	Erection of replacement building for employment purposes (B1 business)	Approved 30/03/06
07/02500/FUL	Replacement of existing buildings for B1 employment use	Approved 05/11/07
08/00681/S73A	Replacement of existing buildings for B1 employment use (amendment to 07/02500/FUL)	Refused 30/07/08
08/02374/S73A 08/02375/S73A 08/02376/S73A	Replacement of existing buildings for B1 employment use (Amendment to 07/02500/FUL) Application are variations on similar development	All pending

Consultations

Parish Council - Supported – though some concern at the amount of glass used may not be in keeping with the countryside

Wiltshire County Council Highways - No objection subject to conditions

Environmental Health Officer – No adverse comments

Representations

Five (5) letters of objection received. Main issues raised:

- Building of excessive scale and too close to residential dwellings
- Inappropriate location for commercial development of this scale – more suited to an urban industrial estate
- Controversial site and out of character with surrounding rural area

Planning Considerations

Principle of development

Proposal is intended as a new office building to replace an existing redundant agricultural building. The agricultural building has in fact already been removed. Nevertheless, the acceptability of such new development has not been lost through the buildings removal due to the existence of an extant planning permission for a similarly proportioned office building under reference 07/02500/FUL. For information, the principle of replacement buildings for commercial purposes in the open countryside is established adopted local plan Policy BD5, supported at the national level by PPS7.

With the principle of development established, the current application must therefore be determined on its own merits through a comparison with that development already approved. The main amendments now proposed are therefore :

- Repositioning of building to a point 6.5m from the western boundary with residential properties (at its closed point, compared with 3.0m as approved)
- Repositioning of building to a point 5.5m from new office building to north compared with 3.0m as approved
- Increase in overall ridge height of two storey element from 7.6m to 7.55m
- Increase in external (gable) width of two storey element from 7.6m to 7.15m
- Decrease in roof-pitch of two-storey element
- Decrease in maximum height of single-storey lean-to wings from 4.7m to 4.2m
- Introduction of overall-sailing office space at first floor to front (east) elevation
- Various alteration to materials and fenestration including use of additional areas of (natural) stonework and omission of windows at rear and side elevations

Visual appearance

The application relates to a site that over time has become an acknowledged site for office development, culminating with planning permissions 07/02500/FUL and 06/00313/FUL which allowed for two new replacement buildings. The principle of commercial activity and indeed, new buildings on the site is, therefore, not a matter for consideration under this application. As noted above, the proposal should be primarily assessed on the visual appearance.

The amendments now suggested are considered to be relatively minor when compared to the existing proposal. Even the most significant change being the differential between eaves at first floor level and maximum height of the lean-to roof at ground floor level (thus allowing for first floor windows along side elevations) are considered to be acceptable in the context of the site. The proposed office building will, retain a similar scale, appearance and layout with siting being only marginally altered, and for the better.

As is required by policy and guidance at local and national level, this revised proposal will retain a quasi-agricultural feel, in the same way sensitive conversion works would. Materials to be used continue to reflect its rural location, with a mix of timber cladding, full height glazing, natural stone, render and profile sheet roof.

As considered at the time of the 06/00313/FUL, this revised proposal constitutes an improvement over the likely appearance of the previous agricultural buildings on the site. Its wider impact upon the landscape would be similar to that of the permitted situation.

Impact upon residential amenity

The proposed amendments are relatively minor and will not alter any perceived impact upon the amenities of neighbouring residential properties. Negotiations have removed first floor windows from the rear portion of the side elevations, with other retained windows likely to be shielded from overlooking by the other office building. The small reposition of the proposed building away from the common boundary will also represent an improvement. Boundary treatments themselves can be the subject of specifically worded planning conditions.

Extent of site and parking layout

The submitted plans demonstrate a reorganisation of the parking area to serve approved office development on the site. A total of 45 spaces are proposed. Although because of the position of the access drive it may be fairly obvious that the applicant may harbour plans for future development, comparison with the suggested parking layout shown on 07/02500/FUL and 06/00313/FUL does reveal that the footprint of the parking area would not increase over that already approved under those applications.

Similarly, it has been suggested that the entire site now proposed (as identified by the red-line type plan) differs from that approved under the previous 06/00313/FUL permission. This is undoubtedly, true, since its depth would increase by approximately 10.0m. This is a situation that now exists on the ground. However, it is equally true that this amended proposal would reflect the site area identified under extant permission 07/02500/FUL. On this basis, because permission already exists in this respect, the identified site as submitted is considered to be acceptable.

Planning conditions relating to the construction and layout of the access, visibility splay and parking areas will need to be worded with time limiting requirements, since such items have been, respectively, either completed on the site without planning permission or without prior discharge of previously imposed planning conditions.

Recommendation:

Planning Permission be GRANTED 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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the documents (including plans) incorporated into this decision, and subsequently approved pursuant to this decision (if applicable), unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity.

3. Prior to the commencement of development, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

- (i) walls, fences, gates and other means of enclosure;
- (ii) all boundary treatments
- (iii) ground surfacing materials;
- (iv) the means of surface water disposal;

(v) the means of foul sewage disposal.

The development shall be carried out in accordance with the details so approved.

Reason: In the interests of amenity and satisfactory layout.

4. Prior to the commencement of development, details of the landscaping of the site, including wherever appropriate the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority. The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity.

5. Prior to the commencement of development, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in accordance with the materials so approved.

Reason: In the interests of visual amenity.

6. Within two months of the date of this permission, full layout and constructional details of all proposed car parking areas within the curtilage of the site shall have been submitted to and approved in writing by the local planning authority. Such car parking areas shall be constructed in accordance with those details approved.

Reason: In the interest of highway safety.

7. Within two months of the date of this permission, visibility splays shall be provided between the edge of the carriageway and a line extending from a point 4.5 metres back from the edge of the carriageway measured along the centre line of the access, to the points on the edge of the carriageway 100 metres to the south and 100 metres to the north from the centre of the access. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 900 millimetres above the level of the adjacent carriageway.

Reason: In the interests of highway safety.

8. Notwithstanding the provision of Class B Part3 of schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the development hereby permitted shall only be used for Class B1 uses, as defined by the Town and Country Planning (Use Classes) Order 1987 and the subsequent 2005 amendment.

Reason: To ensure that inappropriate uses do not take place in this locality.

9. No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked or stored outside any building on the site without the prior approval in writing of the local planning authority.

Reason: In the interests of the amenity of the area.

10. No machinery shall be operated, no industrial process shall be carried out and no deliveries shall be received or goods despatched from the site before 0800 hours or after 1800 hours on weekdays, before 0800 hours or after 1300 hours on Saturdays, or at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenity of the area.

11. The level of noise emitted from the site shall not exceed 45dB(A) Leq 1 hr during the hours of operation as measured on the boundary of the site.

Reason: In the interests of the amenity of the area.

12. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas, roadways and hard standings for vehicles shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: To prevent pollution of the water environment.

13. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

14. No external lighting shall be erected anywhere on the application site as defined by the redlined site plan, whether or not affixed to a building or structure or free-standing, without the prior written approval of the Local Planning Authority.

Reason: In the interests of maintaining countryside amenity.

15. Within one month of the date of this planning permission, full details of the layout and number of parking spaces within the curtilage of the site, has been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with those details approved.

Reason: In the interests of highway safety.

16. Any entrance gates erected shall be hung to open away from the highway only and shall be set back a minimum distance of 4.5m from the carriageway edge.

Reason: In the interests of Highway safety.

17. The driveway between the edge of the carriageway and the gates shall be properly consolidated and surfaced (not loose gravel or stone) in accordance with the details which shall have been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of Highway safety.

18. Prior to the first occupation of the building hereby permitted, full details of the positioning of any and all air conditioning units and associated equipment shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the first occupation of the building hereby approved.

Reason: In the interests of residential amenity.

19. In accordance with a scheme that shall have been submitted to and approved in writing to the Local Planning Authority prior to the first occupation of the building hereby permitted, at no time shall the land between the western elevation of the building hereby permitted and the common boundary with adjoining residential properties be used for active amenity space for those employed at the site. The

submitted and approved scheme shall be implemented in full prior to the occupation of the building and shall continue to operate at all times during the use of that building.

Reason: In the interests of residential amenity.

20. Prior to the first occupation of the building hereby permitted a scheme for the insertion of obscure glazing into all windows and doors to the western elevation shall have been submitted to and approved in writing by the Local Planning Authority. The approved scheme shall be implemented in full prior to the first occupation of the building.

Reason: In the interests of residential amenity.

Informatives

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

Plan References

Site plan 1:1250, plans and elevations 2005-67-4D dated 11/07/08 and 25/09/08 respectively.

Reason for Decision

The proposal is considered to comply with the provisions of Policy C3 and BD5 of the adopted North Wiltshire Local plan 2011 and national planning guidance contained within PPS7.

Appendices:	NONE
Background Documents Used in the Preparation of this Report:	1.20; 2.02; 3.06; 4.04; 5.01