

**REPORT TO THE DEVELOPMENT CONTROL  
COMMITTEE**

Report No.

<b>Date of Meeting</b>	<b>30<sup>th</sup> July 2008</b>
<b>Application Number</b>	<b>08/00681/FUL</b>
<b>Site Address</b>	<b>Callow Park, Callow Hill, Brinkworth</b>
<b>Proposal</b>	<b>Replacement of existing buildings for B1 employment use (amendment to 07/02500/FUL)</b>
<b>Applicant</b>	<b>Graham Smith UK</b>
<b>Town/Parish Council</b>	<b>Brinkworth</b>
<b>Grid Ref</b>	<b>403619 184375</b>
<b>Type of applications</b>	<b>Full Application</b>

**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 8<sup>th</sup> April 2002 because 5 letters of objection have been received

**Summary of Report**

This is a largely retrospective proposal for the creation of an extension to the office building (under construction) to provide enclosed stair and lift access. The extension is a rectangular two-storey projection to the western elevation, now including a mono-pitch type roof that would tie into the main part of the existing building.

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
- Reorganisation of parking and highway safety
- Visual appearance and impact upon neighbour amenity

**Officer Recommendations**

Planning Permission be GRANTED subject to the following conditions:

<b>Contact Officer</b>	Simon T. Smith	01249 706633	ssmith@northwilts.gov.uk
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## Proposal and Site Description

A largely retrospective proposal for the creation of an extension to the office building (under construction) to provide enclosed stair and lift access. The extension is a roughly rectangular two-storey projection to the western elevation, now proposing a mono-pitch type roof that would tie into the main part of the existing building. Scaling 4.6m x 4.05m x 4.53m (height to eaves)

Several residential properties are positioned to the east of the building and site, one of which, "The Ridge", is some 14.0m from the main part of the building.

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 is (and will) now be that of office development.

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

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

## Consultations

**Parish Council** - "The Parish Council does not support this application. Building work has already begun on this site and it is believed that the building is bigger than the stated plans. We strongly believe C3 Development Core Policy clause I applies. It is totally unacceptable to neighbours and overshadows their properties."

**Wiltshire County Council Highways** - No objection subject to conditions

**Environmental Health Officer** – No adverse comments

## Representations

Sixteen (16) letters of objection received. Main issues raised:

- Development not in accordance with approved and submitted plans
- Inaccurate ground and proposed floor levels
- Visual impact of existing buildings in landscape
- Visual impact of proposed stair tower
- Inappropriate location for commercial development
- Impact of stair tower upon residential amenity

Fourteen (14) letters of support received. Main issues raised :

- Building and proposed stair tower further away from boundary with neighbour than building it replaced
- Provision of local jobs

## Planning Considerations

### Visual appearance and impact upon neighbour amenity

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, one of which (under the 2007 permission) being largely similar to that now being applied for. The principle of commercial activity and indeed, new buildings on the site is, therefore, not a matter for consideration under this application. The proposal should be primarily assessed on the visual appearance – with particular consideration of the stair tower addition - and its impact upon neighbour amenity.

The main part of the new building is positioned further from the common boundary with residential properties (most particularly “The Ridge”) than the agricultural building it replaced. This new revised proposal would place the stair/lift projection at a point further towards the common boundary (some 2.5m) at two-storey height. The projection would clearly impinge upon views from The Ridge. However, this is to a large extent an alteration to an existing view rather than an unacceptable impact upon amenity. As such it is considered that the alteration would not warrant a reason to refuse planning permission.

Due to the proximity of the development to residential properties as a result of the amended proposal, residual concerns have been raised about the impact upon amenity from the positioning of a/c units, positioning of windows and possible future use of area between the new building and the common boundary with The Ridge. It is considered that these matters should be legitimately controlled through the imposition of appropriately worded planning conditions.

Concerns have been raised by several residents regarding the increase in ground level (and as a consequence, finished floor levels) inside of the site, and in comparison with that of adjoining properties. Whilst it is clear the this revised application does differ from that previously approved under 07/02500/FUL, to large extent development has been carried out, and this issue is not, in itself, a reason to refuse planning permission.

### Reorganisation of parking and highway safety

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. Any future

application would be considered under the relevant policies.

**Recommendation:**

Planning Permission be GRANTED subject to the following conditions:

1. 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.

2. Within two months of the date of this permission, 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:

- (1) walls, fences, gates and other means of enclosure;
- (2) ground surfacing materials;
- (3) the means of surface water disposal;
- (4) 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.

3. Within two months of the date of this permission, 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.

4. Within two months of the date of this permission, 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 the materials approved.

Reason: In the interests of visual amenity.

5. 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.

6. 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.

7. 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.

8. 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.

9. 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.

10. 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.

11. 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.

12. 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.

13. 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.

14. The development hereby approved shall not be occupied until 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.

15. 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.

16. 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.

17. 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.

18. In accordance with a scheme that shall have been submitted to and approved in writing by 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. 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.

19. 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.

#### Informative

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 1:2500  
Plans and elevations 2005-35-16D

Dated 30<sup>th</sup> May 2008

**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.

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