

# AGENDA SUPPLEMENT (1)

**Meeting:** Western Area Planning Committee

**Place:** Online

**Date:** Wednesday 22 July 2020

**Time:** 3.00 pm

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**The Agenda for the above meeting was published on 14/07/2020. Additional documents are now available and are attached to this Agenda Supplement.**

Please direct any enquiries on this Agenda to Jessica Croman, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718262 or email [jessica.croman@wiltshire.gov.uk](mailto:jessica.croman@wiltshire.gov.uk)

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5 **Public Participation** *(Pages 3 - 26)*

This Agenda Supplement has been republished to include additional public statements.

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**Wiltshire Council  
Western Area Planning Committee**

**22 July 2020**

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## **Councillors Questions**

### **Question from Cllr Peter Fuller**

Where do we stand with those wanting to take advantage of the current housing land supply shortfall? Can we still rely on the current Core Strategy to turn down applications?

#### **Officer Response:**

Officer response: Members attention is respectfully drawn to briefing note No.20-20 dated June 2020 which provides information and an update on the five year housing land supply position.

In summary, the 2018 Housing Land Supply Statement (HLSS) which was published in August 2019 is the most up-to-date published HLSS. However, since August 2019, the 5 year housing land supply position has changed as a result of:

- (i) the 5-year anniversary of the Wiltshire Core Strategy in January 2020 and the move to a County-wide 5YHLS position calculated using Central Government's standard methodology of Local Housing Need (which is currently 2,024 dwellings per annum as a minimum), and accounting for;
- (ii) concessions made by the Council's monitoring and evidence manager to the deliverable supply during the Purton Road appeal inquiry in February 2020 (appeal ref APP/Y3940/W/18/3202551)

It should be appreciated that the 5 year housing land supply requirement comes with an additional buffer requirement to provide for choice and competition in the market for land. At present, based on past performance over the last 3 years, the buffer requirement for Wiltshire is 5%.

The current agreed position for Wiltshire as a whole, is around 4.62 years supply of land for housing.

The Council's monitoring and evidence team are working on producing an updated HLSS which will hopefully be produced in the coming months, and this will include the recently adopted Wiltshire Housing Sites Allocation Plan housing commitments to cover the period of 2019-2024.

In the meantime, and whilst there remains a housing land supply deficit, the Council cannot apply full weight to the strategic housing policies as set out within the Core Strategy (such as CP1, CP2 and the Community Area policies) as directed by Paragraph 11 (d) and footnote 7 of the NPPF.

However, this does not mean that the Core Strategy housing policies should be ignored or given little weight in any planning assessment.

Instead, the weight to be given to the strategic housing policies for each housing proposal requires a planning judgement to be informed by a full appreciation of the material planning considerations and merits of each application.

Application proposals for housing where the adverse impacts would significantly and demonstrably outweigh the benefits can, and should, still be refused. Similarly, housing proposals that would lead to unacceptable levels of harm to the green belt, local green space, the AONB, designated heritage assets should also be refused, unless material considerations indicate otherwise.

Thanks

Kenny Green (Development Manager)

**Wiltshire Council**

**Western Area Planning Committee**

**22 July 2020**

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**Public Statements Summary**

*In accordance with the procedure for the meeting as detailed in the agenda, for each item up to three statements in objection and up to three statements in support of an application will be read out at the meeting by the Democratic Services Officer.*

*Statements should be no more than up to three minutes each. Statements on behalf of a relevant Parish Council will also be read out, for up to four minutes.*

*Statements to be read out by the Democratic Services Officer will be in order of submission.*

*Item 7a - 19/09800/FUL: 12a Frome Road, Bradford-on-Avon, Wiltshire, BA15 1LE*

*Item 7b - 19/10471/FUL: 3a Church Lane, Limpley Stoke, BA2 7GH*

*Item 7c - 19/12153/VAR: McDonald's Restaurant, 235 Bradley Road, Trowbridge, BA14 0AZ*

*Item 7d - 20/01219/FUL and 20/02055/LBC: Manvers House, No.3 Kingston Road, Bradford On Avon, BA15 1AB*

*Item 7e - 20/03166/FUL: 45 Seymour Road, Trowbridge*

<b>Ref</b>	<b>Item</b>	<b>Participant(s)</b>	<b>Objection/ Support</b>	<b>Read Out at Meeting</b>
1	Item 7a	Anthony Phillips, on behalf of Dr and Mrs Tees	Objection	Y
2	Item 7a	Tara Maizonnier - Agent	Support	Y
<b>Ref</b>	<b>Item and Application</b>	<b>Participant(s)</b>	<b>Objection/ Support</b>	<b>Read Out at Meeting</b>
1	Item 7b	Nick Brindley	Objection	Y
2	Item 7b	Chris Beaver – Agent	Support	Y
3	Item 7b	Mr A Holdoway – Applicant	Support	Y
4	Item 7b	Limpley Stoke Parish Council	Objection	Y
<b>Ref</b>	<b>Item and Application</b>	<b>Participant(s)</b>	<b>Objection/ Support</b>	<b>Read Out at Meeting</b>
1	Item C	Brad Wiseman - Agent	Support	Y
<b>Ref</b>	<b>Item and Application</b>	<b>Participant(s)</b>	<b>Objection/ Support</b>	<b>Read Out at Meeting</b>
1	Item 7d	Klas Hyllen - Neighbour Group	Objection	Y
2	Item 7d	Mel Clinton – Agent	Support	Y
3	Item 7d	Robert Moore - Custodian	Support	Y

<b>4</b>	Item 7d	Colin Scragg – Marketing Agent	Support	Y
<b>5</b>	Item 7d	Cllr Alex Kay – BoA TC	Objection	Y

**22 July 2020**

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**Item 7a – 19/09800/FUL. 12a Frome Road, Bradford on Avon**

**Public Statement 1 – Objection – Anthony Phillips, on behalf of Dr and Mrs  
Tees**

We have seen the revised plans submitted by Avonvale which provide for one additional parking place and a turning head for a Light Van. However it results in other negative impacts and raises further serious concerns that there has been no further consultation process.

Jemma Foster, the Case Officer for the Application, has advised me in an email, dated 10th July, that there will be no requested updated Consultee responses from relevant Officers. We find this very disappointing as it has not provided opportunities for Officers to comment on the following:.

1. the inclusion of a turning head within the proposed garden area, directly ignores the condition from the Arboricultural Officer that '...., the entire section of garden towards the end of the proposed development area should be robustly fenced off ... and the recommended root protection area adhered to. This area must NOT be used for any storage of materials, mixing or otherwise and a suitably worded condition attached to any decision notice.' Approximately a quarter of the designated green area has been lost resulting in a further significant loss to ecological value and a garden that is wholly inadequate for the residents.
2. The plans will increase number of vehicles transiting the 2.8m pinch-point. This would increase the risk of vehicles attempting to transit and becoming stuck, or hitting the protruding gas pipe. This would raise the prospect for the occupants of the five family houses of being trapped within the site. As stated before, the Fire Services should have been asked for their feedback on this. (Building Regulation standards for Access and Facilities for the Fire Service Approved Document B5 Volume 1).
3. The new bin storage area provides for an insufficient 8 bins more than 25 meters from the houses . (Schedule 1, Part H of the Building Regulations (2000) 17). The waste and recycling Officer has not been asked to comment on the revisions.
4. Both before and after the development, lorries will need to load/unload outside the pinch-point and within 5 to 7 meters of the windows of the living room, dining room and kitchen of 12b for onward transfer of equipment and other materials from and to the site. The scale of the

demolition and subsequent building works mean a huge volume (a quantity surveyor has advised us this should be well in excess of 800 vehicles) of construction vehicles, demolition waste and new-building material will need to be handled in this access area during the whole period of the development.

5. No turning capability continues to mean these lorries will need to reverse out of the entrance and onto the main road, with the aforementioned danger to pedestrians.

The Wiltshire Planning Site provides guidance (quoted from links below) relating to the need to avoid nuisance and loss of amenity to neighbouring residents as a result of Noise (Wiltshire 'Statutory Noise Nuisance Definition'); mess from mud and dust of lorry loading/unloading operations; restricted access; nuisance from storage of vehicles, materials and equipment (eg Skips).

The size of the project and the limited storage space on site means that once construction work starts, vehicles will be loading and unloading in front of 12b almost continuously, probably for a period of at least 18 months. After the development is completed the inconvenience will continue as a result of typical deliveries (eg grocery and service vehicles) to these 5 family houses.

In the application, Avonvale have made no reference to loading or unloading operations, nor what mitigations might be done to keep the nuisances to a minimum.

The loss of amenity from such a large and extended development would be unreasonable and significantly in excess of what might normally be acceptable, and likely detrimental to the health and well-being of the occupants of 12b. I spoke with Mr Brett Warren, Senior Environmental Health Officer for Wiltshire on Friday 17th July. Having discussed the situation with him, he advised that it appeared that the access situation was different to that considered in their first assessment in early December, and that these changes had become relevant. He stated that pursuant to Section 60 – Control of Pollution Act (1974), there should be grounds for them commenting on the application and potentially considering pre-commencement Conditions.

In spite of to the Developer's prior written statements of good intent to minimise the impact on neighbours, and contrary to the 'good practise' recommendations of the Council, the Developer has not been in contact with the owners of 12b, nor sought to mitigate or compensate these negative effects.

The Developer's proposal continues to challenge so many of the Council recommendations that we strongly feel it should not be approved.



We continue to agree that the site does need developing, however a more modest proposal would avoid the developers trying to squeeze too much into such a limited plot with no regard for the negative impact on local residents.

Regards,

Anthony Phillips, on behalf of Dr and Mrs Tees

**Wiltshire Council  
Western Area Planning Committee**

**22 July 2020**

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**Item 7a – 19/09800/FUL. 12a Frome Road, Bradford on Avon**

**Public Statement 2 – Support – Tara Maizonnier - Agent**

Councillors, thank you again for your time this afternoon.

As you will see, we have reviewed the proposals that were previously before you at planning committee in June to address the concerns raised. We have been able to successfully integrate a suitable turning head for delivery vehicles as well as a visitor parking space, as requested.

The revised proposals will enable delivery vehicles to leave the site in a forward gear and we believe this therefore addresses the concerns raised by members at the last committee.

The Council's highway officer has confirmed that the proposals are suitable and acceptable and we therefore hope that this will now enable the proposals to be approved in line with your Officer's recommendation.

It is worth noting that the revised proposals still enable the provision of 320sqm of communal gardens, this provision represents 22% of the total site area as noted in your Officer's report. The provision of the communal garden area is also in addition to the provision of private balconies on both the first and second floor of each dwelling, as well as private front gardens for each dwelling which together equates to circa 33sqm of private amenity space for each dwelling, in addition to the proposed communal garden.

In addition, as noted in section 9.4 of your Officer's report, the site is also located within safe and easy walking distance of a number of recreation grounds which are all within a 5-minute walk of the site. Overall, your Officers have confirmed that the amenity space proposed is suitable and that the proposals should be approved.

We therefore hope you are now able to support your Planning Officer's recommendation to approve this application for the redevelopment of a brownfield site that is situated within the defined settlement limits of Bradford on Avon.

Thank you.

**22 July 2020**

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**Item 7b – 19/10471/FUL: 3a Church Lane, Limpley Stoke, BA2 7GH**

**Public Statement 1 – Objection – Nick Brindley**

Planning Application 19/10471/FUL (3a Southernwood, Limpley Stoke) that were raised in our detailed statement submitted to the committee meeting held 22 July 2020.

Neighbourhood Plan and Infill development

- The application is in conflict to the Neighbourhood plan regarding a number of local objections and concerns that have been raised to date (aspects of which are highlighted within this summary).
- The application fails to meet the criteria of “infill development” as 2 new developments have been built on site in the last 4 years.

Visual impact upon the character of the surrounding area

- The application will have an impact on the setting of Grade II\* listed St Mary’s church (As acknowledged by conservation officer)
- The proposal does not demonstrate substantial justification or public benefits to outweigh its impact on the setting of Grade II\* listed church.
- The application fails to demonstrate or adequately justify the impact the proposal will have on the semi-rural setting, the established existing hedge row and the sightlines to and from St Mary’s Church along Middle Stoke.

Relationship to adjoining properties

- The application will have significant impact on neighbouring properties. It is acknowledged that in general guidance the proposal complies with accepted separation distances however, it is not felt the application sufficiently demonstrates any significant attempt to mitigate its impact on neighbouring properties, particularly in the context of the semi-rural setting.

Wildflower meadow

- The proposed development will contravene the conditions of the permission Granted in respect to 3A Church Lane, which itself is a mitigation measure to the impact of previous development.

- Recent site activity on the 'Wildflower Meadow' has clearly disturbed its residents; this might well be considered as testament to its success but please remain vigilant when you visit the site.
- Bath Asparagus can be found growing in the meadow. As the name suggests it is peculiar to the area south of Bath and it would be disappointing to threaten this habitat.

[Barred?] Grass Snake (Middle Stoke 12 July 2020)

The significant lack of support for this proposal, together with the clear facts laid out above, we urge you to refuse this application.

In the meantime, we wish to thank Members of the Committee for recognising the sensitivity of this application and the need for it to be afforded the time for a more considered and informed decision to be reached.

Thank you  
Nick Brindley

Joelle Feghali-Brindley  
Elayne Richards  
Catherine Mitchell  
Howard Mitchell  
Binny Lascelles  
Sam Lascelles  
Caroline Ford  
Shaun Ascott  
Jo Fairweather  
Matt Fairweather  
Nick Lambert  
Laurna Lambert  
Clerk Davis  
Laura Llewellyn

**22 July 2020**

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**Item 7b – 19/10471/FUL: 3a Church Lane, Limpley Stoke, BA2 7GH**

**Public Statement 2 – Support – Chris Beaver - Agent**

As you will have noted from your site visit, the application site lies within the defined 'northern settlement' in the Freshford and Limpley Stoke Neighbourhood Plan (2015) that allows infill residential development.

The proposals have been subject to an iterative process of pre-application engagement with Wiltshire Council. Pre-application advice confirmed the principle of development as acceptable on the basis the proposal comprises 'infill' residential development within a defined settlement boundary. This advice has been reconfirmed in the committee report.

The objectors' assertion that the proposal will result in over-looking and loss of amenity are not considered to be well founded in planning terms. There is separation distance of 28m between the east elevation of the application proposal and the existing residential properties at 9 The Firs and 60 Middle Stoke.

The proposed dwellings are designed in a traditional vernacular style and will be executed in high quality external materials and simple detailing.

Revised plans submitted in response to representations raised by near neighbours and the Parish Council further reduced the height and massing of the proposed dwellings. A window on the north elevation was removed to eliminate the potential for over-looking of 55 Middle Stoke which lies approximately 27m to the north.

Objectors are concerned about the setting of the listed Church. In this regard it is noted the separation distance between the southern gable end and the Church is approximately 56m. The sites are also separated by Church Lane. The relationship has been assessed by the Council's Conservation Officer who has concluded the setting of the Church will be preserved.

The proposal will enhance the existing substandard junction of Middle Stoke and Church Lane by improving exit visibility to the west through a regrading of the verge and erection of new estate railings. This will improve safety for all users of the highway.

Following representations raised in respect of the presence of Bath Asparagus made during the June committee meeting, the applicant instructed a specialist botanical survey. This confirmed the presence of 4 asparagus plants on part of the site

boundary that will remain undisturbed by the proposed development. Suitable protection measures will be put in place during the construction phase.

We submit that the proposals are fully compliant with applicable development plan policies, heritage and wildlife legislation and national planning policy.

**22 July 2020**

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**Item 7b – 19/10471/FUL: 3a Church Lane, Limpley Stoke, BA2 7GH**

**Public Statement 3 – Support – Mr A Holdoway**

The Holdoway family has lived on the property in Church Lane since my father, Tom, bought the original Southernwood plot in 1963. I grew up here in the house which he built.

Following the deaths of my parents, I moved my own family to the house in 1991. It remained a family home until 2018 when we decided to downsize and build a new house suitable for retirement years: No. 3a which is located within the original three acre plot.

We had no wish to move from the village and we value the location and the environment. We have been in favour of the Neighbourhood Plan and actively supported its adoption. We believe our current planning application aligns with the plan, both in housing and social objectives for village revitalisation.

The southern area of the original plot, bounded by Middle Stoke and Church Lane, has been little used since 1963. The fencing has been maintained and the grass cut, yet I have always considered that a better use would be to provide new housing on the land to the east of the plot.

The proposal put to you is for a modest development of two three bed, semi-detached, cottages. I am conscious that, due to local land value, recently constructed property in the two villages is large in size, generally of high value and usually purpose built for an occupier. In this proposed development I had the freedom of choice.

The design team propose this pair of cottages with a rural village aesthetic and in natural stone. It is our intention to retain the two dwellings for long term private rental. I believe the dwellings will positively add to the housing stock of the village, and will enable an otherwise under-utilised area of surplus land to be beneficially developed whilst also offering a betterment to the existing sub-standard highway at the junction of Church Lane with Middle Stoke.

The last time that this issue of visibility was addressed, in 1970, was when Tom Holdoway lowered the level of the land on a substantial section of Church Lane to give improved sight lines. This was at the request of the parish council at the time and included the installation of iron estate fencing, rather than denser hedging.

On the basis that none of the statutory consultees have raised any objection to the proposal, the committee is respectfully requested to support its officer recommendation, and grant planning permission.



**22 July 2020**

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**Item 7b – 19/10471/FUL: 3a Church Lane, Limpley Stoke, BA2 7GH**

**Public Statement 4 – OBJECTION – Francis Firmstone - Limpley Stoke Parish Council**

My name is Francis Firmstone. I am Vice Chairman of Limpley Stoke Parish Council. I am also a property developer, so do not take the step of objecting to a planning application lightly.

I hope that the Members of the Planning Committee have read our detailed letter of objection to the proposed development. This statement represents an overview of what we consider to be key points.

We are generally supportive of developments in our village and indeed supported the original application in 2016 for 2 new houses on this site.

This application is however unacceptable for the following reasons:

1. The applicant states that this is infill development as it is 2 houses and that this is supported by Wiltshire CC and our Neighbourhood Plan. This would be the case were it not for the fact that 2 new houses have been granted consent and built on this land in the past 4 years.
2. The application before you for 2 dwellings is on land designated as a “wildflower meadow” by the applicant as part of the mitigation and landscaping strategy that enabled them to be granted planning permission in 2017 for 3a Church Lane. To allow building on land set aside for mitigation of a recent planning permission undermines the very system on which effective and sensitive planning is based. We did not object to the 2016 planning application as a result of the efforts made to mitigate the harm caused.
3. The application site is one of the most important pieces of open land in the village. It provides the link between the rural landscape of fields beyond the church with the beginning of the village on Middle Stoke. It forms a visual core of green that provides an open setting for the 11th century St Mary’s Church that allows it to be read in a semblance of its original context.

4. The applicants' landscape consultant for the new house on Church Lane acknowledged and was at pains to emphasise the importance of the existing hedge and the importance of the sightlines to the church, it's semi-rural setting and the views of it from Middle Stoke. These are now being ignored.
5. It will have a significant impact on neighbouring properties. We accept that in general guidance the proposal complies with accepted separation distances however, in the submissions for the earlier implemented applications significant attention was made of not impacting neighbouring properties. This minimised local objection at the time. The fact that this application has attracted over 25 letters of objection demonstrates the clear negative feeling about this application.

Further, we feel that the principles laid out in Neighbourhood planning statute should be more fully considered.

'Neighbourhood planning gives communities direct power to develop a shared vision for their neighbourhood and shape the development and growth of their local area... Neighbourhood planning provides a powerful set of tools for local people to plan for the types of development to meet their community's needs...' ([www.gov.uk](http://www.gov.uk))

The Freshford and Limpley Stoke Neighbourhood Plan was the first cross-boundary plan and considered an exemplar of community engagement. It was built around the principles outlined above and has been, and will continue to be used, by both Parish Councils to provide support for well-considered planning applications. However, where that planning is not considered appropriate we hope that the principles of allowing local people real power in decisions that affect them directly will also be supported.

To conclude: this application is not infill development as that has already been done; it harms the setting of the Grade 2\* listed St Mary's Church; damages the heart of the village; goes against undertakings provided in gaining planning permission in 2016/17; has a significant impact on neighbours; and goes against Wiltshire CCs' own Policy CP2, as well as the NPPF para 145.

Given the significant lack of support by the community in Limpley Stoke, the clear factors laid out above against this build continuing, and the intention behind our cross-boundary Freshford and Limpley Stoke Neighbourhood Plan, we ask that you refuse this extremely insensitive application and allow a community to continue to be engaged in its own development and that it's voice be heard.

Many thanks

Francis Firmstone

Vice Chair and Planning Lead, Limpley Stoke Parish Council

**22 July 2020**

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**Item 7c - 19/12153/VAR: McDonald's Restaurant, 235 Bradley Road,  
Trowbridge, BA14 0AZ**

**Public Statement 1 – Support – Brad Wiseman - Agent**

The application seeks permission to vary Condition 3 of Planning Permission: W/96/0586/FUL to enable the McDonald's restaurant on Bradley Road to trade between the hours of 06:00 – 23:00, Monday to Saturday. The application therefore only seeks permission to operate for an additional 1.5 hours in the morning trading period.

Members will be aware that this application was heard at the West Area Planning Committee on 17 June 2020, where it was decided to defer the application in order that additional information be provided to demonstrate the proposed development will not have an unacceptable impact on the quality of life afforded to local residents.

It must be emphasized that the submitted application was assessed by the Council's officers and found to be compliant in relation to the matters raised. It follows that any additional information provided by the Applicant should be considered as a material benefit to the area, above and beyond the scope of what is required by this application.

As requested by Members, the Applicant has now provided additional information which clarifies matters relating to noise impacts associated with increased traffic, noise impacts associated with staff arrivals and increased litter. That information includes:

- A Site Management Plan (SMP); and
- A Response to Committee letter dated 3 July 2020.

In relation to litter, the SMP clearly outlines the existing litter patrol arrangements which are in place at the site, as well as the large-scale litter patrolling events that McDonald's are involved with in the local area.

With the Applicant's consent, Planning Officers have included the SMP within the list of approved plans to be listed on the decision notice, if approved, which provides the Council with the ability to initiate enforcement action in the event that litter patrols do not occur in accordance with those terms, and thereby providing Members with the assurance that the Applicant takes the control of litter very seriously.

The SMP also addresses concerns around staff arrivals, confirming that only three members of staff will be arriving at the site between 05:00 – 05:30, and no more than a further three staff members will arrive between 05:30 – 06:00. Those who choose to travel to work by car will be directed to park in the area of parking directly adjacent to the Curry's unit which is the furthest point from the residential dwellings, thus eliminating any chance of disturbance for local residents.

The remaining matters discussed by Councillors at the previous meeting of Planning Committee have been addressed in our letter dated 3 July 2020, which are summarised below:

- Public Objections to the Proposal – whilst Members discussed objections to the proposals, the Applicant has addressed the matters raised. In addition, Members have not acknowledged that a comparable number of letters of support from local residents were also received.
- Increased Traffic Generation – the application relates to hours of the day where traffic along Bradley Road is low and will not result in any meaningful level of traffic generation. The Council’s Highways Officer reinforced that conclusion.
- Increased Vehicle Noise – similarly, the noise associated with vehicles accessing the premises during the proposed extension of hours will not result in any adverse impacts. Vehicles access the McDonald’s site using the same vehicular route and junctions to the Costa premises. Given that the Council granted permission for Costa to operate from 06:00, on the basis that it would not result in any adverse impact upon amenity, it follows that the same operation by McDonald’s also will not have any impact. The Council’s Environmental Health Officer reinforced that conclusion.

It therefore follows that not only is the proposal considered to be acceptable by the Council’s own officers, its acceptability is demonstrated by the previous decisions of this Planning Committee and the physical evidence on the ground provided by Costa. There are no other relevant, planning-based considerations which would warrant refusal.

Rather than search the development plan for reasons to refuse the application which are clearly unfounded, we would respectfully request that Members follow the recommendations of their officers, and grant planning permission for the proposal.

Thank you for your consideration

Brad Wiseman

Associate Planner

**22 July 2020**

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**Item 7d - 20/01219/FUL and 20/02055/LBC: Manvers House, No.3 Kingston Road, Bradford On Avon, BA15 1AB**

**Public Statement 1 – OBJECT – Klas Hyllen - Neighbour Group**

This statement has been prepared by Mr Klas Hyllen of Klas Hyllen Architecture of 24 Silver Street, Bradford on Avon, in objection to the above the referenced application and is submitted as a joint statement on behalf of the neighbours listed below.

- Mr Richard Sparks of 1-2 Kingston Road
- Mrs Sally Gold of 6 Mill Lane
- Mr & Mrs Roger & Mary Lou Mitchell of 5 Mill Lane
- Mr & Mrs Richard & Sue Horsley of 4 Mill Lane
- Mr & Mrs Richard & Diana Feroze of 3 Mill Lane
- Mr & Mrs Olly & Jackie Price of 2 Mill Lane
- Mr & Mrs Klas & Ruth Hyllen of The Vintners & 24 Silver Street

Our objections to the application have been numerous throughout the process and are well documented on the planning portal. This short statement cannot go into the objections raised in great detail due to the time restrictions of this meeting. As such we have summarised the key areas of concern below, however we have chosen to limit this statement to the impact of the proposals resulting from the volume of the new roof extension, and want to note that the matter of the proposed change of use is not in accordance with the adopted Neighbourhood Plan, however the Town Council and Councillor Gibson are better placed to comment on this.

Kind Regards,

Mr Klas Hyllen

Statement:

Overbearing, loss of light and unacceptable impact on amenity spaces and privacy

The proposals are particularly impactful on the gardens of Mill Lane and No 1-2 Kingston Road. For example, the garden of No 6 Mill Lane is just some 1.5m away from the existing building and the proposed vertical extension containing the new stair circulation would effectively double the height of the wall to 6m. The garden is facing due south-west and the proposals would result in an unacceptable loss of light and

overshadowing from an overbearing and ill-considered volumetric increase, schemed to counteract the removal of valuable workspace

in Manvers House. The proposed gable extension to the west would have a similar overbearing impact onto the rooflight over the kitchen to No 1-2 Kingston Lane.

There is a proposed condition for the windows to the new stair volume and to the easternmost inverted balcony dormer window to have obscure glazing. However, there is no condition to ensure these windows are fixed and not openable which would in effect mitigate the obscured glazing.

The northern balconies to the mansard roof, now shown with sliding doors opening onto planters with frosted glass balustrades, would allow for a very generous direct view over the garden to The Vintners (clearly visible over the roofs to No 26 from any of the three windows) which would have a detrimental impact on privacy and amenity space.

Incorrect or inadequate contextual information provided

It is clear that the application has not considered the impact the proposals would have on surrounding properties to the west, north and east. Initially this was obvious in that the submission failed to show the context accurately in plan, and omitted to show the topography of the hill, or any surrounding buildings, in sections and elevations. In addition to this, the planning officer has only visited one property (No 24 Silver Street), and has based his decision on outdated photographs. Understandably, and with no effective engagement whatsoever with the local community prior to the application, this has amounted to a great deal of frustration amongst the neighbours for a perceived lack of communication and consideration.

Poor material specification within the Conservation Area

The material specification used within a conservation area is too open-ended and does not give enough detail, especially on the metal roofing. There is a significant difference in textural qualities between for example a cheap painted aluminium roof over a high-quality standing seam zinc or lead.

Finally, whilst the existing 1970's construction is of poor architectural merit, built during a period when substitute re-constituted stone was considered acceptable in a conservation area, this is no excuse for further mediocrity. The town is at the forefront of a strong sustainability and ecology policy, and this should be an opportunity to develop a building in the true retrofirst spirit in line with the RIBA 2030 Climate Challenge, over cladding the existing volume to address energy performance as well as a considered use of materials within a historic setting.

**Item 7d - 20/01219/FUL and 20/02055/LBC: Manvers House, No.3 Kingston Road, Bradford On Avon, BA15 1AB**

**Public Statement 2 – Support – Mel Clinton - Agent**

Nash Partnership have been appointed as architects by owner for the conversion and extension of Manvers House. Our proposals for the residential conversions on the site are similar to plans that we produced for a previous building owner and I will not dwell on these given that, architecturally speaking, they involve limited intervention to the existing structures and are not contentious with the case officer or conservation officer.

I would however like to share our approach to the proposed extension for the 20th Century Building on the site. This is something that our client asked us to explore as their marketing process was yielding some promising discussions with potential tenants wanting open plan office space and they felt there might be an opportunity to increase this provision in response to the demand.

We spent some time exploring the suitability of adding an additional floor and concluded that not only did the potential exist, but that the addition of a carefully designed mansard roof would dramatically improve the streetscape of Kingston Road. The existing 20th Century Building presents itself as squat in comparison with its neighbours. It is a long building and the lack of a well-proportioned second floor to complement its surroundings makes it more incongruous. We think it sits awkwardly and that the proposals submitted integrate better with its surroundings. We are pleased to see that the conservation officer agrees as they state that the proposals offer *“a more finished appearance”* which is *“in keeping with the town’s wide variety of roofscapes”* and *“an enhancement to the conservation area”*.

Throughout this application there have been objections from properties to the rear of the site, where concerns have been raised surrounding the additional attic storey to the north wing and the potential for overlooking. We have taken these comments seriously, reviewed each in detail and have sought to address instances where our proposals will cause harm to neighbouring properties. This has resulted in changes to the window treatments and the removal of accessible balconies to the rear of the property in order to avoid overlooking. We also re-visited the site and conducted an analysis which has been shared with the case officer surrounding the extent of overshadowing that might be caused by our proposals. This has demonstrated that no additional overshadowing is caused to neighbouring properties. Overall therefore we conclude that this proposal is an enhancement to the broader setting of the conservation area and that where concerns have been raised we have listened and where appropriate adapted the design. We trust therefore that the committee recognises this approach and sees that there is net benefit of this proposal that will ensure a sustainable future for this important town centre heritage asset.

**Item 7d - 20/01219/FUL and 20/02055/LBC: Manvers House, No.3 Kingston Road, Bradford On Avon, BA15 1AB**

**Public Statement 3 – Support – Robert Moore - Custodians**

Our company purchased Manvers House in 2019 and are proud custodians of this heritage asset in the heart of Bradford-on-Avon. In response to market demand, our application proposes two key changes:

Firstly, we propose adding a storey on the 20th century building, increasing open plan office provision by 35%. It's our aspiration that this extended building will be a commercial hub in the heart of Bradford-on-Avon, which will continue the town's tradition of attracting innovative businesses.

Secondly, we propose reinstating the original purpose of the older buildings with cellular floorplans to two attractive residential dwellings. We acknowledge this is the reason our application has been called to committee and I therefore request the committee considers the following four points:

1. Were it not for its classification as a listed building, the residential conversion would be treated as permitted development. Listed buildings are only exempt from permitted development rights to avoid unsuitable conversions which could harm their heritage value. In this case the conservation officer has stated that the building is "suited to residential use" and therefore we argue there is no case for rendering Manvers House as unsuitable for residential conversion.
2. Historic England state in paragraph 32 of their publication "Enabling Development and Heritage Assets" that the original use of a heritage asset is likely to be the most appropriate use. Manvers House was originally designed as a residential dwelling and therefore refusing planning permission will be contrary to their guidance.
3. In response to the councillor's call-in, we support the desire to retain a commercial vibrancy within Bradford-on-Avon, hence our proposal to increase the open plan office provision, which is more desirable than the unwanted cellular space that we propose for conversion. Given our commitment to delivering more high-quality office space, we question the wisdom of those objecting and argue that our proposals improve the town's office provision rather than diminishing it.
4. We encourage the committee to consider what possible future exists for the Georgian House on the site if these plans are refused. We are confident after recent discussions with prospective tenants that the 20th century building could soon be occupied, but see no alternative future for the older buildings, which have been vacant for six months and have no prospective commercial tenants after more than 12 months of marketing. If you decide that the building's original residential use is unsuitable, it will impose a very uncertain future on this heritage asset.



**Item 7d - 20/01219/FUL and 20/02055/LBC: Manvers House, No.3 Kingston Road, Bradford On Avon, BA15 1AB**

**Public Statement 4 – Support – Colin Scragg – Marketing Agent**

This statement is from Colin Scragg FRICS – Partner on behalf of Carter Jonas LLP the marketing agents for the subject property.

Carter Jonas were appointed by the Osborne Group in June 2019 to market Manvers House with the intent of finding either a new commercial tenant or series of commercial tenants to lease the building once Hitachi vacated in January 2020. A set of in house particulars were prepared and the property has been listed on our website alongside a number of recognised commercial property portals. We have also mailed the property details to applicants on our database, commercial agents and a number of larger office occupiers within the immediate area.

Despite the uncertainties of Brexit and Covid-19, there has been reasonably strong interest from commercial tenants for the 20th Century building. Four prospective tenants have approached us with interest in this part of the building and a further tenant has approached the building owner directly. All have been attracted by this building's open plan nature, the specification on offer and the size of floorplates available.

Conversely, we have received no direct interest from any potential tenants for the older buildings on the site proposed for residential conversion. The only interest that has been registered was from a local group seeking to operate a co-working facility across the entire site, who were corresponding with the building owner directly. The building owner has however kept us informed of these discussions, shared all correspondence with us and relied on our advice and extensive benchmarking information to guide discussions on rent. These discussions lapsed following discussions with the group's backers, whose rent expectations turned out to be drastically lower than both our local benchmarks and the figures that were acceptable to the aforementioned parties interested in the 20th Century Building. I also note from correspondence between the owner and the group's backers that a substantial rent discount was offered in the hope that it would facilitate an expedient lease agreement. This however resulted in the group's backers confirming that they were not in a position to proceed.

Based on our experience of the past 13 months, I would suggest that there is little prospect for the older buildings on the site receiving interest from potential tenants, given that the general trend is for open floorplates rather than cellular plans. I would however be hopeful of negotiating a lease agreement on the 20th century building which responds better to the needs of commercial tenants.

**Item 7d - 20/01219/FUL and 20/02055/LBC: Manvers House, No.3 Kingston Road, Bradford On Avon, BA15 1AB**

**Public Statement 5 – Objection – Cllr Alex Kay – BoA TC**

Manvers House, 3 Kinston Road

Alterations and extensions to existing office building including erection of mansard storey on north wing; change of use of central building and southern wing from B1 offices to form 2 dwellings (C3)

In assessing the effects of Covid-19 it is even more essential to ensure that workspace in the town is not further reduced as the town seeks to achieve genuine sustainability. The need to reduce car-based commuting has also been highlighted which brings an essential benefit in improving air quality.

Policy H1 of the Bradford on Avon Neighbourhood plan includes a requirement that development should not adversely affect the amenity of neighbouring properties. The Council is aware of the representations made by property owners in Kingston Road, Mill Lane and Silver Street and supports their objections. The scheme is deficient in that the problems of overlooking and overshadowing have not been properly addressed. The photographs included in the application pack pre-date the construction of the terrace of houses in Mill Lane and are misleading

There is insufficient information on the use of materials and details. In particular the metal sheeting to the proposed Mansard roof is not specified and therefore its acceptability in the conservation area and compatibility with the adjoining grade II\* listed building cannot be assessed. Details are also required of the proposed replacement timber windows.

BOATC further request that the planning officer takes into consideration all the comments received from residents and elsewhere as recorded on the planning comments portal as there is an explicit proposal to use this space as a commercial space.