

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 16 November 2016
Time: 3.00 pm

Please direct any enquiries on this Agenda to Libby Beale, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718214 or email Elizabeth.beale@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

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Membership:

Cllr Tony Trotman (Chairman)	Cllr Chuck Berry
Cllr Peter Hutton (Vice Chairman)	Cllr Terry Chivers
Cllr Christine Crisp	Cllr Howard Greenman
Cllr Mollie Groom	Cllr Howard Marshall
Cllr Toby Sturgis	Cllr Chris Hurst
Cllr Glenis Ansell	

Substitutes:

Cllr Philip Whalley	Cllr Linda Packard
Cllr Desna Allen	Cllr Graham Wright
Cllr Mary Champion	Cllr George Jeans
Cllr Ernie Clark	Cllr Melody Thompson
Cllr Dennis Drewett	Cllr Bill Douglas
Cllr Jacqui Lay	

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AGENDA

Part I

Items to be considered when the meeting is open to the public

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 5 - 16*)

To approve and sign as a correct record the minutes of the meeting held on **26 October 2016**.

3 **Declarations of Interest**

To receive any declarations of disclosable interests or dispensations granted by the Standards Committee.

4 **Chairman's Announcements**

To receive any announcements through the Chairman.

5 **Public Participation**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register by phone, email or in person no later than 2.50pm on the day of the meeting.

The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice. The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered.

Members of the public will have had the opportunity to make representations on the planning applications and to contact and lobby their local member and any other members of the planning committee prior to the meeting. Lobbying once the debate has started at the meeting is not permitted, including the circulation of new information, written or photographic which have not been verified by planning officers.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications.

Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on **Wednesday 9 November 2016** in order to be guaranteed of a written response. In order to receive a verbal response questions must be submitted no later than 5pm on **Friday 11 November 2016**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6 Planning Appeals and Updates (*Pages 17 - 18*)

To receive details of completed and pending appeals and other updates as appropriate.

7 Planning Applications

To consider and determine the following planning applications:

7a **16/04920/FUL- Rookery Farm, Seven Bridges, Water Eaton, Swindon, Wiltshire, SN6 6JS** (*Pages 19 - 28*)

7b **16/06342/FUL - Besants Garage, Main Road, Christian Malford, SN15 4AZ** (*Pages 29 - 40*)

7c **16/08839/FUL- Land at Newlands, Littleton Drew, Chippenham, Wiltshire , SN14 7NB** (*Pages 41 - 50*)

8 Urgent Items

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency.

Part II

Items during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 26 OCTOBER 2016 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Christine Crisp, Cllr Mollie Groom, Cllr Toby Sturgis, Cllr Philip Whalley (Substitute), Cllr Glenis Ansell, Cllr Chuck Berry, Cllr Howard Marshall and Cllr Chris Hurst

Also Present:

Cllr John Thomson, Cllr Dick Tonge, Cllr Bill Douglas and Cllr Allison Bucknell

137 Apologies

Apologies were received from Cllrs Howard Greenman and Terry Chivers.

Cllr Howard Greenman was substituted by Cllr Phillip Whalley.

138 Minutes of the Previous Meeting

The minutes of the previous meeting were presented.

To approve as a true and correct record and sign the minutes of the meeting held on 5 October 2016.

139 Declarations of Interest

Councillor Philip Whalley stated that whilst he was also a member of Corsham Town Council, that had previously considered applications numbered 7a) and 7 e), this did not prejudice his further consideration of the applications at the Committee and he would enter into any deliberations with an open mind.

140 Chairman's Announcements

There were no Chairman's announcements.

141 Public Participation

The Committee noted the rules on public participation.

142 Planning Appeals and Updates

The Committee noted the contents of the appeals update.

143 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications 7a, 7b, 7c, 7d, 7e and 7f as listed in the agenda pack.

144 **16/06346/FUL - 18 Elley Green, Neston**

Gregg Parkes spoke in objection to the application.
Mark Willis, the planning agent, spoke in support of the application.
Cllr Steve Abbott, Corsham Town Council, spoke with regard to the application.

The planning officer, Simon Smith, introduced the report which recommended that planning permission be granted subject to the conditions in report. The Committee's attention was drawn to the recommendation for an additional condition as outlined in the Late Observations.

Key issues included: the location of the application and the relevance of the core strategy to the application; the view of the officers that the proposals would be considered in-fill development, given the relationship to existing buildings; the layout of the proposals; the design and appearance of the proposals in relation existing buildings; the topography of the site; the views of the highways officer, and the provision of car parking spaces; the planning history of the site, and the changes from previous application; the concerns of the neighbours, the views of the Town Council, and the potential impact on privacy; the density of the site created by the proposals; and the potential impact of the proposals on the character of the area.

In response to technical questions, it was clarified that the eaves height of the proposals would be roughly equivalent to neighbouring buildings under construction; the distance between the proposal and the neighbouring buildings under construction; which existing walls that are proposed to be removed; and that the property has three floors, but is perceived as a two storey property when see from the street.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Dick Tonge , spoke with regard to the application.

A motion to permit the application, as recommended by the officer's report, was moved by Councillor Anthony Trotman seconded by Councillor Peter Hutton.

The Committee then debated the application.

Having been put to the vote, the motion to permit the application was lost.

A new motion to refuse the application was moved by Councillor Philip Whalley, subsequently seconded by Councillor Chuck Berry, as the proposals would not

be in-keeping with the locality and streetscape and would have an unacceptable impact upon the amenities of neighbouring residents.

Having been put to the vote, the meeting;

Resolved

That planning permission be refused for the following reason:

By reason of its layout, built form, height, mass, scale, plot size and close proximity and elevation above adjoining properties, the proposed development would not be in-keeping with the locality and streetscape and would have an unacceptable impact upon the amenities of neighbouring residents. As such the proposed development would be contrary to the provisions of Policy CP57 (iii) and (vii) of the Wiltshire Core Strategy.

145 **16/03641/FUL -Southside, Manor Farm, Corston, Malmesbury**

Mark Pettitt, planning agent, and Jon Eavis, the applicant, spoke in support of the application.

Cllr Roger Budgen, St Paul Malmesbury Without Parish Council, spoke with regard to the application.

The planning officer, Alex Smith, introduced the report which recommended that planning permission be refused for the reasons set out in the report. The Committee's attention was drawn to the late observations and the receipt of a revised plan to correct an error in the display of the height of the eaves.

Key issues included: the planning history on the site; the layout of the site and the position of the proposal; the relationship of the proposals to existing building and listed buildings; that other properties could be considered undesignated heritage assets; that the proposal, in the views of the officers, did not accord with core policy 48; the views of the drainage officer, and the risk of surface water flooding; the views of the parish council in support of the application; the relative impact of the proposals on the streetscene;

In response to technical questions, the planning officer stated: that the proposals did include the removal of an external metal staircase; that the policy does recognise that some non-listed buildings can still be considered heritage assets and protection sought; that previous permissions were not extant; that there had been no objections raised to the proposals from the community.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor John Thomson, spoke with regard to the application.

A motion to refuse was moved, in accordance with the officer's recommendation by Councillor Sturgis seconded by Councillor Crisp.

The Committee then debated the application. It was discussed: Berry for permission, understands the reasons for the refusal, but it is now a more residential area and allows the safeguarding of the listed building. Should be considered in the round.

Having been put to the vote, the motion to refuse was lost.

A new motion to permit the application was moved by Councillor Chuck Berry, subsequently seconded by Councillor Philip Whalley as the potential benefits of the proposals outweighed the less than significant harm to the heritage assets.

Having been put to the vote, the meeting;

Resolved

To grant planning permission 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 the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be carried out in accordance with the following approved plans:

- **Site Location Plan – 150122-01 – Received 14th April 2016;**
- **Proposed Site Plan – 150122-04 Rev A – Received 15th July 2016**
- **Proposed Barn A Plans - 150122-02 Rev F – Received 13th October 2016;**
- **Proposed Barn B Plans - 150122-03 Rev C – Received 15th July 2016;**
- **Proposed Garage Layout - 150122-05 Rev A – Received 15th July 2016.**

REASON: For the avoidance of doubt and in the interests of proper planning.

3. No development shall commence on site until the exact details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of visual amenity and the character and appearance of the area.

4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include :-

- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;

REASON: the matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. No dwelling shall be occupied until the parking spaces and garages together with the access thereto, have been provided in accordance with the approved plans. Those areas shall be used only for the parking of vehicles at all times thereafter.

REASON: In the interests of highway safety and the amenity of future occupants.

6. No development shall take place until a Flood Evacuation Plan has been submitted to and approved by the Local Planning Authority. The Plan shall provide a clear procedure for emergency measures to evacuate the site in the event of flooding of the adjoining highway. Thereafter, the measures of the plan shall be implemented in strict accordance with approved details, in the event of a flood to the highway of Main Street.

REASON: To ensure that sufficient measures are in place for the evacuation of the site, in the event of adverse weather conditions.

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A, B or E shall take place on the dwellinghouses hereby permitted or within their curtilage.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

146 **15/10712/FUL - Land North of Baydons Lane, Chippenham**

Mike Gibbons and Catherine Barrett spoke in objection to the application. John Bostock, the architect, spoke in support of the application.

The planning officer, Matthew Pearson, introduced the report which recommended that that authority be delegated to the Head of Development Management to grant planning permission, subject to conditions listed in the report and completion of a S106 legal agreement within six months of the date of the resolution of this Committee.

The report also recommended that in the event of failure to complete, sign and seal the required section 106 agreement within the defined timeframe that authority would be delegated to the Head of Development Management to refuse planning permission for the reasons set out in the report.

The Committee's attention was drawn to the late observations and, specifically, the recommendation to replace condition 8 with an amended condition and for the inclusion of an additional condition.

Key issues included: that the proposed building would be within the settlement boundary; the location of the proposals in relation to wooded areas; the key features of the site; the location of the proposals within the conservation area; the impact of the proposals on the character of the site and the ecology of the site; the planning history on the site, and the changes in the proposals to those previously refused; the impact of the proposals on the biodiversity of the meadow and impact on fauna therein; the views of the local people and the town council; the existence of a cycle route nearby; the impact of the proposed traffic calming measures on the character of the area; the concerns over the possible infestation of Japanese Knotweed.

In response to technical questions, the planning officer stated that: that an environment management plan could assist in the location, offsite, of any reptiles found; and that a condition could potentially be included to address the need to completed road improvements before developing the rest of the site.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Bill Douglas, spoke with regard to the application.

A motion to permit the application was moved by Councillor Anthony Trotman seconded by Councillor Peter Hutton, with the inclusion of additional conditions

regarding: highway improvements; construction management and traffic calming measures.

The Committee then debated the application.

Having been put to the vote, the motion to permit the application was lost.

A new motion was to defer consideration of the application was moved by Councillor Chuck Berry, subsequently seconded by Councillor Howard Marshall, to enable further information to be submitted.

Resolved

That consideration of the application be deferred to seek the submission and consideration of the following additional information:

- **The possibility for an environmental corridor;**
- **An assessment of the Japanese Knotweed issues on the site, and vicinity;**
- **The possibility of traffic calming measures sympathetic to the character of the conservation area.**

147 16/08026/FUL - Hill Field Farm, Charlcott, Calne

Bill Jackson, Sarah Jones and Sue Allen spoke in objection to the application. George Drewett, Tim Marsters and Charlotte Boole spoke in support of the application.

Cllr Ian James, Bremhill Parish Council, spoke with regard to the application.

The planning officer, Mark Staincliffe, introduced the report which recommended that planning permission be granted subject to the conditions in the report. The Committee's attention was drawn to the late observations including the views of the Highways Officers and the inclusion of an addition to the approved list of plans.

Key issues included: the location of the proposals and the nature of the site; that the proposal is for a battery storage not a generator site; the implications of the Council's energy policy; how the initial concerns of the landscaping officer had been addressed through further amendments; the appearance of the proposals and whether it accords with the rural nature of the area; the views of the public protection officer and his proposals for noise mitigation conditions; how the proposals would be connected to the grid; the views of the public, and concerns over development in the open countryside; what safety regulations apply to these type of development; the applicability of renewable energy policies; whether other locations would be more suitable for the development; whether there is sufficient demand for the proposals; whether the proposals represent diversification; the comparison of the proposal with those for purely

agricultural buildings that are available within permitted development rights; the design of the building and its future use; how the facility is monitored and the mitigations against fire and accident; the applicability of the Bremhill Neighbourhood Plan, which is due to be submitted, and the views of the parish council; and whether the planting proposed would provide adequate screening over the lifetime of the proposals.

In response to technical question, the planning officer clarified that: a condition could be included to cover the appropriate storage of equipment and paraphernalia associated with the facility; that the cables connecting to the grid would be underground.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Christine Crisp, spoke with regard to the application.

A motion to refuse was moved by Councillor Crisp seconded by Councillor Sturgis, for the reason that the application would be detrimental to the character of the landscape.

The Committee then debated the application. It was discussed:

Having been put to the vote, the meeting;

Resolved

To refuse the application for the following reason:

That by reason of its size, scale, design, appearance and rural location outside of any defined settlement, the proposed development would have a harmful impact upon the landscape character and appearance of the area when viewed from both long and short distances and would therefore conflict with Core Policy 34 & Core Policy 51 ii, iv, vi of the Wiltshire Core Strategy.

148 **15/11544/OUT - Peacock Grove, Corsham**

Gail Ceviar, Hilary Evans and Sally Fletcher spoke in objection to the application.

Chris Beaver, the planning agent, spoke in support of the application.

Cllr Steve Abbott, Corsham Town Council, spoke with regard to the application.

The planning officer, Chris Marsh, introduced the report which recommended that authority is delegated to the Head of Development Management to grant outline planning permission, subject to conditions and completion of the Unilateral Undertaking within six months, or otherwise to refuse the application.

The Committee's attention was drawn to the late observations and, specifically, the recommendation for the inclusion of an additional condition.

Key issues included: the location of the site in relation to the town and existing buildings; the access to the site, and the route of the footpath; the existing planting in the area, and the character of the site; that the application for consideration is in relation to the access arrangements for the site; that landscaping is a reserved matter and that a further application would be required to consider other development issues; whether the landscaping and managed footpath would balance any potential negative impact on the ecology and wildlife; the concerns of the public regarding the suitability of the site, including the density of the site; the views of Natural England; that the site would provide up to 31 dwellings and that the final number would be established at a later stage, and whether the concerns could be addressed in reserved matters; that some affordable housing could be provided; the views of the local residents and the Town Council as to the unsuitability of the site for housing;

In response to technical questions: the planning officer confirmed that both the developer and Network Rail would likely bear dual responsibility for addressing safety issues for residents; that the flow of construction traffic could be conditioned in such a way as to reduce the impact on road users elsewhere; and that the density of the proposals was greater than that in the local area.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Philip Whalley, spoke with regard to the application.

A motion to refuse the application was moved by Councillor Whalley, subsequently seconded by Councillor Chuck Berry, for the reason that: the proposal would cause harm to the local ecology; would not be of a good quality design; and would not provide adequate infrastructure improvements for the community

The Committee then debated the application.

Having been put to the vote, the meeting;

Resolved

To refuse the application for the following reasons:

- 1. The application fails to demonstrate that the scheme is capable of providing suitable protection for features of nature conservation and of averting a harmful impact upon landscape character. As such, the proposal conflicts with Core Policies 50 and 51 of the adopted Wiltshire Core Strategy.**
- 2. The application fails to demonstrate that a high standard of design**

can be achieved throughout the proposed development, specifically being insufficient to satisfy points (i), (ii), (iii), (vi), (vii) and (viii) of Core Policy 57 of the adopted Wiltshire Core Strategy.

- 3. The application proposal fails to provide and secure the necessary and required Services and infrastructure supporting the proposed residential development including Affordable Housing; Waste; Public Open Spaces; Air Quality Management and is therefore contrary to Policies CP3 & CP43 of the Wiltshire Core Strategy adopted January 2015 and Paras 7, 14 & 17 of the National Planning Policy Framework March 2012.**

149 **16/05959/OUT - South View, Lyneham**

Nova Pearce, Richard Marshall and Catherine Bennet spoke in objection to the application.

Jacqueline Mullenor, the planning agent, Richard Storm and Douglas Thomas spoke in support of the application.

Cllr John Webb spoke on behalf of Lyneham and Bradenstoke Parish Council.

The planning officer, Matthew Pearson, introduced the report which recommended that authority is delegated to the Head of Development Management to grant outline planning permission, subject to conditions and completion of the Unilateral Undertaking within six months, or otherwise to refuse the application. The Committee's attention was drawn to the late observations.

Key issues included: that the application is a resubmitted application, in outline, with reserved matters to be discussed at a later date; the location of the site outside the settlement boundary; the transport access arrangements to the site; the views of the landscape officer; the topography of the site and the existing vegetation; the views of the heritage officer, and the potential impact on the listed buildings nearby; the views of the strategic planning team and whether 60 dwellings were sustainable, and the relevance of core strategy; whether the benefits derived from the development outweighed the negative impacts; the impact on character of the village; whether the site was deliverable; the views on the community some for and some against the development; the consultation undertaken by the developers of the site, and the changes made in response; and the views of the parish council, and the possibility of the development of a neighbourhood plan.

In response to technical questions: the Highway Officer clarified that the extent of the splay proposed was more than adequate for an access in a 30mph zone; the planning officer confirmed that there were not, currently, any major applications in the village, and that whilst other brownfield sites may be developed none were currently submitted; and that the previously scheme had been for over 100 dwellings on the site, including proposals for large roundabout which it was felt would have caused more harm to the designated heritage asset.

Members of the public then addressed the Committee as detailed above.

The local member, Councillor Alison Bucknell, spoke with regard to the application, explaining why, on balance, she could not support the application.

A motion to permit the application in line with the officer's recommendation was moved by Councillor Trotman, but as the motion failed to gain a seconder it was not tabled.

A motion to refused the application was proposed by Councillor Toby Sturgis, subsequently seconded by Councillor Christine Crisp, for the reason that it conflicted with Core Policy 2, being outside the settlement boundary; would harm the character of the landscape; be harmful to the setting of the heritage asset; was not sustainable; and would not significantly benefit the locality through improved infrastructure.

The Committee then debated the application.

Having been put to the vote, the meeting;

Resolved

That planning permission be refused, for the following reasons:

- 1. The site lies outside of the limits of development defined for the village in the Wiltshire Core Strategy. It has not been brought forward either through a Site Allocations DPD or a neighbourhood plan and does not fall within any of the proposed exceptions identified in CP2. Consequently, the development would conflict with policy CP2 of the Wiltshire Core Strategy.**
- 2. The proposed development would provide an unsustainable level of housing in a rural area and would not be in line with the objectives of the Wiltshire Core Strategy to promote self-containment by delivering development at sustainable settlements. The proposal is therefore contrary to policies CP1 and CP19 of the Wiltshire Core Strategy (2015), saved Policy H4 of the North Wiltshire Local Plan 2011, as well as the principles set out within the National Planning Policy Framework.**
- 3. The proposal, by reason of its size and location on agricultural land would have a harmful impact on the appearance of the countryside, creating a large urbanised expansion beyond the existing built-up area of the village. This would conflict with CP51 of the Wiltshire Core Strategy, which seeks to protect the landscape from harmful impacts, and CP57 (i, iv & vi) of the Wiltshire Core Strategy, which seeks to create developments that are complementary to the locality.**

4. **The proposal would have a harmful impact upon the setting of a designated heritage asset. The proposal is therefore contrary to the provisions of policy CP58 of the Wiltshire Core Strategy (2015), paragraphs 131, 132 and 134 of the NPPF, as well as, sections 16(2) and 66(1) of the Planning (Listed Building and Conservation Area) Act 1990.**
5. **The proposed development fails to provide and/or secure adequate provision for necessary on-site and, where appropriate, off-site infrastructure. Such infrastructure shall include affordable housing, education, public open space and play equipment, footpath connections, junction improvements and measures for future maintenance. The application is therefore contrary to CP3 of the Wiltshire Core Strategy (2015).**

150 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 8.49 pm)

The Officer who has produced these minutes is Will Oulton, of Democratic Services
Press enquiries to Communications, direct line (01225) 713114/713115

**Wiltshire Council
Northern Area Planning Committee
16th November 2016**

Planning Appeals Received between 14/10/2016 and 04/11/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Start Date	Overtturn at Cttee
16/03206/FUL	Firs Farm Swindon Road Little Somerford Wiltshire, SN15 5BJ	LEA AND CLEVERTON	Demolition of Existing Outbuilding to be Replaced with 4no. Tourist Accommodation Units with Associated Parking	DEL	Written Representations	Refuse	27/10/2016	No
16/03643/FUL	The Byre Westfield Farm Nettleton, SN14 7PA	NETTLETON	Erection of a Single Storey Oak Framed Detached Car Port.	DEL	Householder Appeal	Refuse	03/11/2016	No

Planning Appeals Decided between 14/10/2016 and 04/11/2016

Application No	Site Location	Parish	Proposal	DEL or COMM	Appeal Type	Officer Recommend	Appeal Decision	Decision Date	Costs Awarded?
15/09602/OUT	2 Quarrydale Close Calne, Wiltshire SN11 0BQ	CALNE	Proposed Dwelling (Outline Application All Matters Reserved)	DEL	Written Reps	Refuse	Dismissed	24/10/2016	No
16/00813/FUL	St Mary's Church 20 Station Hill Chippenham Wiltshire, SN15 1EG	CHIPPENHAM	Proposed Extension to Provide Cloakroom & Meeting Room & Disabled Access	DEL	Written Reps	Refuse	Allowed with Conditions	25/10/2016	No

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	16 November 2016
Application Number	16/04920/FUL
Site Address	Rookery Farm Seven Bridges Water Eaton Swindon Wiltshire SN6 6JS
Proposal	Erection of Agricultural Workers Dwelling, Livestock Barn and Machinery/Workshop Store and Creation of New Access
Applicant	Mr John Dennis
Town/Parish Council	LATTON
Electoral Division	CRICKLADE AND LATTON – Cllr Jones
Grid Ref	412287 192622
Type of application	Full Planning
Case Officer	Alex Smith

Reason for the application being considered by Committee

1. Purpose of Report

To consider the above application and to recommend that planning permission be REFUSED

The application has been called into planning committee by Cllr Jones on the following grounds

- Visual Impact to the Surrounding Area;
- Relationship to Adjoining Properties;
- Environmental / Highway Impact.

2. Report Summary

The application was advertised by site notice and neighbour consultation. This resulted in three consultation responses from members of the public, all in the objection to the development. These consultation responses can be summarised as follows:

- i) Harm to highway safety;
- ii) Harm to visual amenities of the surrounding area;
- iii) Impacts to rights of way;
- iv) Impact to water supply;
- v) Availability of houses on the market for sale in the surrounding area;

vi) The beef cattle operation at the site is not currently occurring at the site.

Latton Parish Council: No consultation response returned.

The main issues in the consideration of this application are as follows:

- The Principle of Development;
- Impact to the visual amenities of the surrounding area;
- Impact to the residential amenity of the adjoining occupiers;
- Impact to Highway / Pedestrian Safety
- Drainage

3. Site Description

The application relates to a roughly rectangular plot of land measuring 0.58 hectares, including land for an access road. The main parcel of land within the site is situated approximately 180 metres west of the highway through Water Eaton, which connects to the A419 to the south. The land within the site is open agricultural fields with hedgerows marking the boundary line between the adjoining three fields.

The applicant's land holding at Rookery Farm extends to 90 hectares and is formed in two blocks, which is dissected by the public highway. The current farming practice is the production of store lambs from a flock of approximately 600 ewes. The flock is kept on the land throughout the year and outdoor lambed from March through to May. Typical output is approximately 930 lambs.

Bridleway LATT20 runs to the north of the application site and through the applicant's land to the east. The site is located outside of a designated settlement and has no other designations under the Wiltshire Core Strategy. The Council's mapping systems show that the site is at increased risk of surface water flooding, but is in Flood Zone 1.

4. Planning History

No previous planning history at the application site.

5. The Proposal

The application seeks Planning Permission for the erection of an agricultural workers dwelling, livestock barn, machinery/workshop store and creation of new access.

The applicant is proposing to diversify the operation at the site to include beef cattle. The ewe flock will be maintained at the current size but lambing will start earlier. Lambing will commence indoors (utilising the proposed building) in January with 180 – 200 ewes lambed. A second batch of 180 – 200 ewes will be lambed indoors in April and the remainder of the flock will be lambed in May.

Alongside the retained ewe flock the applicant proposes the introduction of a suckler cow herd. Some 40 suckler cows will be retained. The dams will be calved in the spring; the progeny will be single suckled and reared through to a finished weight for sale finished at approximately two years old.

The proposed development would include the erection of a livestock barn which would measure 35 metres by 12 metres giving an external footprint of 420 square metres. The barn would have a low level pitched roof with a maximum height of 6 metres. The barn would be erected from a blockwork skirt with Yorkshire timberboard cladding above and profiled metal sheet roofing.

The proposed workshop would measure 10.25 metres by 7.7 metres and would have an external footprint of approximately 79 metres. The building would have a low level pitched roof with a maximum height of 5.5 metres. The workshop would be erected from profiled metal sheet cladding and roofing.

The proposed two storey, three bedroom dwelling has been revised to an internal floor area of 157 square metres. The building would measure 15 metres in width by 7 metres in depth at its widest and deepest points. The dwelling would have a maximum height of 8.25 metres with a pitched roof design. The materials used would be brickwork for the elevations, tiles for the roof and timber framed windows and doors.

6. Planning Policy

Wiltshire Core Strategy

Core Policy 1 – Settlement Strategy

Core Policy 2 – Delivery Strategy

Core Policy 48 – Supporting Rural Life

Core Policy 51 - Landscape

Core Policy 57 – Ensuring High Quality Design and Place Shaping

Core Policy 60 – Sustainable Transport

Core Policy 61 – Transport and Development

Core Policy 67 – Flood Risk

Saved Policy H4 – Development in the Open Countryside

National Planning Policy Framework

Paragraph 7 – Three Dimensions of Sustainable Development

Paragraph 14 – Presumption in Favour of Sustainable Development

Paragraph 17 – Core Planning Principles

Paragraph 32 – Highways Impacts

Paragraph 55 – Dwellings in Isolated Locations

7. Consultations

Latton Parish Council: No consultation response returned.

Drainage Officer: No objection, subject to conditions.

Highways: No objection; subject to conditions.

Archaeology: No comment.

Rights of Way: No comment.

Agricultural Consultant: The proposed changes to the sheep enterprise and the introduction of the suckler herd will result in an essential need for a presence at the holding. The proposed business appears to be planned on a sound financial basis.

Thames Water: Foul water for this development is not draining into Thames Water assets and therefore does not affect us.

8. Publicity

The application was advertised by site notice and neighbour consultation. This resulted in three consultation responses from members of the public, all in the objection to the development. These consultation responses can be summarised as follows:

- i) Harm to highway safety;
- ii) Harm to visual amenities of the surrounding area;
- iii) Impacts to rights of way;
- iv) Impact to water supply;
- v) Availability of houses on the market for sale in the surrounding area;
- vi) The beef cattle operation at the site is not existing.

9. Planning Considerations

Principle of Development

The application seeks planning permission for the erection of agricultural buildings and a two storey dwelling to provide accommodation for a key worker at the site.

Paragraph 55 of the framework states that Local planning authorities should avoid new isolated homes in the countryside, unless there are special circumstances. One of the circumstances listed is the essential need for a rural worker to live permanently at or near their place of work in the countryside.

Core Policy 2 of the Wiltshire Core Strategy states that other than in circumstances as permitted by other policies within this plan, identified in paragraph 4.25, development will not be permitted outside the limits of development, as defined on the policies map. The site falls outside of the limits of development for any settlement identified within the WCS. However, one of the Policies listed under paragraph 4.25 is Core Policy 48 – Supporting Rural Life. This Policy states that outside the defined limits of development, proposals for residential development will be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside. Proposals for accommodation to meet the needs of employment essential to the countryside should be supported by functional and financial evidence.

Similarly, Saved Policy H4 of the North Wiltshire Local Plan also permits for dwellings outside of the framework boundary, where they provide an agricultural workers dwelling.

Therefore, the principle of an agricultural workers dwelling at the site is acceptable, if it can be demonstrated that there is a functional and financial need for such development.

The application has been submitted with a business case and financial assessment of the proposed operation at the site. This has been assessed by the Council's agricultural consultant who considers that there would be an essential need for a worker to live at or near an enterprise who undertake calving, lambing and the rearing of very young calves and lambs.

The lambing period being proposed is from January to May and it is proposed that spring calving will be integrated across the same period. Allowing for stragglers and early births it is the view of the agricultural consultant that the proposed changes will require a presence for calving and neonatal animals across six months of the year. Therefore, given the proposed changes to the sheep enterprise and the full introduction of the suckler herd as proposed, it will result in an essential need for a presence at the holding.

The agricultural consultant has also considered the financial assessment of the proposed business. They consider that the levels of cost and revenue appear reasonable and in line with published guidance and market trends and that the level of profit is sufficient to demonstrate a viable business.

It is noted that a neighbouring occupier has objected on the grounds that other dwellings in the surrounding area are available and have been available to purchase. The amount of accommodation in Water Eaton is limited and none appear to be available for sale at the time of writing this report. Similarly, the agricultural consultant has confirmed that the applicant does not have any other accommodation on their land, which would allow an agricultural worker to live at or near their place of work.

Therefore, it is considered that functional and financial requirements of Core Policy 48, Saved Policy H4 and Paragraph 55 of the framework have been met and the proposed agricultural worker's dwelling is considered to be acceptable in principle.

The proposed dwelling would have an internal floor area of 157 square metres. The agricultural consultant has recommended that the dwelling should have no more than 150 square metres of

internal floor area. The 150 square metre requirement does not form an adopted policy of the Wiltshire Core Strategy and the test is that the size of the dwelling is justified in terms of meeting the functional requirement of the agricultural operation at the site. At 7 square metres above the floor space advised as required for the agricultural operation, the excess is limited and not so great as to warrant a refusal of the application.

Therefore, the size of the dwelling is considered to be acceptable for an agricultural workers dwelling. A condition would be added to prevent the garden store / cartshed (which is more likely to be used as a car port) from being converted into habitable accommodation, to ensure the site would remain affordable for potential future purchasers of the agricultural holding.

The sizes of the agricultural buildings are considered to be proportionate to the size of the agricultural operation being proposed. Therefore, the principle of agricultural buildings is considered to be acceptable given the overall agricultural holding of the wider application site of 90 hectares.

Any approval would require a condition to ensure the agricultural buildings are erected and in use at the site, before the dwelling could be occupied. In order to prevent a partial implementation of the consent to erect the dwelling, without the functional need of the farmholding from being established.

Impact to the Visual Amenities of the Surrounding Area

Core Policy 51 of Wiltshire Core Strategy states that development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures.

The application seeks the creation of a cluster of agricultural and residential buildings within the site. The site selected is 180 metres into the fields within the site and is set at the intersection of three fields in the applicant's ownership.

The proposed development is not considered to protect or conserve the landscape character of the area. The character of built form along Water Eaton is that of buildings being erected in close proximity to the highway, as shown at the farm complex to the south of Severn Bridge Farm, which at 75 metres is far enough from the public highway to not be visually prominent, but not spread so far into the agricultural fields to have an unacceptable impact on the visual amenities of the surrounding area. The proposed development would be visible from the bridleway to the north of the site and the location at the apex of three fields would mean that it would be visible from the wider views of the surrounding agricultural fields.

The proposed development would also entail the creation of a significant driveway through the agricultural fields to access the site, which would further diminish the agricultural appearance of the existing fields.

Therefore, it is considered that the siting of the agricultural and residential buildings so far into the agricultural fields would make them more visible from wider views in the surrounding countryside and thus would be harmful to the visual amenities of the surrounding area. Furthermore, the extent of the hardstanding proposed would further diminish the character of the open countryside and would result harm to the surrounding area. For these reasons, the application is considered to be contrary to Core Policy 51 & 57 of the Wiltshire Core Strategy.

The applicant has advised that the location has been chosen to allow for the best management of the agricultural operation at the site, as it would allow for easy access to the adjoining three fields. The agricultural consultant was asked for comment on this reasoning and advised that the logic behind this was a marginal case, as many agricultural operations manage to operate from farmholdings which aren't centralised between fields. Therefore, this is not considered sufficient justification for the building to be sited so far away from the public highway and in a position which is visually prominent from the wider area. Furthermore, the applicant owns sufficient land to allow the proposed buildings to be sited far enough from the public highway to not be a prominent addition to the streetscene, but also allow for the built form to not be spread so far into the open countryside and thus avoiding the harm currently associated to the proposed development.

Impact to Residential Amenity

The proposed buildings would be sufficiently distanced from any neighbouring occupiers to ensure that no significant loss of light, loss of outlook or loss of privacy would occur. Therefore, the proposed development is acceptable in this regard.

Impact to Highway / Pedestrian Safety

The Highways Officer reviewed the originally submitted plans and raised a concern with regards to the proposed access arrangements at the site. On the 2nd August revised plan were submitted to show alterations to the proposed access onto the highway, including an enlargement to the access to allow a farm vehicle and trailer to pull off the highway before encountering the gates. Furthermore, the plans show that visibility splays of 2.4 x 215m can be provided either direction at the exit from the site. Therefore, the highways officer considers that the proposed development would provide a safe means of access to enter and exit the site and would comply with Core Policy 61 of the Wiltshire Core Strategy and Paragraph 32 of the framework, subject to conditions.

The proposed development would provide in excess of two off-street parking spaces for the 3 bedroom dwelling and would comply with the Council's adopted parking standards.

It is noted that a neighbouring occupier has objected to the development on the grounds of the impact to the bridleway. The bridleway runs through the applicant's land to the east of the highway and would not be impacted upon by the proposed development. The objection appears to relate to the use of the land for keeping cattle, however, the land is currently in agricultural use and as such, no further planning permission would be required to keep cattle on the land in question.

Drainage

The Council's Drainage Officer raised an initial objection to the development, due to the proposal stating that the surface water would be drained to soakaways and their concern that the issues of surface water drainage in the application site would make the use of soakaways unacceptable. Following the submission of saturation testing which shows that soakaways would be an issue in this location, a revised drainage strategy was submitted which shows a proposal for new private carrier pipes to collect runoff from roofs and the parking area and will discharge into a new drainage ditch along the northern field boundary. Following the submission of the additional details, the Drainage Officer no longer raised an objection to the development, subject to standard drainage conditions.

The foul water drainage would be to a septic tank and the Drainage Officer and Thames Water have raised no objection to this.

10. Conclusion (The Balancing Exercise)

Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 states that "*determination must be made in accordance with the plan unless material considerations indicate otherwise*". Paragraphs 2 & 11 of the NPPF reiterate and confirm this requirement. The Wiltshire Core Strategy Adopted January 2015 forms the local component of the current development plan.

Paragraph 14 of the National Planning Policy Framework states the presumption in favour of sustainable development, whilst paragraph 7 outlines that the three dimensions of sustainable development are environmental, social and economic factors.

The proposed development would have the economic benefit of the provision of one full time job and one part time job once construction is completed as well as jobs during the construction phase. The proposal would have the social benefit of the provision of food for consumption and the creation of a new dwelling.

These benefits needs to be considered against the harm to the visual amenities of the surrounding area due to the siting of the development in the open countryside and the significant access driveway required to be created. Therefore, it is considered that the harms associated to the development would not be outweighed by the benefits and the application is recommended for refusal.

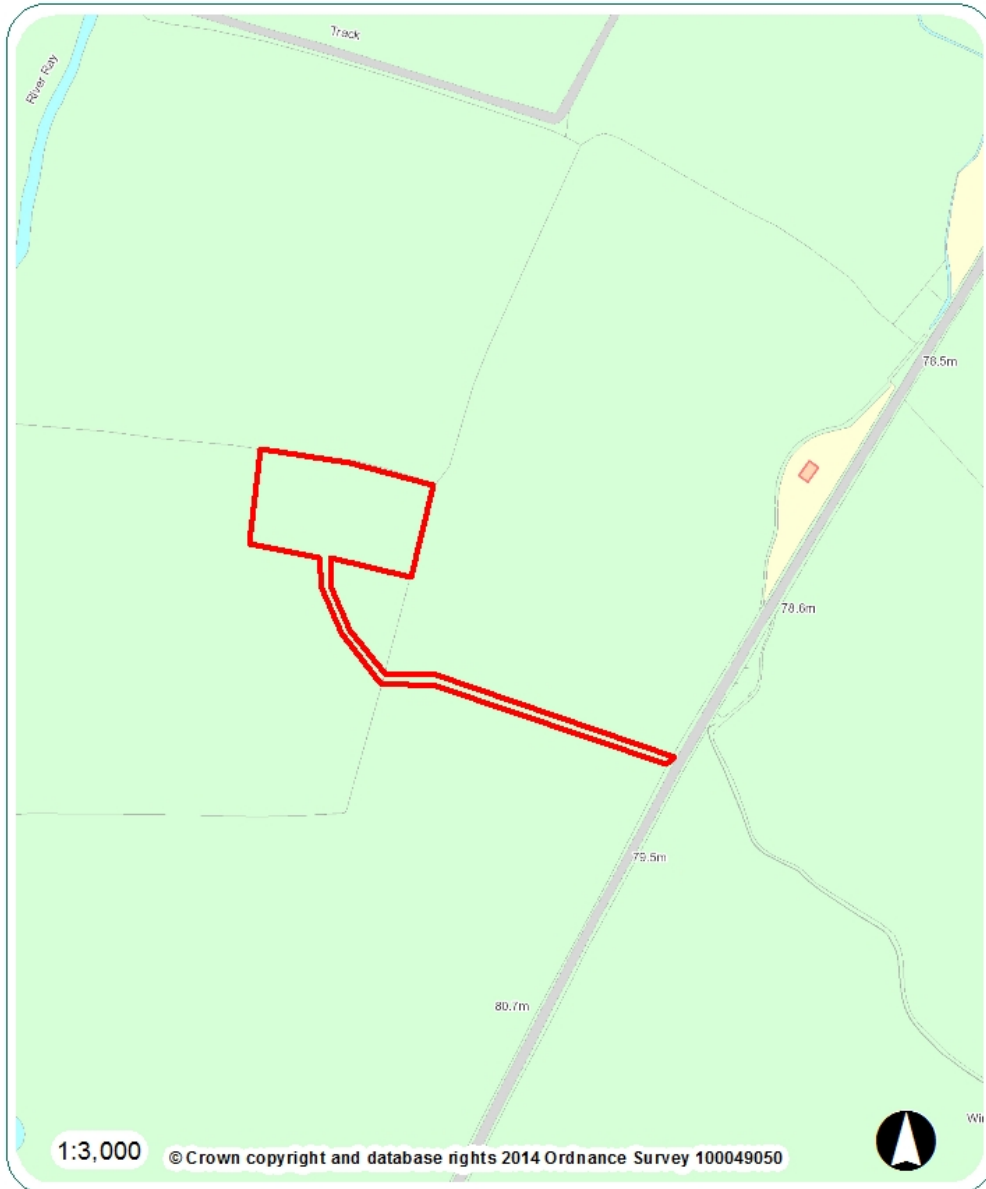
RECOMMENDATION

Refusal, for the following reason

- 1 The proposed development would, by reason of its siting, scale, form bulk and mass in conjunction with the significant length of access road required to be created, result in harm to the visual amenities and open character of the countryside. Therefore, the development is considered to be contrary to Core Policy 51 & 57 i) & iii) of the Wiltshire Core Strategy and Paragraph 7 & 14 of the National Planning Policy Framework.

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16/04920/FUL
Rookery Farm
Seven Bridges
Water Eaton
Swindon
Wiltshire
SN6 6JS



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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	16 November 2016
Application Number	16/06342/FUL
Site Address	Besants Garage, Main Road, Christian Malford, SN15 4AZ
Proposal	Erection of Workshop Building and Stables (Resubmission of 16/04116/FUL)
Applicant	Mr N. Besant
Town/Parish Council	CHRISTIAN MALFORD
Electoral Division	KINGTON – Cllr Howard Greenman
Grid Ref	395814 179083
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application has been called in by the local Member, in order to consider the scale of development and its relationship to adjacent properties.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved, subject to conditions.

2. Report Summary

The main issues in considering the application are as follows:

- Principle of development;
- Impact on the character and appearance of the site;
- Impact on the local area and setting of adjacent properties;
- Impact on residential amenity;
- Parking/highways

Christian Malford Parish Council has objected to the application, to which an objection has also been received from the neighbouring occupier as detailed later in this report.

3. Site Description

The application site, known as Besant's Garage, is situated to the immediate South of the B4069 Main Road at Christian Malford and accessed directly from the highway, via a modest bridge over a drainage channel. It is located outside the saved development framework boundary for the village, which is defined as a 'Large Village' for the purposes of the Core Strategy, and abutted closely to the East by the traditional cottage at no.40 Main Road but otherwise part of a very sporadic form of development. The earlier buildings on site comprise a low-quality workshop building following the western boundary adjacent to no.40 and a separate, smaller mono-pitch single storey store a short distance southeast. Both of these remain in situ, whilst the remainder of the original site remains as a typical yard occupied by building materials, informal car parking and the external storage of parts. The site is owned and operated together with the adjacent parcel of agricultural land extending to the South and East, which shares its access with the workshop element.

The applicant obtained a Certificate of Lawfulness (09/00751/CLE) for the use of the northwest portion of the site as a vehicle repair and restoration garage, permission was subsequently granted for the consolidation of the operation into a single one-and-a-half-storey workshop building, prior to the erection of which the earlier buildings were to be demolished (10/01423/FUL refers). However the building subsequently constructed varies from the approved details in a number of ways, described below, and is now near-complete. An application to regularise the works and create permanent living accommodation at first floor level was refused, principally due to the unacceptability in principle of residential development in this location (16/04116/FUL refers).

4. Planning History

N/04/02964/FUL	Erection of Detached Garage/Store (The Turnpike, adjacent) – Approved
N/07/01804/FUL	Erection of 28 Houses (7 Affordable) Together with Creation of a Nature Conservation Area for Informal Recreation and Associated Works (Land to South) - Withdrawn
N/09/00751/CLE	Certificate of Lawfulness for Site to be Used for Motor Vehicle Workshop for the Maintenance and Servicing of Motor Vehicles to Include Ancillary Welding Panel Beating Shotblasting Spraying Engine Rebuilding Together with Ancillary External Parking Area to the North of the Workshop and Open Storage Area to the South of the Workshop. The Hours of Operation Being 0900 - 19:00 Monday - Saturday and 10:00 - 1800 on Sunday – Certificate Granted
N/10/01423/FUL	Erection of New Workshop Following Demolition of Existing Buildings - Approved
N/10/01936/FUL	Conservatory (The Turnpike, adjacent) – Approved
16/04116/FUL	Proposed Erection of Live-Work Unit & Stables – Refused

5. The Proposal

The now mostly-complete new building for which retrospective planning permission is now sought varies in a number of ways from the approved scheme, being differently sited, proportioned, fenestrated, configured internally and with eyebrow dormers added to its East elevation upon inspection. The majority of the extended site subject of the current application, situated to the South and East, comprises open paddock/meadow including a strip projecting to the rear of no.40 to the southwest, all of which is currently put to little use. It is bounded by a woodland block along much of its southern boundary and mature hedgerow adjacent the property 'The Turnpike', which also marks the framework boundary of the village around 80m from the buildings on site.

The proposal seeks retrospective planning permission for the building works undertaken on site to date and to enable their completion prior to the removal of the earlier workshop and storage buildings. Unlike the previous proposal, the first floor is to be retained as ancillary office/storage space. Separately, it is proposed to change the use of the extended meadow area to equestrian and erect a block of stables a short distance East of the workshop. The stables are to be constructed in traditional timber and comprise two loose boxes together with attached tack room, configured in an L-shape. The stables are to be finished in larch boarding over a brick plinth, with a pitched tiled roof over. No associated/attached hard standing is indicated, and it is understood that they will be accessed directly from the existing yard.

6. Local Planning Policy

Adopted Wiltshire Core Strategy:

Core Policies 1 (Settlement strategy), 48 (Supporting rural life), 51 (Landscape), 57 (Ensuring high quality design and place shaping), 60 (Sustainable transport), 61 (Transport and development), 64 (Demand management).

National Planning Policy Framework:

Paragraphs 14 & 17 and Sections 4 (Promoting sustainable transport), 7 (Requiring good design), 11 (Conserving and enhancing the natural environment) of the National Planning Policy Framework)

7. Summary of consultation responses

Christian Malford Parish Council – objects to the application for the following reasons:
“

- *It contravenes Core Policy 57(iii) and Core Policy 58 of the (WCS) in terms of its height, mass, scale, and roofline and therefore fails to conserve the setting of the neighbouring property which is a non-designated heritage asset.*
- *It contravenes Core Policy 51(vii) as the proposed development, by reason of its scale, would adversely affect the tranquility and residential amenity of neighbouring occupiers by way of intrusion from light pollution, noise and motion.*

- *It is contrary to Core Policy 61(ii) of the (WCS) as the proposal would give rise to potential harm to highway safety due to the lack of visibility and poor access to vehicular traffic to the Main Road.”*

Highways – no objection, subject to conditions

Conservation – raises concerns in respect of bulk and massing, adversely affecting the setting of the neighbouring undesignated heritage asset

8. Publicity

The application was advertised by site notice and neighbour notification letter.

One letter of objection was received from the neighbouring occupier, raising concerns in respect of the scale of development and impact on

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of development:

The principle of a replacement workshop building on this site has been accepted previously, the lawfulness of the commercial garage enterprise having been well established and having continued since obtaining a Certificate of Lawful Development (CLD). It is noted that the site area in this instance marginally exceeds that in respect of which the CLD was originally granted. The proposal represents a consolidation of existing operations, enabling a shift from unsecured outside storage to the interior of the building. Notwithstanding the marginal incursion of the building's footprint beyond the existing lawful limits of the industrial land use – as recognised by the CLD – the enterprise as a whole will remain functionally unchanged, and in these terms the commercial element of the proposal is considered acceptable.

As a typically rural pursuit, the change of use of the adjoining land to equestrian is considered acceptable in principle and this will make use of an area otherwise relatively impractical for agricultural use. Notwithstanding the potential for conflict between the noise and activity associated with a busy vehicle repair workshop and the residence of horses, it is accepted that whilst both elements remain under the same control, this would be a self-regulating exercise; one or other would simply be stopped if an issue arose. The proposed stables are of a traditional and modest design and scale that is appropriate to both the size of the landholding and the level of use anticipated. By taking access from the existing yard, the stables will not create any undue urbanisation of the currently open land by way of the introduction of new hard standing or access works.

Impact on the character and appearance of the site;

Mindful of the nature of the previously-consented proposals for a consolidated workshop, store, office and reception building on the site, no objection is raised in respect of the design changes now introduced. Broadly speaking, these maintain much the same development envelope, scale and visual impact, with the span of the building increased so as to move its ridge line marginally further from the adjacent residential property. The increased proportions of the western wing of the building will add marginally to the building's bulk however overall, with the removal of the original workshop, the building still represents an improvement in respect of the appearance of the site and residential amenity of the adjacent neighbour.

Concerns have been expressed previously in the altogether more 'domestic' elements introduced into the design, particularly the series of easterly dormers. Whilst it is appreciated that some element of natural light would be a reasonable expectation even of an area used principally for storage, these seem excessive, unduly increasing the bulk of the building. Nonetheless, it is not considered that these either independently or cumulatively incur any significant harm to the appearance of the site or its wider setting. Overall, the building remains of an appropriately functional design, including its final materials, and therefore accords with the design criteria set out in Core Policy 57.

Impact on the local area and setting of adjacent properties;

The adjacent highway supports a sporadic distribution of development comprising a mixture of land uses and types of buildings of a wide range of ages. It is in this environment that the original garage complex has become established over a number of years, adding to the diversity of uses found in the locality. The proposal represents a continuation of this use and owing to its comparable scale and intensity, it is not considered that the use itself will have any significant impact on the overall character of the area. As discussed above, the revised design of the building is not considered atypical of this use and certainly relative to the previously-approved scheme will not alter the outward appearance of the site as experienced from public viewpoints to any great extent.

Among the mixed fabric identified, The Old Bakehouse, adjacent, is an example of an undesignated heritage asset, dating from the C19th and in reasonably complete form, with later extensions kept to a limited scale to reflect the modest and simple proportions of the original. This lends a sensitivity to change that should be appropriately weighted with regard to relevant policy, which seeks the protection, conservation and – where possible – enhancement of the historic environment. Were the proposals being considered afresh, with no previously established use of the site, it is likely that a detracting effect would be identified in this respect, as per the indication of the Conservation Officer. However the former disparate collection of C20th workshops – many in poor condition – and outside storage would already have had a harmful effect. Whilst the increase in the scale of building on site does little to enhance the setting of the neighbouring undesignated asset, this must be balanced against the general value of tidying the site and replacing low-quality fabric with consolidated premises.

Notwithstanding that it is agreed that the building would actually achieve a lesser final quality than the one previously approved, therefore, it is found that this balance conserves overall the historic environment.

Impact on residential amenity:

Consideration has been given to the impact of the development on neighbouring dwellings, most immediately The Old Bakehouse, which is situated directly adjacent. In terms of the nature of the use, which is now established as lawful, moving of this away from the boundary with no.40 with the demolition of the earlier workshop, combined with the more substantial construction proposed should marginally reduce noise spill, having a similar beneficial effect as the 2010 proposals in this respect. As with the 2010 application, the current scheme provides an opportunity to impose reasonably necessary conditions, including limiting the hours of use to ensure that activity on site is not unduly intrusive. As both the site and the neighbouring property are located immediately adjacent to a busy B-classified highway, the position of the site is not considered to be so remote as to warrant particularly strict limitations on noise levels, these being restricted by the physical constraints of the site and small scale of the business.

It is noted that representations made in respect of the proposals indicate that overbearing is a concern. However, it is noted that the overall height of the building is actually unchanged from that approved in 2010 and although the span is increased, the ridge line is marginally further from the boundary. It is not considered that the windows of The Old Bakehouse would be significantly disadvantaged by their proximity or height relative to the new building, as the already close eastern site boundary has a limiting effect on daylight in any case, such that current conditions would not be exacerbated. Relative to the existing workshop – whose removal can be secured by condition – the marginally increased proportions of the perpendicular wing will not have any significant overbearing impact. Accordingly, it is considered that the overall impact on residential amenity across the historic situation, previously-approved scheme and most recent submission is a neutral one that does not weigh significantly in the planning balance.

Parking/highways

As an established commercial enterprise, the fundamental arrangements for access and parking for the workshop will remain unchanged relative to the previously-approved and indeed historic situation, such that no objection would be raised on highways grounds. The requirement to demolish the older workshop at the western edge of the site will increase the space available for parking and turning. Given that the highway is generally busy and vehicles are brought onto the site for repair, etc, staff would be able to regulate this situation to ensure vehicles exit the site in a forward gear. The Council's Highways Officer has considered the description of anticipated transport movements associated with the proposed stables and, subject to restrictions on their use, raises no objections in relation to their associated movements. As with the workshop, these will remain within the control of the applicant and can therefore be regulated in a manner that avoids inconvenience or risk to users, visitors or other highway users.

Conclusions

The proposals in part seek to regularise an existing situation with relatively little alteration to the previously-approved details, with those changes being made remaining acceptable in principle and in terms of design. The addition of the proposed stables introduces a new use but not one that is considered likely to result in harm to the countryside or the amenity of neighbours, nor gives rise to any conflict with the established commercial use of the adjacent land. Accordingly, the proposals are considered acceptable in planning terms.

RECOMMENDATION

That planning permission is GRANTED, subject to the following conditions:

- 1 The development hereby permitted shall be carried out in accordance with the following approved plans:

Proposed Ground Floor Plans
Proposed First Floor Plan
North Elevation
South Elevation
East Elevation
West Elevation
Suggested Stable Layout
Received 29 June 2016

DWG 2 / A - Proposed Site Plan
Received 25 August 2016

REASON: For the avoidance of doubt and in the interests of proper planning.

- 2 Prior to the date three months from this decision, the earlier workshop building situated immediately West of the building hereby permitted shall be permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.

REASON: In the interests of the character and appearance of the area and neighbouring amenities.

- 3 The site shall be used for motor vehicle repairs, restoration and maintenance and for no other purpose (including any other purpose in Class B2 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

- 4 No materials, goods, plants, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored above a height of 2 metres above the existing ground level outside any building on the site.

REASON: In the interests of the appearance of the site and the amenities of the area.

- 5 The use hereby permitted shall only take place between the hours of 0900 and 1900 from Mondays to Saturdays and between 100 and 1800 on Sundays. The use shall not take place at any time on Bank or Public Holidays.

REASON: To ensure the retention of an environment free from additional intrusive levels of noise and activity in the interests of the amenity of the area.

- 6 The equestrian development hereby permitted shall not be first brought into use until the first ten metres of the access, measured from the field entrance, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 7 The equestrian development hereby permitted shall not be first brought into use until sufficient space for the parking of one vehicle together with a vehicular access thereto has been provided in accordance with details submitted to and approved in writing by the Local Planning Authority. The said space shall not be used other than for the parking of vehicles or for the purpose of access to the stables.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

- 8 The equestrian element of the development hereby permitted shall not be brought into use until details of the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) have been submitted to and approved in writing by the Local Planning Authority, and; the works for such storage and disposal have been completed in accordance with the approved details. The approved storage area shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.

REASON: In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

- 9 The equestrian development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

REASON: In the interests of highway safety and to protect the living conditions of nearby residents.

- 10 No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.

REASON: In order to protect the living conditions of nearby residents and the rural character of the area.

- 11 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Professionals in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILP, 2011)", have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

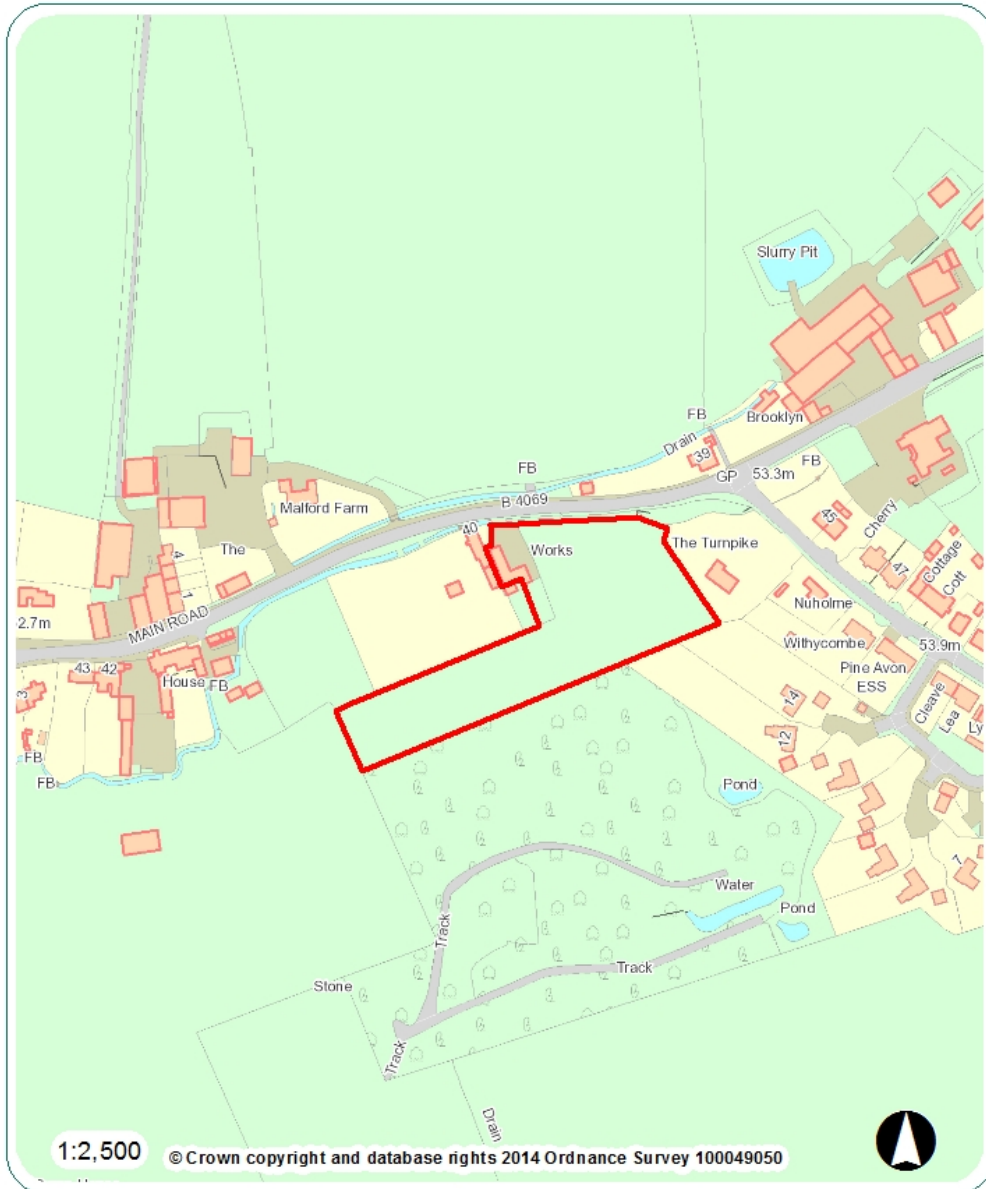
REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

- 12 **INFORMATIVE TO APPLICANT:**
Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

- 13 **INFORMATIVE TO APPLICANT:**
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

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REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Report No.

Date of Meeting	16 November 2016
Application Number	16/08839/FUL
Site Address	Land at Newlands, Littleton Drew, Chippenham, Wiltshire, SN14 7NB
Proposal	Change of Use from Agricultural to Equestrian - Concrete Pad and Two 12 x 12 Stables with Attached 12 x 12 Storage Shed. Mobile Stable Unit consisting of Three 12 x 12 Stables and Horse Walker, and Parking/Turning Area (Retrospective) (Resubmission of Planning Application Reference 16/02428/FUL)
Applicant	Mrs Kathleen Phillips
Town/Parish Council	GRITTLETON
Electoral Division	BY BROOK - Cllr Baroness Jane Scott OBE
Grid Ref	383134 180400
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application has been called in by the local Member in order to consider the scale, design, environmental and highways impact of the development.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved, subject to conditions.

2. Report Summary

The key matters in considering the application are as follows:

- Principle of development
- Impact on the character and appearance of the site
- Impact on the Cotswolds AONB
- Highways/parking

Grittleton Parish Council has objected to the proposals, in respect of which nine objections have also been received from neighbours and local residents. These are detailed later.

3. Site Description

The application site is located to the East of the village of Littleton Drew, itself a short distance to the North of the M4 motorway and identified as a Small Village in the Wiltshire Core Strategy. It comprises a regularly-proportioned agricultural field 2.6ha in area, arranged over reasonably flat terrain and bounded on its southern side by a mature hedgerow/tree boundary. The remaining field boundaries, onto open land with far-reaching views, are demarcated by timber post-and-rail fencing. The site is accessed via the adjacent bridleway, GRIT7, which runs northeast from the centre of the village. This has recently been levelled and resurfaced in scalplings, terminating in a wide entrance way secured by timber agricultural gates. The land is classified as Grade 3 agricultural, which is subdivided into Classes 3a and 3b; the former being at the lowest end of Best and Most Versatile (BMV).

Physical development on the site currently comprises the erection of a permanent stables/store, sited on a new concrete slab directly adjacent to an historic low-key storage building at around the midpoint of the southern side of the site. The new building measures 36' in length and 12' in depth, divided into 2no. 12'x12' stables and attached 12'x12' general store, with an additional projecting canopy provided by the symmetrical pitched roof. It is constructed and finished in untreated timber, with a black Onduline profiled sheet roof covering. Additionally, a galvanised horse walker has been sited on the land immediately West of the new block, and a further range of post-and-rail fencing installed to separate the circulation area adjacent to the stables from the open paddock area further north.

4. Planning History

- | | |
|-----------------|--|
| 15/09573/PREAPP | Proposed erection of stables, widen gateway together with driveway to stables. Site caravan for use when mares are foaling or animal sickness. Erect horsewalker. Run a small equestrian based business to facilitate breeding & training show horses. |
| 16/02428/FUL | Retrospective Change of Use from Agricultural to Equestrian - Concrete Pad & Mobile Stable Unit consisting of Two 12 x 12 Stables & Adjoining 12" x 12" Storage Shed |
| 16/00109/ENF | Unauthorised erection of equestrian building and access route. |

5. The Proposal

Retrospective planning permission is sought in respect of the change of use of land from agricultural to equestrian, erection of stables, shelters, storage and horsewalker and creation of a parking/turning area on site. The three indicated shelters are of the mobile type, however, being on 'skis' and capable of being towed into position to avoid disproportionate erosion of the land. Accordingly, planning permission is not required in respect of these items, although they are considered later.

In light of concerns raised at the time of application 16/02428/FUL in respect of the substandard standard of access and potential for the development to further exacerbate

damage to the adjacent bridleway, repairs and improvements have been undertaken in this respect. The route has been in-filled where necessary and its surface topped up with scalplings to form a more regular terrain less susceptible to flooding. The proposed extended parking/turning area projects northward into the site and turns the corner westward from the site entrance in an L-shape, extending 50' in either direction. Again, this is to be surfaced in scalplings over a weed-suppressing membrane.

In order to further reduce the visual prominence of the buildings/structures from the village of Littleton Drew, 100ft of native hedgerow is to be planted from the southwest corner of the site along the western site boundary. Manure storage is to be provided close to the newly-extended parking area, to be removed periodically by a local farmer.

6. Local Planning Policy

Wiltshire Core Strategy:

Core Policy 51 (Landscape)

Core Policy 57 (Ensuring high quality design and place shaping)

Core Policy 61 (Transport and development)

National Planning Policy Framework paragraphs 14, 17, 64, 75, 109, 112, 115, 125

The Cotswolds AONB Management Plan 2013-2018 is also a relevant consideration.

7. Summary of consultation responses

Grittleton Parish Council – object, for the following reasons:

- *“A large concrete pad installed on the site indicates that pre-application advice received by the applicant from Chris Marsh, on 15th October 2015 (ref. 15/09573/PREAPP) has been blatantly ignored.*
- *The parking and turning area, which forms a part of the application, will have an urbanising effect on the rural context in which the application site is located; and fail to protect the surrounding local countryside which enjoys AONB status. Councillors consider it unlikely that the parking and turning area is intended only for personal use.*
- *Councillors consider that the large horse walker represents over-development of the site and are unsure how this proposed facility will be powered as there is no electricity supply to the site.*
- *Councillors consider that a restriction should be imposed to prevent a commercial operation being run from the site.*

Grittleton Parish Council maintain the objection below, raised in their response to planning application 16/02428/FUL and having relevance in relation to the above comments:-

- *The access to the site is along a bridlepath, which is only adequate for low-level use – and has, due to use by vehicles accessing the site, already been severely damaged.”*

Highways – no objection, subject to conditions

Rights of Way – no objection, subject to conditions

8. Publicity

The application was advertised by neighbour notification letter and site notice.

Nine letters of objection were received, raising the following planning points:

- Equestrian development inappropriate in this location;
- Proposals adversely affect the character and appearance of the AONB;
- Adverse highway impact of increased traffic movements;
- Increased use of bridleway will further erode its condition;

Speculation as to whether planning conditions would be complied with and whether a commercial enterprise would emerge are not material or pertinent to the consideration of the application, nor is that it is made retrospectively.

One further comment was received, welcoming the improvements to the bridleway and confirming that no objection is raised subject to its ongoing maintenance.

9. Planning Considerations

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

Principle of development

As a matter of principle, it is considered that equestrian use such as that proposed is well suited to this environment, being located amongst a fairly intensive network of bridleways and easily accessed from the village of Littleton Drew. It is understood that the use of the land – and land adjacent – for the grazing of horses is well established. Clearly, this is an inherently rural use, the sustainability of whose siting must be balanced against the both the reasonable demands of the animals kept and also the amenities of the area and nearby residential properties.

The Cotswolds AONB Management Plan acknowledges equestrian activity as an appropriate use of land within its designation, and it is noted that the transition between grazing with associated portable field shelters (for which a change of use of the land is not required) and the current, more permanent, proposal is a relatively subtle one. It

should be noted that the application is made on the basis of private equestrian use (i.e. the keeping of horses by an individual) and no on-site commercial use is proposed. Although this can be secured by condition to prevent future diversification, it is imperative that the application is considered on its individual merits and not on the basis of such speculation or historic ad-hoc use as suggested by several representations.

Impact on the character and appearance of the site

It is considered that in visual terms the stables, store and associated elements have been designed and sited in such a way as to minimise their visual prominence so far as reasonably practicable. Clearly all require unencumbered access to ensure the movement of animals, feed, bedding, etc, and so their linear arrangement along the robust southern boundary is appropriate. Their modest scale and materials used are in keeping with their rural setting and the timber finish will weather over time to further reduce prominence. Although occupying a large area, the horse walker is mainly open space and will not be readily visible from a distance. The proposed hedgerow planting is considered neither harmful nor hugely beneficial, given that the buildings/structures are acceptable in their own right.

In some cases, the sensitive design of stables and other equestrian buildings can be compromised by excessive hard standing, although permanently churned-up earth as a result of vehicle movements can be equally unappealing. It is considered that the proposal adopts a suitable balance in this regard, with a bare minimum of loose surfacing introduced at the site entrance and avoiding any undue urbanising effect. This will enable vehicles to use the site year-round whilst minimising damage to the site and bridleway. Unrestricted stationing of trailers – and, due to the relative lack of control over their siting, field shelters – on the land is not considered acceptable, however, as this can independently and cumulatively harm visual amenity. Together with the unwelcome proliferation of other equestrian paraphernalia that risks ‘cluttering’ the site, this can be controlled by condition, requiring approval of individual elements.

Impact on the Cotswolds AONB

Official Guidance has been issued in respect of the keeping of horses within the Cotswolds AONB, as it is acknowledged that the clustering of equestrian development in particular can have an adverse impact on the character and appearance of the landscape. In particular, the document ‘The Keeping of Horses and Ponies in the Cotswolds AONB’ notes in particular that “*The physical structures and equipment associated with horse keeping, if not sited correctly and sympathetically, can have a detrimental effect on the quality of the landscape. There needs to be appropriate siting of stabling, field shelters, manèges, fencing, muck heaps, parking for horse boxes, lighting, schooling rings and jumps.*” Equestrian use is already established to the immediate North and West of the site.

Taking the above into account, mindful that equestrian development inevitably brings some level of built development, it is considered that the buildings in this instance have been considerably positioned and design so as to minimise their prominence in the wider landscape. Their position adjacent to what is in practice a substantial planted

boundary will ensure that they are seen only against this backdrop rather than visually exposed on open land. As discussed, their form is typical of their function and the buildings are of a modest scale and traditional materials that will weather further into the landscape over time. It is not considered that the associated post-and-rail fencing or horse walker has any harmful landscape impact. Given the limited prominence of the physical development on site in the wider landscape – and capacity to control other paraphernalia by condition – therefore, it is considered that the character, appearance and openness of the AONB will be conserved.

Highways/parking

The previous application was received unfavourably by Officers due to the degraded condition of the existing access track, which in turn would put undue pressure on the access and could, in severe weather, lead to vehicles being parked on the highway and/or dragging loose material out onto it as the track would be liable to further damage once destabilised and/or waterlogged. This would clearly represent an unacceptable situation even if the facility was restricted to private use generating minimal vehicle movements. Nonetheless, it has always been accepted by the Council's Highways Officer that, independently and subject to that restriction, the private use of the access junction at the centre of the village is an established one and therefore its continued use does not warrant an objection. Any significant intensification of such use – for instance, as part of a commercial enterprise – would trigger an objection due to the junction's limited visibility, however.

The recent upgrading of the track, which although extensive still represents general repair/maintenance and therefore does not require planning permission, was carried out in accordance with a schedule of works agreed by the Council's Senior Rights of Way Warden. Whilst this does not weigh in favour of the application as a public benefit as such, it clearly represents a rebalancing of the status quo, providing a much-improved surface to the advantage of all bridleway users and not just the limited vehicular and equestrian traffic associated with the development. Accordingly, and notwithstanding any other private rights and responsibilities pertaining to the track, the Council's Rights of Way Officer is now satisfied that the proposals will not compromise the right of way.

Other matters

As the site could comprise land falling within Class 3a of the Agricultural Land Classifications and thus could be considered BMV, weight should be afforded to paragraph 112 of the NPPF. In this instance, however, it is noted that the affected land together with the neighbouring land to the West seems to have been removed from productive agricultural use some time ago and therefore the proposal in itself will have no significant impact in this respect. Relative to the grading of the land, therefore, it is not considered that the development will have any particular impact in relation to the protection of BMV land.

Conclusions

The proposal represents an appropriate form of development in the open countryside and AONB, in respect of the latter adopting much the accepted best practice for the keeping of horses in order to minimise wider visual impact. The access and highways issues have been addressed with the upgrading of the track, which will also provide some wider public benefit. Accordingly, the proposals are considered acceptable in planning terms.

RECOMMENDATION

That the application is approved, 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 the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan
Block Plan

Received 9 September 2016

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 No paint, stain or other colourant shall be applied to external timber (including external walls, doors and window joinery), until details of the paint or stain to be applied have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details and maintained as such thereafter.

REASON: In the interests of visual amenity and the character and appearance of the area.

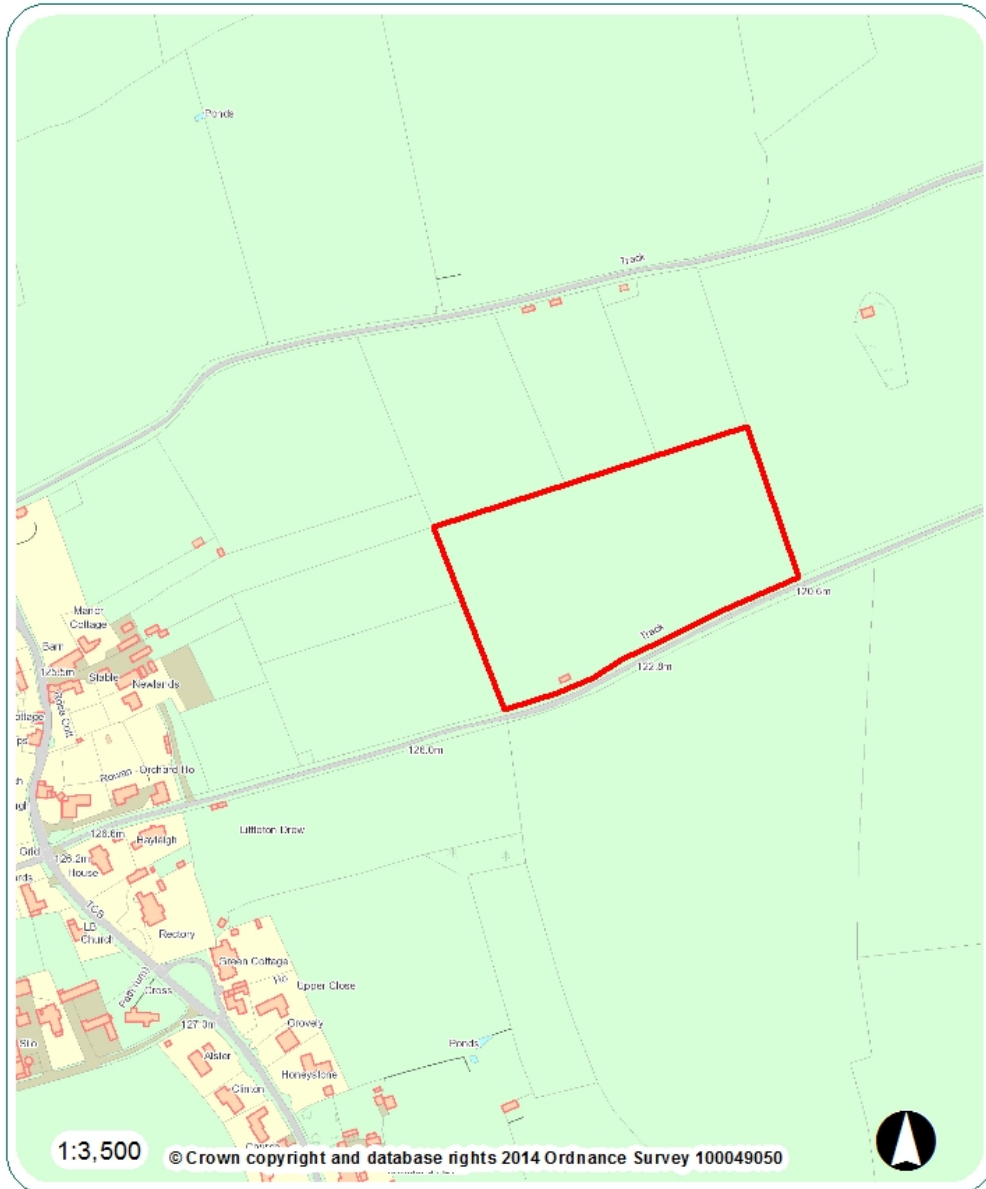
- 4 No construction / demolition vehicle access may be taken along GRIT7 without prior consultation with the Wiltshire Council Rights of Way Warden. Where appropriate any safety/mitigation/reinstatement measures must be approved by the Wiltshire Council Rights of Way Warden.

No materials, plant, temporary structures or excavations of any kind should be deposited / undertaken on or adjacent to the Public Right of Way that obstructs the public right of way whilst development takes place.

REASON: To ensure the public right of way remains available and convenient for public use.

- 5 The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

- REASON: In the interests of highway safety and to protect the living conditions of nearby residents.
- 6 There shall be no parking of horse boxes, caravans, trailers or other vehicles during the hours between dusk and dawn on the site.
- REASON: In order to protect the rural character of the area and openness of the AONB.
- 7 No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.
- REASON: In order to protect the rural character of the area and openness of the AONB.
- 8 No fences or jumps shall be erected on the site without the prior approval in writing of the Local Planning Authority.
- REASON: In order to protect the rural character of the area and openness of the AONB.
- 9 **INFORMATIVE TO APPLICANT:**
Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 10 **INFORMATIVE TO APPLICANT:**
Please be advised that nothing in this permission shall authorise the diversion, obstruction, or stopping up of any right of way that crosses the site. You are advised to contact the PROW officer.
- 11 **INFORMATIVE TO APPLICANT:**
The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.
- If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.



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