

## AGENDA

---

**Meeting:** Eastern Area Planning Committee  
**Place:** Council Chamber - Council Offices, Browfort, Devizes  
**Date:** Thursday 14 July 2011  
**Time:** 6.00 pm

---

Please direct any enquiries on this Agenda to Chris Marsh, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 713058 or email [chris.marsh@wiltshire.gov.uk](mailto:chris.marsh@wiltshire.gov.uk)

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

This Agenda and all the documents referred to within it are available on the Council's website at [www.wiltshire.gov.uk](http://www.wiltshire.gov.uk)

---

### Membership:

Cllr Jane Burton  
Cllr Peggy Dow  
Cllr Nick Fogg  
Cllr Richard Gamble  
(Vice-Chairman)

Cllr Charles Howard (Chairman)  
Cllr Chris Humphries  
Cllr Laura Mayes  
Cllr Jemima Milton  
Cllr Christopher Williams

---

### Substitutes:

Cllr Nigel Carter  
Cllr Peter Colmer  
Cllr George Jeans  
Cllr Simon Killane  
Cllr Jerry Kunkler

Cllr Francis Morland  
Cllr Christopher Newbury  
Cllr Jeffrey Ody  
Cllr Jonathon Seed

---

# AGENDA

## Part I

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

1. **Apologies for Absence**

2. **Minutes of the Previous Meeting** (*Pages 1 - 8*)

To approve and sign as a correct record the minutes of the meeting held on 23 June 2011 (copy herewith).

3. **Declarations of Interest**

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

4. **Chairman's Announcements**

5. **Public Participation**

Members of the public who wish to speak either in favour or against an application on this agenda are asked to register in person no later than 5:50pm on the day of the meeting.

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

To receive any questions from members of the Council or members of the public 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 above (acting on behalf of the Director of Resources) no later than 5pm on (4 clear working days, e.g. Wednesday of week before for a Wednesday meeting). Please contact the officer named on the first page of the 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 Applications**

To consider and determine planning applications in the attached schedule.

6a **E/10/1632/FUL** (Pages 9 - 38)

Ivy House Hotel, 43 High Street, Marlborough, SN8 1HJ - Change of use from Hotel (C1) to Boarding House (C2). Internal and external alterations.

6b **E/11/0057/FUL** (Pages 39 - 56)

Former gasholder site, land adjacent The Wharf, Devizes - Redevelopment for 39 retirement apartments for older people including communal facilities, car parking and associated landscaping.

6c **E/11/0297/FUL** (Pages 57 - 66)

Carina, Uphill, Urchfont, Devizes, Wiltshire SN10 4SB - Erection of a 3 bedroom dwelling and single garage.

6d **E/11/0190/FUL** (Pages 67 - 76)

Land adjacent to Haxon Dairy, Everleigh Road, Haxton, Salisbury SP4 9PT - Erection of dwelling and garage.

6e **E/11/0654/FUL** (Pages 77 - 82)

Park Farm, Clench Common, Marlborough, Wiltshire SN8 4DU - First floor extension to bungalow to create two storey dwelling, erection of porch to east elevation (resubmission of E/11/0365/FUL).

6f **E/11/0691/FUL** (Pages 83 - 90)

Avenue Farm House Winterbourne Monkton Swindon SN4 9NW - Construction of outbuilding to form garage workshop and ancillary accommodation (amendment to previous application E/09/01289/FUL).

7. **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

This page is intentionally left blank

## **EASTERN AREA PLANNING COMMITTEE**

---

### **DRAFT MINUTES OF THE EASTERN AREA PLANNING COMMITTEE MEETING HELD ON 23 JUNE 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, BROWFORT, DEVIZES.**

#### **Present:**

Cllr Nigel Carter (Substitute), Cllr Peggy Dow, Cllr Nick Fogg, Cllr Richard Gamble (Vice Chairman), Cllr Charles Howard (Chairman), Cllr Chris Humphries and Cllr Christopher Williams

#### **140. Apologies for Absence**

Apologies were received from Cllr Jane Burton, substituted by Cllr Nigel Carter, and Cllr Laura Mayes.

#### **141. Changes to Committee Membership**

The Committee noted the changes to Committee membership as agreed at Council on 17 May 2011 and detailed in the agenda.

#### **142. Minutes of the Previous Meeting**

The minutes of the meeting held 21 April 2011 were presented and it was,

#### **Resolved:**

**To approve and sign the minutes as a correct record.**

#### **143. Declarations of Interest**

There were no declarations of interest.

#### **144. Chairman's Announcements**

There were no Chairman's announcements.

#### **145. Public Participation**

The Committee noted the rules on public participation and the manner in which the meeting would proceed.

146. **Planning Applications**

147. **E/11/0168/FUL**

Ashwyns, Kingsbury Street, Marlborough, Wilts SN8 1JA – Demolition of existing house and garage and their replacement with a new dwelling; studio space to rear lowered courtyard; extension of front boundary wall.

**The following people spoke in objection to the proposal:**

Mrs Anne Cooper, a neighbour of the site  
Mrs Rosy Boulton, a neighbour of the site  
Mr Mike Ravening, a neighbour of the site

**The following people spoke in support of the proposal:**

Mrs Marilyn Dobson, a local resident  
Mr Ian Cowan, agent and chartered surveyor to the applicant  
Mrs Suzanne Rupp, the applicant  
Mrs Margaret Rose, of Marlborough Town Council

The Committee received a presentation from the Area Development Manager which set out the main issues in respect of the application. He introduced the report, which recommended approval subject to conditions, and drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions, after which the Committee received statements from members of the public detailed above, expressing their views regarding this planning application.

After discussion regarding:

- Whether the replacement dwelling is acceptable in principle;
- Whether the scale and design of: (i) the proposed dwelling, and; (ii) the proposed office/studio are acceptable, particularly in relation to the historic context of the site;
- Whether the proposed scheme would give rise to an adverse impact in respect of neighbour amenity;
- Whether the scheme would give rise to an adverse impact upon the structural integrity of listed buildings and walls;
- Whether the scheme would prejudice highway safety;
- Whether the loss of the trees to the front of the site is acceptable.

And upon hearing the views of the divisional Member, Cllr Nick Fogg, it was,

**Resolved:**

**That planning permission is granted for the following reason:**

**The proposal will not cause any significant harm to interests of acknowledged importance, including the amenity of residents of nearby properties and road safety. It would preserve and enhance the appearance of the conservation area and would accord with policy PD1 of the Kennet Local Plan and with national guidance in PPS5.**

**And subject to the following conditions:**

- 1. The development hereby permitted shall be begun before the expiration three years of 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. No development shall take place until details (including samples) of the materials to be used for the external walls and roofs (including details of the colour and type of render to the summer room) 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: In the interests of visual amenity and the character and appearance of the area.**

- 3. No development shall commence on site until details of all eaves, verges, windows (including head, sill and window reveal details), doors, rainwater goods, chimneys and dormers 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: In the interests of visual amenity and the character and appearance of the area.**

- 4. No development shall commence on site until details of the bricks, bond, mortar, capping and termination of the extended front boundary wall have been submitted to and approved in writing by the local planning authority. Furthermore a sample wall panel shall have been constructed on site, inspected and approved in writing by the local planning authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.**

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

5. Prior to commencement of development, assessment of the listed status of the boundary walls of the sunken garden is to be made and presented to the local planning authority. Full details of proposals for works of repair or rebuilding to any existing boundary wall to the sunken garden wall, including details of new bricks, bond, mortar and capping are to be submitted to and approved in writing by the local planning authority in advance of these works being undertaken. Rebuilding works will involve the re-use of the existing bricks where these are in good condition and shall be carried out in accordance with the approved details.

**REASON:** To secure the upkeep of these historic walls, in the interest of preserving the character and appearance of this part of Marlborough Conservation Area.

6. Prior to the commencement of development, the applicant shall advise the local planning authority of results of investigations into depth of foundations of existing historic boundary walls and buildings on the site (in relation to the need to meet building regulations and the Party Wall Act) and advise on any consequential works required to secure the structural integrity of such structures due to the construction of the new development.

**REASON:** Such details do not form part of the application.

7. Notwithstanding the indicative details shown on the submitted plans, no development shall take place until there has been submitted to and approved by in writing by the local planning authority a fully details scheme of hard and soft landscaping, which shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, together with measures for their protection in the course of development. Details shall also include species, sizes at planting, densities, location and numbers.

**REASON:** To ensure a satisfactory landscaped setting for the development.

8. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the occupation of the dwelling or the completion of the development whichever is the sooner; any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless



otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the local planning authority.

**REASON:** To ensure a satisfactory landscaped setting for the development.

9. The office/studio building hereby permitted shall be used solely for purposes incidental to the enjoyment of the dwelling house.

**REASON:** To define the extent of the permission and given the residential character of the neighbourhood.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development)(Amendment)(No.2)(England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

11. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development)(Amendment)(No.2)(England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings shall be inserted above ground floor ceiling level in the northern or southern side elevations of the dwelling hereby permitted.

**REASON:** In the interests of residential amenity and privacy.

12. Prior to the swelling hereby permitted being first occupied, the roadside kerbs shall have been lowered and raised as necessary to suit the revised access width, with the footway being resurfaced as necessary to suit the revised levels.

**REASON:** In the interests of highway safety.

13. No development shall commence within the area indicated [proposed development site] until:
- a) A written programme of archaeological investigation, which should include on-site work and off-site work such as the analysis, publishing and archiving of the results, has been submitted to and approved by the Local Planning Authority; and
  - b) The approved programme of archaeological work has been carried out in accordance with the approved details.

**REASON:** To enable the recording of any matters of archaeological interest.

14. **INFORMATIVE TO THE APPLICANT:**

The applicant should note that the costs of carrying out the required archaeological investigation will fall to the applicant or their successors in title. The Local Planning Authority cannot be held responsible for any costs incurred. The work should be conducted by a profession recognised archaeological contractor in accordance with a brief issued by the County Archaeologist.

15. **INFORMATIVE TO THE APPLICANT:**

Listed building consent may be required for any repairs to the boundary walls of the sunken garden. This should be obtained before any works commence.

16. **INFORMATIVE TO THE 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 intent 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.

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

of any unauthorised buildings or structures and may also lead to prosecution.

9041-50-02, 9041-100-01, 9041-100-03, 10085(L)011B and 10085(L)012B, all received 07/02/11

10085(L)010C, received 08/04/11

10085(L)006F, 10085(L)007G, 10085(L)008D, 10085(L)009B, 10085(L)013B, 10085(SK)023B and 10085(SK)024A, all received 31/05/11

10085(L)005D received 01/06/11

148. **E/11/0169/CAC**

Ashwyns, Kingsbury Street, Marlborough, Wiltshire SN8 1JA – Demolition of existing house and garage to be replaced with a new dwelling.

Upon discussion, and in light of the decision to approve the associated application for planning permission having taken into consideration the impact of the development on the conservation area, it was,

**Resolved:**

**That conservation area consent is granted, for the following reason:**

**The demolition of the house and garage will not have an adverse impact on the character and appearance of the conservation area.**

**And subject to the following conditions:**

1. **The works for which conservation area consent is hereby granted shall be begun within three years from the date of this consent.**

**REASON: To comply with the provision of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the planning and Compulsory Purchase Act 2004.**

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

9041-50-02, 9041-100-01, 9041-100-03, 10085(L)011B and 10085(L)012B, all received 07/02/11

10085(L)010C received 08/04/11

10085(L)006F, 10085(L)007G, 10085(L)008D, 10085(L)009B, 10085(L)013B, 10085(SK)023B and 10085(SK)024A, all received 31/05/11

10085(L)005D received 01/06/11

149. **Urgent items**

There were no urgent items.

150. **Enforcement Report - 21 Avon Square**

It was,

**Resolved:**

**To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the subsequent business of the meeting because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in Paragraph 3 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.**

The Area Development Manager introduced the report and outlined the matters for consideration.

Following discussion, it was,

**Resolved:**

**That the Committee authorises the Area Development Manager to undertake the action as recommended in the report.**

(Duration of meeting: 6.00 - 7.05 pm)

The Officer who has produced these minutes is Chris Marsh, of Democratic Services, direct line (01225) 713058, e-mail [chris.marsh@wiltshire.gov.uk](mailto:chris.marsh@wiltshire.gov.uk)

Press enquiries to Communications, direct line (01225) 713114/713115

## REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Report No.1

<b>Date of Meeting</b>	14 <sup>th</sup> July 2011
<b>Application Number</b>	E/10/1632/FUL
<b>Site Address</b>	Ivy House Hotel, 43 High Street, Marlborough, SN8 1HJ
<b>Proposal</b>	Change of use from Hotel (C1) to Boarding House (C2). Internal and external alterations.
<b>Applicant</b>	Marlborough College
<b>Town/Parish Council</b>	MARLBOROUGH
<b>Grid Ref</b>	418687 168878
<b>Type of application</b>	Full Planning

### **Reason for the application being considered by Committee**

Members will recall that this application was discussed at the meeting of the Eastern Area Planning Committee on February 17<sup>th</sup> 2011. It was resolved to defer consideration of the application pending receipt of a report by the Council's Economic Regeneration Team.

The application was rescheduled for the meeting on 21<sup>st</sup> April to reconsider the proposal with a report supplied by the Council's Economic Regeneration Team on the economic impact of the loss of the Ivy House hotel. Unfortunately, it was discovered that the consultant instructed by the Team had a potential interest in the property himself and that parts of the report lacked an evidential basis. The application was therefore removed from the agenda and the Economic Regeneration Team sought a fresh report.

In the interim period, the applicants have appealed against the Council's failure to determine the planning application within the normal 8 week period. This removes the application from the Council's jurisdiction and means that the decision will be taken by an Inspector appointed by the Secretary of State. The appeal will be determined by the written representations method. The Council must submit its views to the Planning Inspector before July 27<sup>th</sup>, meaning that this meeting is the last opportunity for the Council to express a view on this particular application.

The applicants have also submitted a second application for the same proposal. This 'twin-tracking' is not unusual in these circumstances as it enables the applicants to obtain a decision either from the Council or the Planning Inspector depending on who assess the application first. It is not possible to bring a report on this second application to the committee at this stage as the statutory consultations and advertisement period have yet to expire.

As the report from the Council's Economic Regeneration Team was only received on Monday July 4<sup>th</sup>, it has not been possible to include in this report the comments of the applicants on its contents. Any comments received will be reported at the meeting. A copy of the report is attached as an appendix to this agenda.

### **1. Purpose of Report**

To consider the report and decide on the representations to be made to the Planning Inspectorate on the current appeal.

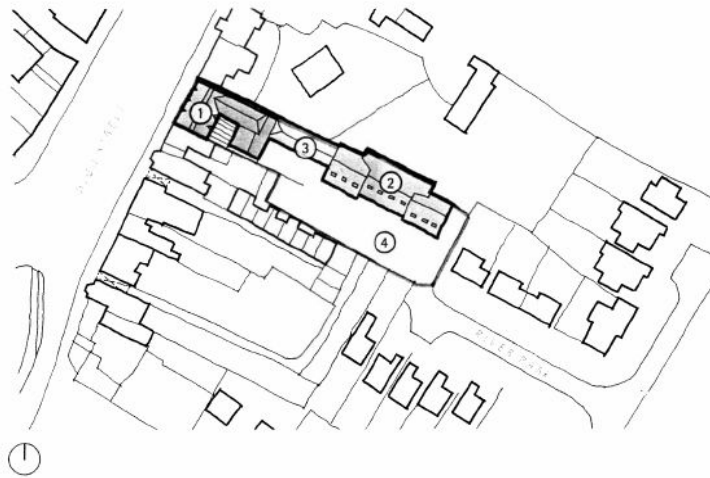
## 2. Report Summary

The main issues in this case are:

- The principle of change of use from hotel to boarding house;
- The impact on the character of the area (including its status as a conservation area);
- The impact on the listed building;
- The impact on highway safety;
- The impact on residential amenity.

## 3. Site Description

The application site is located on Marlborough High Street with vehicular access at the rear from River Park. The site is presently used as a 28 bed hotel and conference facility with car park. The rooms are all double or twin occupancy.



*Site Location*

The building on the site is listed grade II. It comprises a relatively grand mid 18<sup>th</sup> century 'house' fronting the High Street with early 20<sup>th</sup> century addition to the rear, and a further substantial accommodation wing beyond this erected in 1986.

The site lies within the "Town Centre" and the front part of the hotel (not including the annex at the rear) lies within the "Prime Shopping Area" as defined in the local plan. It is also within the Marlborough Conservation Area and the Area of Outstanding Natural Beauty.

## 4. Relevant planning history

K/57896/F – Change of use of part of existing hotel to six residential units at the rear – refused 17/03/08.

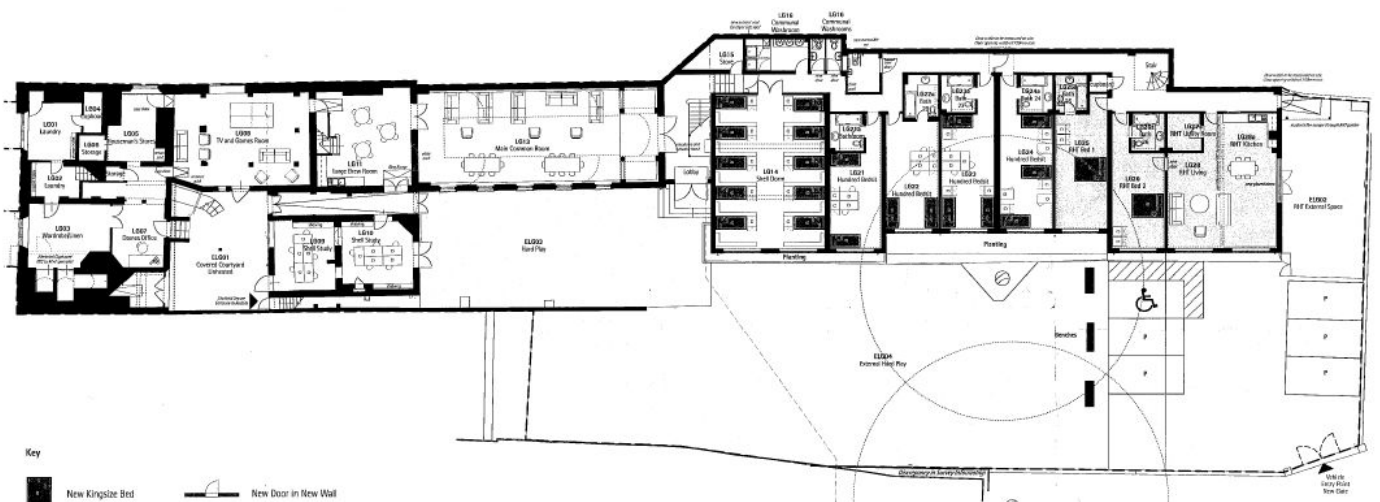
E/10/1635/LBC - Listed building consent for the minor internal and external alterations associated with this proposal has already been granted under delegated powers as the works did not adversely affect the special architectural or historic interest of the building.

## 5. The Proposal

This application seeks planning permission to change the use of the site from hotel (Class C1 use in terms of the Planning Use Classes Order) to student boarding house (Class C2 use). The applicant is Marlborough College, and the intended occupiers of the site would be up to 50 single-sex boarding students aged between 13 and 18. Accommodation would also be provided for a house master and resident house tutor. There would be no on-site full catering facilities as students eat all main meals at the college itself. That said, a central 'brew room' would be provided. Outside of term time, the property would be available for conferences and the Summer School of the College.

Very minor alterations are proposed to the exterior of the building. The alterations principally relate to the end gable wall of the 1986 extension wing where the existing door would be widened and a pair of glazed doors flanked by glass panels inserted serving the resident house tutors accommodation. In relation to the front elevation of the building, the existing 'Ivy House Hotel' sign would be removed together with all other hotel signage and a flag pole. Internal alterations are also limited largely to minor room re-ordering.

Outside, the existing car park would be reduced in size to six spaces. The remaining area would be laid out as "hard play" space for the students. A portacabin presently standing at the far end of the site would be removed.



*Proposed Lower Ground Floor Plan*



*Existing Elevations*



*Proposed Elevations*

## **6. PLANNING POLICY**

Kennet Local Plan 2011: Policy PD1, ED18.

Planning Policy Statements: PPS4 and PPS5.

## **7. CONSULTATIONS**

**Marlborough Town Council:** no objection.

**Wiltshire Council highways:** no objection.

## **8. PUBLICITY**

The application has been advertised by press and site notices and notification to occupiers of nearby properties. The application has generated 20 letters of objection and 4 letters of support. It has also generated a 15 signature petition raising objection.

The objections are summarised as follows:

- Presently insufficient hotel accommodation in Marlborough to meet demand. Existing hotel contributes positively to Marlborough's economy;
- Ivy House Hotel not as good as it was when in others ownership, but cannot understand why a purchaser cannot be found to continue to run it as a developing, profit-making concern given the tourist attraction of Marlborough. Present owners of hotel are not hoteliers, but business investors more interested in selling the site than developing the hotel. The right investor could enhance the hotel and its profitability;
- Loss of Ivy House Hotel would leave only the Castle and Ball hotel. According to the TIC there is often a shortage of hotel accommodation in the area. Accommodation is needed for events such as the jazz festival and summer schools, and to accommodate Marlborough College parents;
- Marlborough College owns plenty of land elsewhere where it could build a new boarding house;
- Likelihood of noise nuisance from student's playing loud music. Inappropriate use adjacent to River Park which is a tranquil estate occupied largely by more elderly residents;
- Increased traffic in River Park from parents dropping-off/collecting boarders and/or attendees at summer schools;



- Concerns over security if access is closed through hotel between High Street and River Park;
- Concerns over opportunity this gives for college to access High Street via the adjacent abandoned stable block.

The letters of support are summarised as follows:

- The proposal is the only way forward to guarantee the preservation and maintenance of this historic building;
- The proposed change of use is not a lot different to what occurs at present – people pay to stay;
- A ‘white knight’ hotelier with lots of money is not going to happen because the hotel has been on the market for years. The fabric of the hotel will never get the attention it demands;
- Site will eventually be sold, and less attractive propositions than the college might include a nightclub or gym;
- There is no right of way through the hotel, just the good will of the management;
- Young people would be welcomed in this neighbourhood currently largely made up of elderly people.

## **9. PLANNING CONSIDERATIONS**

The main issues to consider in this case are, firstly, the principle of the proposal, and then (assuming the principle is established) the impact on the listed status of the building, the conservation area, highway safety and residential amenity.

### **9.1 Principle of change of use**

The first consideration in assessing this proposal is the relationship to the development plan.

With regard to the loss of the hotel to the boarding house use, there are no specific policies set out in the development plan for protecting this form of land use within the town. Policy ED18 in relation to Prime Shopping Areas states that planning permission will not be given for the change of use of ground floor premises to uses other than Class A1 (Retail), unless the development makes a positive contribution to the vitality and viability of the centre or is necessary to secure the future of a listed building or other important streetscene building. However, it is clear from the supporting text in paragraph 3.36 of the Local Plan that this policy is aimed at maintaining a concentration of shopping uses within the Prime Shopping Area. This site is not in retail use and is not suitable for such a use because of its design. In view of this, resistance to the loss of the hotel use based on non-compliance with the development plan would be impossible to sustain.

Looking at national guidance, PPS 4 Policy EC10 requires local planning authorities to adopt a positive and constructive approach towards applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably. Applications are assessed against resilience to climate change; accessibility by a choice of transport and effect on local traffic levels; whether the proposal secures a high quality and inclusive design; the impact on the economic and physical regeneration in the area, including the impact on deprived areas, and social inclusion; and the impact on local employment.

As this proposal is, to all intents and purposes, a change of use, many of these criteria are of little consequence in relation to this proposal. The building is in situ, is accessible by a wide choice of transport and there are no highway objections. There are no changes of significance to the design or appearance of the building.

Marlborough is not an area that is either deprived or in need of physical regeneration.

From the criteria in EC10, this simply leaves the impact on local employment. Other representations have raised as a material consideration the impact on the local economy.

As requested by Members, the Council's Economic Regeneration Team has commissioned a report on the economic impact on the potential loss of the Ivy House hotel. The findings in this report are in many ways similar to those put forward by the applicant. For example, the report finds that the average occupancy for hotels in the county is 55% over the last 7 years – not far adrift from the maximum occupancy rate recorded by the applicants for the Ivy House hotel of 61% and matching the 2010 occupancy rates. The report estimates that a hotel such as the Ivy House would generate tourism spend of £1million to 1.2 million per annum, based on Wiltshire occupancy rates. This too would accord with figures supplied by the hotel as turnover in 2007, when occupancy was a shade under 60% was recorded as £650,000. The balance could be accounted for by tourism spend on other services in the county. Employment levels are estimated by the report to be 11-14 direct FTE at the hotel, which ties in with the total FTE of 12.5 put forward as the existing situation at the Ivy House.

What the report does not consider is the profitability of running the hotel. The figures the Council has on this are those supplied by the applicant that show that the net profit has been relatively small at a peak of some 5% of total sales before the recession. Revenue has since decreased during the recession. The property has been extensively marketed for sale from April 2008 – March 2009, with sales agreed only to fall victim to the inability of buyers to obtain the necessary bank funding to proceed. In the current financial climate, it is difficult to see new purchasers emerging. It is worth noting that according to the Council's own report, there are a further 33 rooms available in Marlborough, 51 further hotel rooms within 5 miles and 443 within 8 miles – all in Wiltshire.

The applicants have estimated that their costs associated with the employment of news staff to run the boarding house would be in the region of £600,000, with an additional 8 full time staff, including teachers, a dame and a houseman, with additional employment generated for extra support staff, including housekeeping, maintenance, administration and catering staff. Although the number of FTE's is at first glance lower than that currently employed by the Ivy House, the wage bill going into the local economy is considerably higher. (Even at its peak the Ivy House wage bill was less than £300,000 per annum).

In sum, based on the evidence submitted, the economic impact can be assessed as follows:

- The change of use to a boarding house would appear to have a broadly neutral impact on direct employment;
- The change of use would result in more direct income from wages being brought into the local economy of Marlborough;
- If the hotel were to remain, it would be likely to generate additional tourism-related expenditure on top of the direct expenditure to the hotel. However, this conclusion has to be heavily caveated. Firstly, it assumes that the hotel would remain open (the Council cannot directly influence this and the evidence is that the hotel is not viable). Secondly, the 'lost' additional expenditure may simply be displaced to the other local hotels with their 443 bedspaces, thereby increasing their occupancy rates and profitability, with additional income still being generated on local services in Wiltshire.

As there are no development plan policies that would support a refusal on the grounds of loss of a hotel business, and as PPS 4 encourages a positive and constructive approach towards applications for economic development, it is

difficult to see how the Council can object to the principle of the proposal on planning grounds.

Having regard to the foregoing conclusions the proposal to change the use of the hotel to a boarding house is, as a matter of principle, considered to be acceptable.

### **9.2 Impact on character of area and listed building**

The proposal involves very few changes to the both the interior and exterior of the building. Removal of the "Ivy House Hotel" letters and other hotel clutter from the front elevation would re-establish the historical 'house' character of the building. No harm would be caused to the listed status of the building or its situation within the conservation area.

On the positive side, the proposal would provide a viable use that would safeguard the future of the listed building for the foreseeable future and allow investment in its maintenance to be undertaken. This would be in accordance with the thrust of Government advice in PPS5.

### **9.3 Impact on highway safety**

The proposal includes provision for six parking spaces to be accessed at the rear of the site through River Park. The remainder of the hard-surfaced rear 'yard' would be used as play areas for the boarders. Historically the hotel has used the rear area as a car park for some 20+ cars.

The Council's highway officer is satisfied that 6 spaces are sufficient for the day to day running of the boarding house. The spaces would be used by the two members of staff based at the house and servicing vehicles. At the beginning and the end of term additional parents' vehicles would require access to the site, and at these times access would be allowed by the college over the play areas for parking and turning to avoid overflow on to River Park (which has parking restrictions). This is considered a satisfactory method of dealing with the occasional peak demands. There are no other highway safety issues.

### **9.4 Impact on residential amenity**

Some third parties have expressed concern that the boarders would cause noise disturbance, in particular from loud music. The college has its own strict rules relating to the conduct of pupils. In relation to noise the general rule is that noise which disturbs other members of the house and prevents them from working or sleeping is unacceptable. It follows that noise generation is unlikely to be cause for concern.

The alterations to the rear elevation (insertion of glazed door) would have minimal impact on the adjoining house in River Park. This door would serve the resident house tutor's accommodation which is a residential use in itself.

Regarding public access through the hotel between River Park and the High Street, this is an informal arrangement which could be curtailed at any time. It does not, therefore, amount to a sound reason for resisting the current application. There is good public access between River Park and the High Street elsewhere in any event.

## 10. CONCLUSION

The proposal will provide a viable and suitable use that will preserve the listed building and enable it to remain in good order. It will have no adverse impact on the character or appearance of the Conservation Area. Although in some respects the loss of the hotel use may be regretted, this is more a commercial matter than one that can be opposed in planning terms as the development plan does not have any policies that would support a refusal. As the figures indicate, it is also evident that the College itself is an important part of the vitality and viability of the town and this proposal will enable this local business to continue to develop its facilities.

## RECOMMENDATION

**It is recommended that the Council advise the Planning Inspectorate that it has no objection to the proposal, subject to the conditions set out below, for the following reasons:**

The proposed development would not conflict with the policies of the Development Plan. Furthermore, the evidence suggests that the proposal will generate more direct investment in local wages, and that whilst indirect expenditure from the loss of the hotel use may result, the Council has no evidence that this expenditure will not simply take place in any event in the locality through higher occupation rates of local hotels that are already below the south west average for occupancy. In addition, no harm would be caused to the character and appearance of the locality, the listed building and its setting, highway safety and residential amenity. This is in accordance with policies PD1 and ED18 of the Kennet Local Plan 2011 and Central Government planning policy set out in PPS4 and PPS5.

- 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 No part of the development hereby permitted shall be first brought into use until the turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

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

Drawing nos. P0500 & P1301 dated 17/11/2010 and P1100A, P1101A & P1102A dated 13/12/2010.

### Appendices:

Report of the Council's Economic Regeneration Team.

### Background Documents Used in the Preparation of this Report:

Application file, Development Plan, PPS4, PPS5

**Jim Plunkett - Cole**  
**Economics | Analytics**

**Ivy House Hotel, Marlborough**

**Wiltshire Council**

**July 2011**

This report was prepared by Jim Plunkett-Cole of Smart Growth Analytics  
Tel: 07715 856265 email: [plunkettcole.jim@gmail.com](mailto:plunkettcole.jim@gmail.com)

# CONTENTS

---

**Executive Summary ..... 2**  
**1 Introduction ..... 3**  
**2 Potential current economic impact of the Hotel ..... 6**  
**3 Viability Assessment for continued C1 (Hotel) Usage ..... 12**

# Executive Summary

---

## Introduction

This report presents the findings of a small economic impact study / assessment focussing on the viability of the Marlborough Ivy House Hotel (usage class C1), and the potential loss of the amenity from the High Street of this market town, with the resulting detrimental economic impact on the town.

## Current potential economic impact of 28 room hotel in Marlborough

At full occupancy, a hotel in Marlborough with 56 bedspaces (in 28 rooms) could be worth as much as £2.2 million per annum in tourism related expenditure to the Wiltshire economy. In terms of jobs impact on the local economy this is equivalent to 25 Direct Full-time jobs. A further 11 FTE jobs are linked through the supply chain (Indirect effects) and Induced effects to give a total impact of 36 Full-time jobs across the whole economy (equivalent to 49 Full-time and Part-time jobs).

Full occupancy is extremely unlikely. However, a hotel in Kennet with 56 bedspaces, and achieving average Wiltshire occupancy rates, would generate the following economic outputs:

- Tourism-related spend of £ 1.0 million to £1.2 million per annum
- Supporting around 11 to 14 Direct FTE jobs at the hotel
- 17 to 20 FTEs in total throughout the economy once supply chain and Induced effects are considered (or 23 to 28 Full-time and Part-time jobs)

In reality, the impact of an updated and well-run 28 room hotel in Marlborough is likely to lie somewhere between these two scenarios.

## Viability Assessment for continued Hotel usage

Recent trends in Serviced accommodation in Kennet and Wiltshire over the past ten years or so show that, since 2001/03 and up to 2008/09, Kennet saw a 14% rise in tourism-related spend from staying visitors in Serviced accommodation. Kennet's trips from staying visitors in Serviced accommodation rose by 15% while those for Wiltshire rose by 12%. The numbers of nights stayed by staying visitors in Serviced accommodation declined marginally across Kennet (a decline of -1%), but declined somewhat more significantly across Wiltshire (-5%).

Hotels in Wiltshire over the last seven years have had 55% occupancy whilst those across the South West have been slightly higher, on average, at 57%.

Tourism forecasts for VisitBritain show that, after a sharp decline in 2009 as a result of the downturn, global tourism is expected to see modest growth in 2010 followed by a more robust recovery thereafter. They anticipate that it will be 2011 before inbound volumes to the UK recover to pre-economic downturn levels. The forecasts show very clearly that the longer term trend for tourism to the UK is upwards, with visits possibly rising from 32,000,000 in 2011 to 46,000,000 in 2020 (a 44% increase) and receipts almost doubling in value from \$37,000 million in 2011 to almost £70,000 million in 2020 (a 89% increase).

There is only one other significant volume provider of hotel bedspace in Marlborough Town, with 33 rooms.

Taken together, the above findings suggest that Wiltshire, and Marlborough, can expect to see significant and increasing demand for hotel accommodation over the next decade. Subject to no significant increase in bedspace, average annual occupancy rates for hotel accommodation will be in excess of 50%.

# 1 Introduction

---

## *Introduction*

- 1.1** This report presents the findings of a small economic impact study / assessment focussing on the viability of the Marlborough Ivy House Hotel (usage class C1), and the potential loss of the amenity from the High Street of this market town, with the resulting detrimental economic impact on the town.

## *Marlborough Ivy House Hotel*

- 1.2** The Ivy Hotel is a Grade II listed building in a prominent position on the High Street in Marlborough. The building has been established as a hotel since 1923. The 28 room hotel provides accommodation on a bed and breakfast only basis. Although the hotel does not currently have a restaurant it has had a fully operational restaurant in the past. It also has useful meeting room facilities. The hotel currently operates on a bed and breakfast only basis. Therefore visitors make use of the wide variety of restaurants and pubs in the town centre bringing considerable revenue to those establishments.
- 1.3** The Hotel has been subject to an offer from an education institution who propose to change the use of the establishment from C1 to C2. This would provide accommodation for their sixth form girls, and allow them to expand student capacity.
- 1.4** A lack of available land and premises designated for Employment Use within the existing Local Plan and emerging Local Development Framework is a serious issue for Marlborough, therefore there is concern surrounding the potential loss of this business coupled with the lack of identified land for new businesses to invest in. Permission for change of use for the hotel building will result in the loss of an employment/investment opportunity. Lack of suitable buildings or available land also prevents new investors from entering the market.
- 1.5** As a result of these issues, this report sets out the objectives and requirements of Wiltshire Council for a consultancy study of the economic impacts arising from the potential change of use of the hotel building.

## *Marlborough*

- 1.6** The whole of the Marlborough area lies within the North Wessex Downs Area of Outstanding Natural Beauty (AONB). Marlborough is within the Wiltshire Council area of responsibility, in the pre-2009 Local Authority District of Kennet<sup>1</sup> (see Map 1.1 on the page below).
- 1.7** The town has a rich built environment with an attractive and thriving retail centre. The town and its wider rural hinterland are highly constrained due to their landscape quality and topographic features. The community area includes the Avebury element of the Stonehenge and Avebury World Heritage Site. Full advantage has not yet been taken of the area's tourism potential. Marlborough is a small market town, where it is anticipated that future development will help meet local housing need and to promote the town's role as a service and tourist centre.

## *Objectives and Methodology*

- 1.8** This study focuses primarily on the economic impact as a result of the loss of this Hotel amenity in Marlborough, and determines its viability of continued C1 usage.

---

<sup>1</sup> Whilst Kennet no longer exists as an official administrative area, many of the statistics used in this study refer to Kennet



- 1.9** The various stages of this Research Project from data collection, analysis and submission of a final report is expected to take approx 10 working days. The expected start date of the project is the 15th June 2011, with the final report submitted no later than 1st July 2011.

Map 1.1: Marlborough Town and the (pre-2009) Kennet District Area



## 2 Potential current economic impact of the Hotel

---

### Introduction

**1.10** In this section of the report we establish the potential economic impact on the Wiltshire economy of a 28 bedroom hotel in Marlborough.

### Trips, Nights and Spend associated with staying visitors in Kennet and Wiltshire

**1.11** Table 2.1 shows the average annual volumes of trips, nights and spend associated with staying visitors (staying in Serviced<sup>2</sup> Accommodation and All Accommodation Types) to Kennet<sup>3</sup> and Wiltshire in the years 2008 and 2009. The results are broken down for domestic visitors, overseas visitors and the total staying visitors (domestic + overseas).

**1.12** The Table essentially shows a 'best-estimate' of the current market for Serviced Accommodation in Kennet and Wiltshire. The main highlights of which are:

- Kennet accommodates around 113,000 nights in Serviced Accommodation every year (i.e. in B&Bs, Guest Houses and Hotels)
- These Serviced Accommodation nights are spread across (around) 50,000 individual trips
- The total visitor spend associated with these Serviced Accommodation trips generates around £12.0 million of tourism related spend, equivalent to around £106 per night.
- The Kennet averages for total staying visitors at Serviced Accommodation, for average nights per trip and average spend per trip, are very similar to those found across Wiltshire

<sup>2</sup> Serviced Accommodation comprises B&Bs, Guest Houses and Hotels

<sup>3</sup> The pre-2009 Local Authority District

**Table 2.1: Summary of Trips, Nights and Tourism Related Spend of Domestic and Overseas Staying Visitors in Kennet and Wiltshire associated with Serviced-Type Accommodation and All Accommodation Types (average of 2008 and 2009).**

Area	Accommodation Type	Average Trips (per annum)	Average Nights (per annum)	Average Tourism-Related Spend Associated with Staying Visitors (£)	Average Nights per Trip	Average Spend per Night (£)
Domestic Visitors						
Kennet	Serviced	39,000	84,000	8,957,500	2.2	106.64
Kennet	All Types	178,000	524,000	24,832,000	2.9	47.39
Wiltshire	Serviced	505,500	1,089,500	116,813,500	2.2	107.22
Wiltshire	All Types	1,522,000	4,242,500	223,276,000	2.8	52.63
Overseas Visitors						
Kennet	Serviced	11,000	29,000	3,002,000	2.6	103.52
Kennet	All Types	31,000	173,500	9,394,000	5.6	54.14
Wiltshire	Serviced	123,000	332,500	33,533,000	2.7	100.85
Wiltshire	All Types	285,000	1,500,000	77,725,000	5.3	51.82
Total Staying Visitors						
<b>Kennet</b>	<b>Serviced</b>	<b>50,000</b>	<b>113,000</b>	<b>11,959,500</b>	<b>2.3</b>	<b>105.84</b>
Kennet	All Types	209,000	697,500	34,226,000	3.3	49.07
Wiltshire	Serviced	628,500	1,422,000	150,346,500	2.3	105.73
Wiltshire	All Types	1,807,000	5,742,500	301,001,000	3.2	52.42

Source: Assembled from South West Value of Tourism Reports (2008 and 2009), South West Tourism.

### Jobs and spend associated with staying visitors in Serviced accommodation in Kennet and Wiltshire

- 1.13** Table 2.2 shows that in Kennet, on average (across the years 2008 and 2009), there were 978 tourism-related Jobs (Part-time and Full-time) related to all the various forms of accommodation, including Serviced accommodation. These jobs were related to the £34 million of tourism-related spend made by these staying visitors in the area each year, equivalent to £35,000 of tourism-related spend per job. The Kennet average spend per job for Kennet is 113% of the Wiltshire average, suggesting that Kennet's offer for staying visitors is more highly value added and productive than found across Wiltshire as a whole.

**Table 2.2: Average Tourism-related Spend, Jobs and Average Spend per Job related to All Types of Accommodation of Staying Visitors (average of 2008 and 2009).**

Area	Average Tourism-related Spend related to All Types of Accommodation of Staying Visitors (£)	Average Tourism-related Jobs related to All Types of Accommodation of Staying Visitors	Average Tourism-related Spend per Job related to All Types of Accommodation of Staying Visitors (£)	Average Tourism-related Spend per Job related to All Types of Accommodation of Staying Visitors, Index (Wiltshire = 100)
Kennet	34,226,000	978	35,013.81	113
Wiltshire	301,001,000	9,749	30,875.06	100

Source: Assembled from South West Value of Tourism Reports (2008 and 2009), South West Tourism.

- 1.14** Unfortunately, separate breakdowns of these figures for Serviced accommodation only (as opposed to all accommodation types) are not available for Kennet. However, since Serviced accommodation is generally the most expensive form of Accommodation-type, we would expect the average tourism-related spend per job related to Serviced Accommodation of staying visitors to be somewhat higher than the average spend for all accommodation types. In fact, whilst not available for Kennet, individual breakdown figures for Serviced accommodation only are actually available for Wiltshire (though they are only available in terms of Full-Time Equivalents (FTEs), as opposed to all Jobs (full-time and part-time) as in Table 2.2 above).
- 1.15** These figures, and the calculation for Average Tourism- related Spend per FTE related to Serviced Accommodation of Staying Visitors (£) are shown in Table 2.3 below. Direct jobs / workers are those working directly within the Serviced accommodation businesses, as opposed to the supply chain or other related activity.
- 1.16** The main finding from this analysis is that there is one full-time Direct job in Serviced accommodation in Wiltshire for every £87,845 of spend by visitors staying in Serviced accommodation (averaged across 2008 and 2009).

**Table 2.3: Average Tourism- related Spend by Visitors staying in Serviced Accommodation, FTEs in Serviced Accommodation and Average Spend per FTE for Staying Visitors in Serviced Accommodation (average of 2008 and 2009), Wiltshire**

	Value
<b>Average tourism related Spend Associated with Staying Visitors in Serviced Accommodation</b>	150,346,500
<b>Average Direct Employment in Businesses in Receipt of Visitor Expenditure related to Serviced Accommodation (estimated FTEs)</b>	1,711.5
<b>Average Tourism- related Spend per Direct FTE related to Serviced Accommodation of Staying Visitors (£)</b>	87,844.87

Source: Assembled from South West Value of Tourism Reports (2008 and 2009), South West Tourism.

## Establishing the potential economic impact of a 28 bedroom hotel in Marlborough

- 1.17** The Ivy House Hotel contains 28 rooms. If it is assumed that all these rooms are doubles, then, at full occupation, the Ivy House Hotel would be capable of providing 56 visitor nights per evening (sometimes known as 'bedspaces'). This equates to a maximum annual provision of 20,440 visitor nights (i.e. 365 days per annum X 56 visitor nights).
- 1.18** As has been shown in Table 2.1 above, the tourism-related spend associated with each visitor night in Kennet is £105.84. By multiplying 20,440 visitor nights by the average spend of £105.84, then it can be shown that the absolute maximum annual visitor-related spend associated with the Serviced accommodation provided by the Ivy House Hotel is £2,163,294.
- 1.19** By dividing the annual visitor-related spend associated with the serviced accommodation by the average tourism-related spend per Direct FTE related to Serviced accommodation of staying visitors in Wiltshire, enables us to calculate a good estimate of the total Direct FTEs associated with 100% full occupancy of 56 bedspaces at the Ivy House Hotel:

$$\text{£2,163,294 divided by £87,845 per FTE} = 24.6 \text{ FTEs}$$

- 1.20** This figure can also be interpreted as being an estimate of the average number of Full-time workers required to operate the hotel at full occupancy.
- 1.21** The multiplier for Direct FTEs to Total FTEs in the broader Wiltshire economy Jobs (Full-time and Part time and through Direct, Indirect and Induced effects) can also be calculated from the Value of Tourism reports. Indirect effects are those effects caused through the supply chain by the operation of the hotel. Induced effects are those felt through the expenditure of incomes on final goods and services from those who work directly for the hotel, or related through the supply chain. Calculating and summing all three effects (Direct, Indirect and Induced), enables us to produce an estimate of the fuller impact of the Hotel in terms of jobs. The calculations for the relevant multipliers, and the results of the application of these multipliers to 24.6 FTEs, are shown in Table 2.4 below.

**Table 2.4: Multipliers for Direct FTEs to All FTEs (Direct, Indirect, Induced) and All Jobs (Direct, Indirect, Induced), and results from application of Multipliers to 24.6 Direct FTEs**

	Direct FTEs in Tourism in Wiltshire	All FTEs related to tourism in Wiltshire (Direct, Indirect, Induced)	All Jobs related to tourism in Wiltshire (Direct, Indirect, Induced)
Average (2008 and 2009)	10,381	15,388	20,822
Multiplier to Scale from Direct FTEs	n/a	1.48	2.01
Calculated Value from application of Multiplier to 24.6 FTEs	n/a	36.4	49.5

Source: Assembled from South West Value of Tourism Reports (2008 and 2009), South West Tourism.

- 1.22** As can be seen, it can be estimated that 24.6 Direct FTEs in Serviced Accommodation in Wiltshire has a broader economic impact equivalent to 36.4 FTEs or 49.5 Full-time and Part-time jobs.

- 1.23** It can therefore be concluded that, at full occupancy, a hotel in Marlborough with 28 bedrooms could be worth as much as £2.2 million per annum in tourism related expenditure to the Wiltshire economy. In terms of jobs impact on the local economy this is equivalent to 25 Direct Full-time jobs. A further 11 FTE jobs are linked through the supply chain (Indirect effects) and Induced effects to give a total impact of 36 Full-time jobs across the whole economy (equivalent to 49 Full-time and Part-time jobs).
- 1.24** However, since it is unlikely that any hotel ever achieves full occupancy 365 days a year, it is worth showing a number of different impacts according to different levels of occupancy. These are shown in Table 25 below. We have also shown the impact for different levels of bedspace provision, should the estimate of bedspaces be somewhat different from the simple assumption made in the above calculations (i.e. that there are 28 double rooms in the hotel, offering 56 bedspaces). For example, 42 bedspaces would be equivalent to 14 doubles and 14 singles whilst 64 would be equivalent to 20 doubles and 8 triples (i.e. family rooms).
- 1.25** As an example, at 60% occupancy, a hotel in Kennet with 48 bedspaces would generate the following economic outputs:
- Tourism-related spend of £ 1.1 million
  - Supporting around 13 Direct FTE jobs at the hotel
  - 19 FTEs in total throughout the economy once supply chain and Induced effects are considered (or 26 Full-time and Part-time jobs)
- 1.26** In the next section of this report, we inform this analysis through an assessment of the expected occupancy of hotels in Wiltshire.

**Table 2.5: Hotel Economic Impact Matrices for Different Levels of Occupancy and Bedspace**

SPEND		Bedspaces at Hotel					
		42	48	52	56	60	64
Occupancy Rate	0%	-	-	-	-	-	-
	15%	243,371	278,138	301,316	324,494	347,672	370,850
	25%	405,618	463,563	502,193	540,823	579,454	618,084
	40%	648,988	741,701	803,509	865,317	927,126	988,934
	50%	811,235	927,126	1,004,386	1,081,647	1,158,907	1,236,168
	60%	973,482	1,112,551	1,205,264	1,297,976	1,390,689	1,483,401
	75%	1,216,853	1,390,689	1,506,579	1,622,470	1,738,361	1,854,252
	100%	1,460,223	1,668,827	1,807,895	1,946,964	2,086,033	2,225,102
1,622,470		1,854,252	2,008,773	2,163,294	2,317,815	2,472,336	
DIRECT FTE		Bedspaces at Hotel					
		42	48	52	56	60	64
Occupancy Rate	0%	0.0	0.0	0.0	0.0	0.0	0.0
	15%	2.8	3.2	3.4	3.7	4.0	4.2
	25%	4.6	5.3	5.7	6.2	6.6	7.0
	40%	7.4	8.4	9.1	9.9	10.6	11.3
	50%	9.2	10.6	11.4	12.3	13.2	14.1
	60%	11.1	12.7	13.7	14.8	15.8	16.9
	75%	13.9	15.8	17.2	18.5	19.8	21.1
	90%	16.6	19.0	20.6	22.2	23.7	25.3
18.5		21.1	22.9	24.6	26.4	28.1	
ALL FTE		Bedspaces at Hotel					
		42	48	52	56	60	64
Occupancy Rate	0%	0.0	0.0	0.0	0.0	0.0	0.0
	15%	4.1	4.7	5.1	5.5	5.9	6.2
	25%	6.8	7.8	8.5	9.1	9.8	10.4
	40%	10.9	12.5	13.5	14.6	15.6	16.7
	50%	13.7	15.6	16.9	18.2	19.5	20.8
	60%	16.4	18.7	20.3	21.9	23.4	25.0
	75%	20.5	23.4	25.4	27.3	29.3	31.2
	90%	24.6	28.1	30.5	32.8	35.1	37.5
27.3		31.2	33.8	36.4	39.1	41.7	
ALL JOBS		Bedspaces at Hotel					
		42	48	52	56	60	64
Occupancy Rate	0%	0.0	0.0	0.0	0.0	0.0	0.0
	15%	5.6	6.4	6.9	7.4	8.0	8.5
	25%	9.3	10.6	11.5	12.4	13.3	14.1
	40%	14.8	17.0	18.4	19.8	21.2	22.6
	50%	18.6	21.2	23.0	24.7	26.5	28.3
	60%	22.3	25.5	27.6	29.7	31.8	33.9
	75%	27.8	31.8	34.5	37.1	39.8	42.4
	90%	33.4	38.2	41.4	44.5	47.7	50.9
37.1		42.4	46.0	49.5	53.0	56.6	

Source: Smart Growth Analytics, based on data assembled and adapted from South West Value of Tourism Reports (2008 and 2009), South West Tourism.



## 3 Viability Assessment for continued C1 (Hotel) Usage

---

### Introduction

**3.1** In this section we explore the viability of hotel accommodation in Marlborough through an assessment of the future prospects for hotel accommodation in Kennet and Wiltshire. This is done through an analysis of:

- Recent trends in Serviced accommodation in Kennet and Wiltshire over the past ten years or so
- Recent trends in Hotel occupancy in Wiltshire and the South West, from 2004 to 2010
- Forecasts for inbound tourism into England for the next decade
- The hotel competition in and around Marlborough

### Recent trends in Serviced accommodation in Kennet and Wiltshire over the past ten years or so

**3.2** Table 3.1 shows the percentage change in trips, nights and spend from the beginning of the new millennium (averaged over 2001 and 2003) and the end of the millennium (averaged over 2008 and 2009). The table shows breakdowns for Domestic, Overseas and All Visitors, and for Kennet and Wiltshire, and for Serviced accommodation and All Types of accommodation.

**3.3** It should be noted that the impact of the Credit Crunch instigated Downturn/Recession began in the Spring of 2008, and persisted through 2009 (with some recovery through 2010 until April of 2011). As a result, the reader is advised to regard the 2008/09 period as 'trough' in a longer term trend. The impact of this is likely to be that the overall longer term change picture, if rising, is likely to be somewhat greater than that depicted through the analysis shown here.

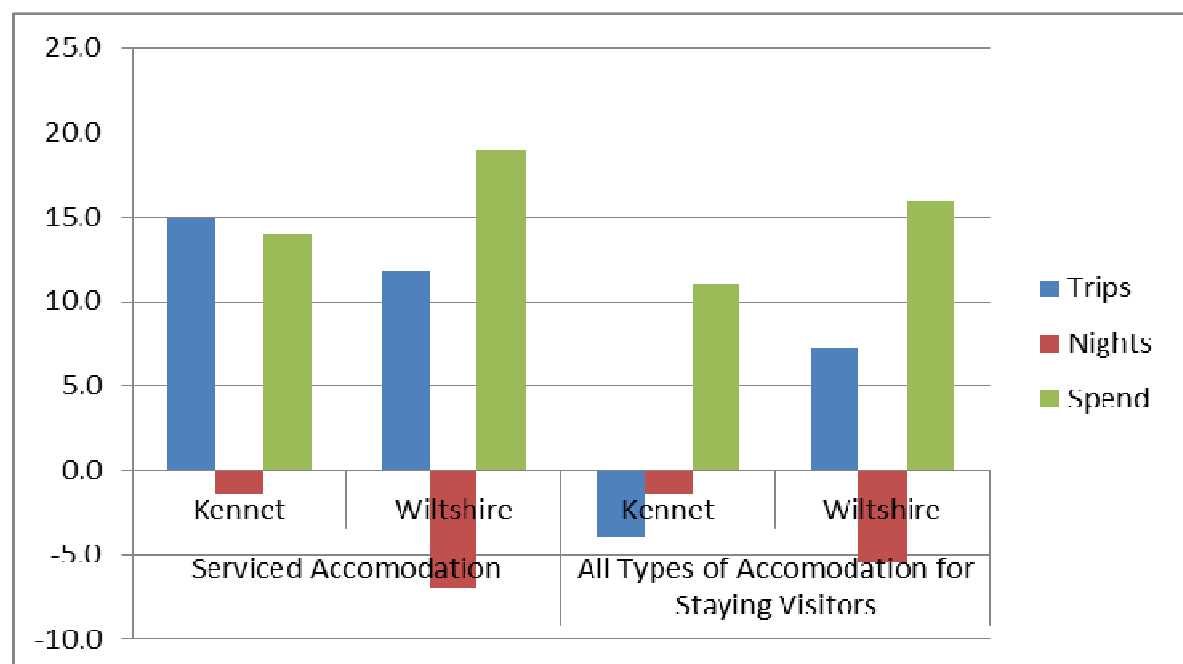
**3.4** The main finding from this is that, since 2001/03 and up to 2008/09, Kennet saw a 14% rise in tourism-related spend from staying visitors in Serviced accommodation, somewhat lower than the Wiltshire figure of 19%. Kennet's trips from staying visitors in Serviced accommodation rose by 15% while those for Wiltshire rose by 12%. The numbers of nights stayed by staying visitors in Serviced accommodation declined marginally across Kennet (a decline of -1%), but declined somewhat more significantly across Wiltshire (-5%). These trends are depicted in Chart 3.1.

**3.5** Across both Kennet and Wiltshire it appears that the main driver of the declines in Nights was driven by Overseas visitors spending fewer nights.

**Table 3.1: Percentage change in Trips, Nights and Spend of Domestic Visitors, Overseas Visitors and All Visitors, % change between average of 2001/03 and 2008/09**

Domestic Visitors		Trips	Nights	Spend
Kennet	Serviced	14.7	9.8	16.7
Kennet	All Types	-8.0	-1.2	1.3
Wiltshire	Serviced	12.5	-1.8	21.4
Wiltshire	All Types	6.8	-1.6	12.6
Overseas Visitors		Trips	Nights	Spend
Kennet	Serviced	15.8	-23.7	6.2
Kennet	All Types	29.2	-2.0	48.8
Wiltshire	Serviced	8.8	-20.7	11.2
Wiltshire	All Types	9.4	-14.9	26.4
Total Staying Visitors		Trips	Nights	Spend
<b>Kennet</b>	<b>Serviced</b>	<b>14.9</b>	<b>-1.3</b>	<b>13.9</b>
Kennet	All Types	-3.9	-1.4	11.0
Wiltshire	Serviced	11.7	-7.0	19.0
Wiltshire	All Types	7.2	-5.4	15.9

Source: Smart Growth Analytics, based on data assembled and adapted from South West Value of Tourism Reports (2001, 2003, 2008 and 2009), South West Tourism

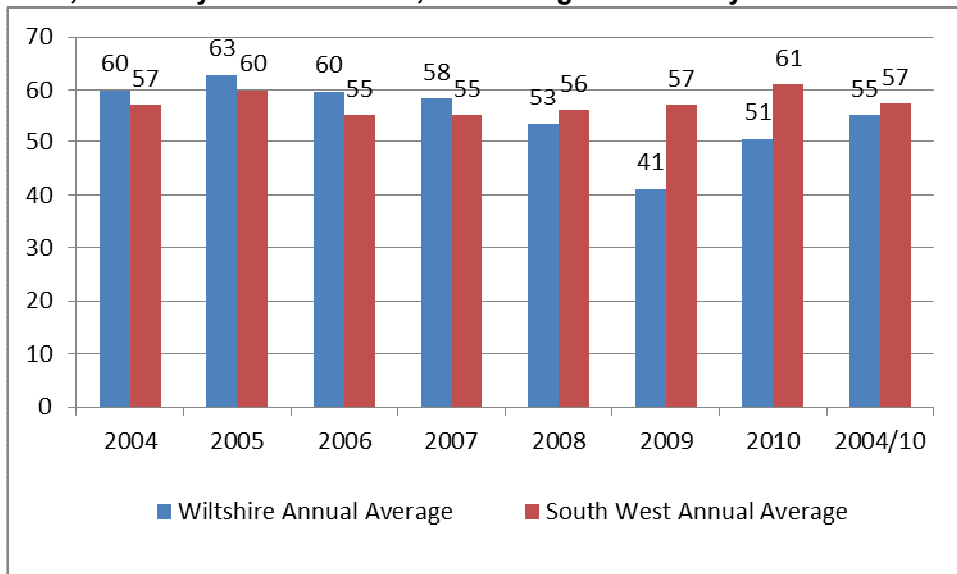
**Chart 3.1: Changes in Trips, Nights and Spend in Wiltshire and Kennet from staying visitors in Serviced Accommodation and All Types of Accommodation, 2001/03 to 2008/09**

Source: Smart Growth Analytics, based on data assembled and adapted from South West Value of Tourism Reports (2001, 2003, 2008 and 2009), South West Tourism

## Recent trends in Hotel occupancy in Wiltshire and the South West, from 2004 to 2010

- 3.6** Chart 3.2 shows the Average Hotel Occupancy Rates in Wiltshire, for each year 2004 to 2010, and average over the 7 years 2004 to 2010.
- 3.7** The Chart shows the hugely consistent nature of Hotel occupancy across the South West region, despite the economic Downturn of 2008 and 2009. It also shows the greater volatility and far less consistency of Hotel occupation in Wiltshire, particularly as a result of the economic Downturn. However, it was mentioned earlier in this report that 2008 and 2009 should be viewed as troughs in part of a longer term trend.
- 3.8** As a result of this latter issue, it is probably a good idea to focus upon the 2004/2010 averages as being relatively reliable pictures of average Hotel occupancy rates across Wiltshire and the South West. As can be seen, on average, hotels in Wiltshire over the last seven years have had 55% occupancy whilst those across the South West have been slightly higher, on average, at 57%.

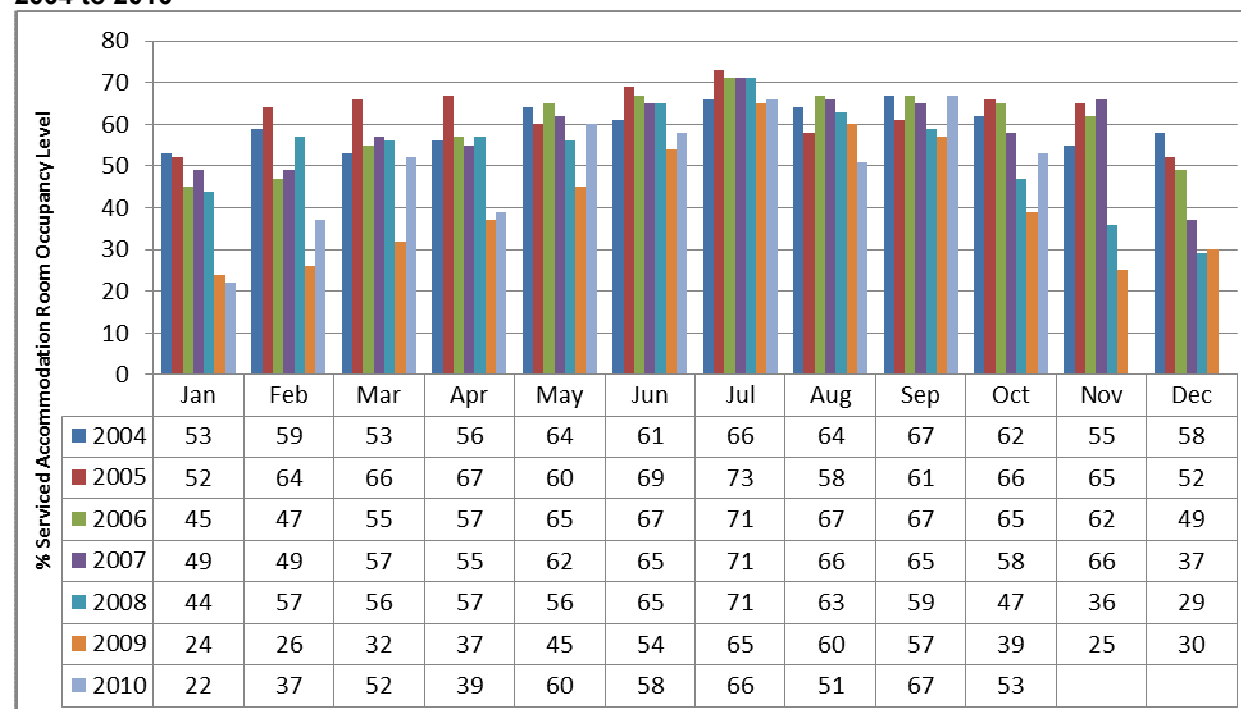
**Chart 3.2: Average Hotel Occupancy Rates in Wiltshire and the South West, for each year 2004 to 2010, and average over the 7 years 2004 to 2010**



Source: Assembled from South West Occupancy Survey Reports, 2004 to 2010, South West Tourism

- 1.27** Referring back to Table 2.5 in the previous section of this report, it can be calculated that a hotel in Kennet with 56 bedspaces would generate the following economic outputs:
- Tourism-related spend of £ 1.0 million to £1.2 million per annum
  - Supporting around 11 to 14 Direct FTE jobs at the hotel
  - 17 to 20 FTEs in total throughout the economy once supply chain and Induced effects are considered (or 23 to 28 Full-time and Part-time jobs)
- 3.9** Chart 3.3 shows the monthly data underpinning the annual averages shown in Chart 3.2 above. However, the reader is minded that the Wiltshire figures upon which the Occupancy data is founded are based on relatively small numbers of monthly returns, and is thus subject to relatively large margins of error.

**Chart 3.3: Average Hotel Occupancy Rates in Wiltshire, for each month, 2004 to 2010, and average over the 7 years 2004 to 2010**



Source: Assembled from South West Occupancy Survey Reports, 2004 to 2010, South West Tourism

## Forecasts for inbound tourism into England for the next decade

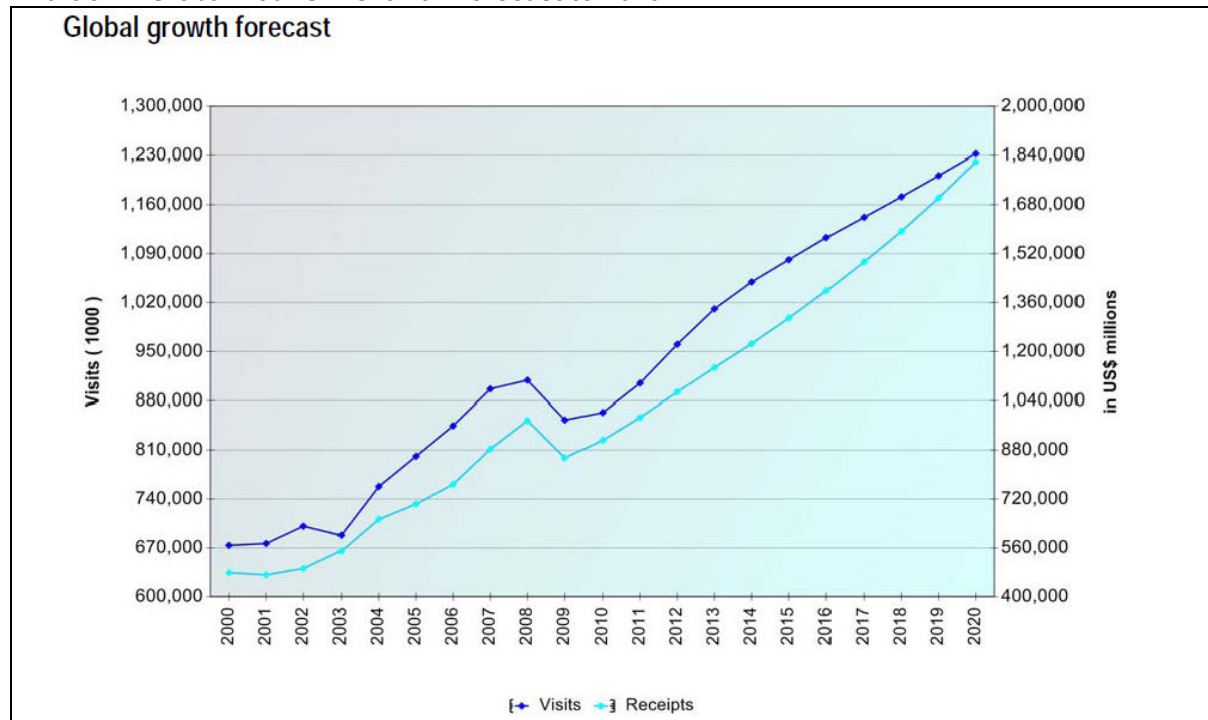
### Long Term Tourism Forecasts

**3.10** The following analysis is based on projections made by Tourism Economics. As with all forecasts these should be seen as subject to a margin of error; unforeseen events regularly influence tourism flows, be these social, political or economic events.

### Global tourism growth forecast

**3.11** After a sharp decline in 2009 global tourism is expected to see modest growth in 2010 followed by a more robust recovery thereafter.

**Chart 3.4: Global Tourism Growth Forecast to 2020**



Source: Tourism Economics Long Term Tourism Forecasts, VisitBritain, 2010

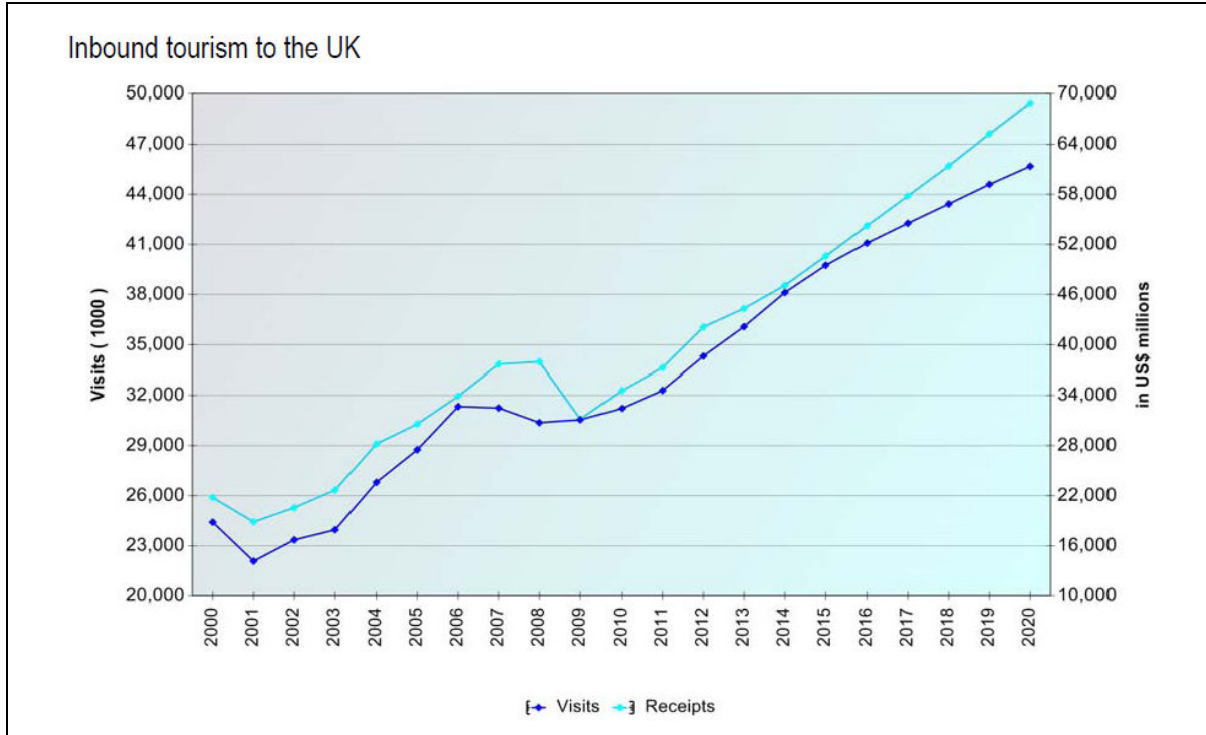
### UK tourism growth forecast

**3.12** Chart 3.5 below reveals that Tourism Economics anticipate that it will be 2011 before inbound volumes to the UK recover to pre economic downturn levels.

**3.13** In terms of which regions are forecast to drive inbound tourism to the UK over the coming decade we can see from the following chart that strong growth is expected from many regions over the 2011 to 2013 period, in particular from European origin markets. Beyond 2014 it is interesting to observe that South Asia is forecast to deliver the fastest relative growth driven by visits from India.

**3.14** The forecasts show very clearly that the longer term trend for tourism to the UK is upwards, with visits possibly rising from 32,000,000 in 2011 to 46,000,000 in 2020 (a 44% increase) and receipts rising from possibly doubling in value from \$37,000 million in 2011 to almost £70,000 million in 2020 (a 89% increase).

Chart 3.4: UK Inbound Tourism Growth Forecast to 2020



Source: Tourism Economics Long Term Tourism Forecasts, VisitBritain, 2010

## The hotel competition in and around Marlborough

- 3.15** Table 3.2 shows the hotel competition in and around Marlborough. As can be seen, as well as the 28 room Ivy House Hotel there are a further 33 rooms available in Marlborough, 51 further hotel rooms within 5 miles and 443 rooms within 8 miles.

**Table 3.2: Hotel competition in and around Marlborough**

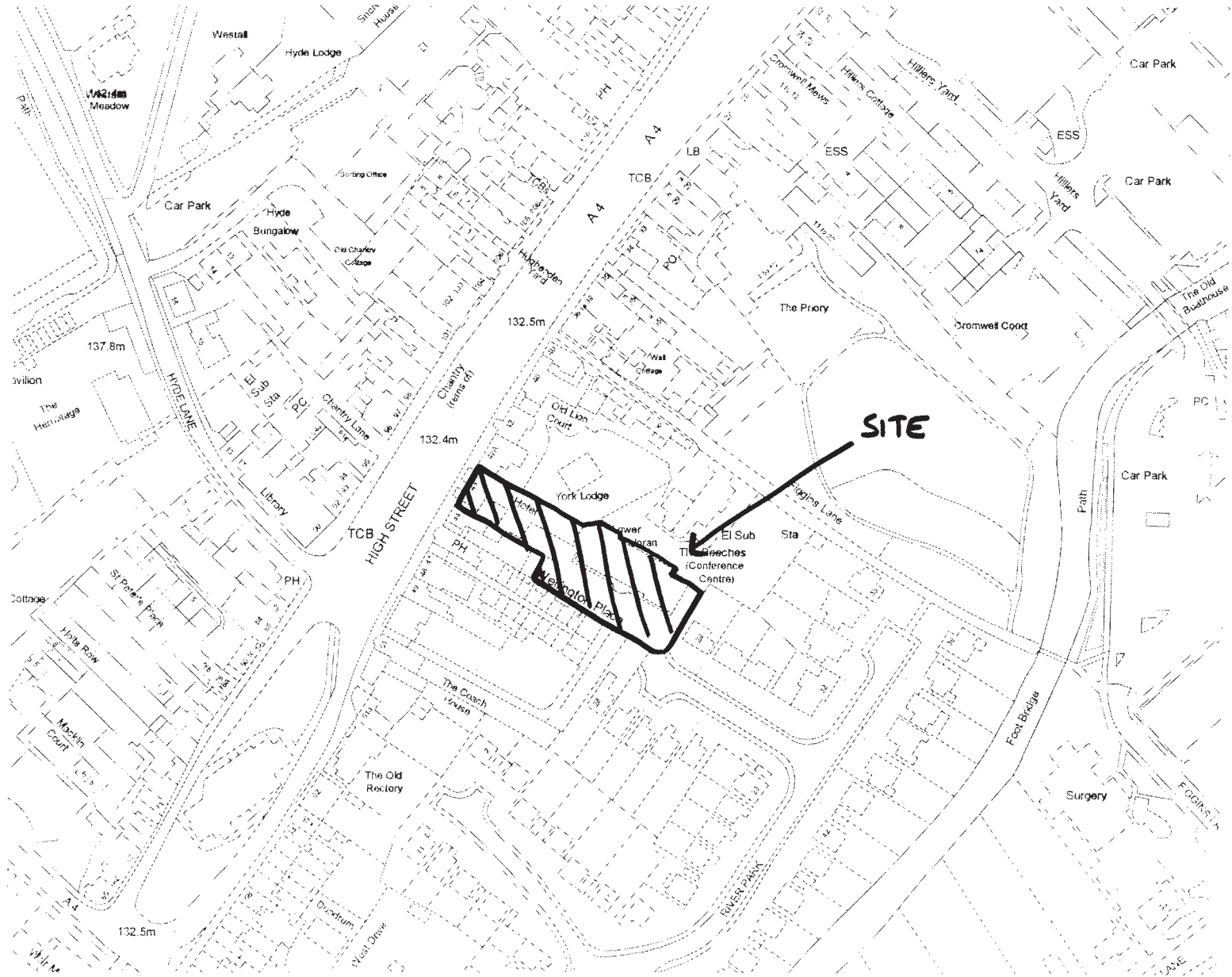
<a href="#">Name of Hotel</a>	Number Rooms
<a href="#">Castle &amp; Ball Hotel SN8 1LZ</a> High Street, SN8 1LZ 0.20 miles away Ivy House Hotel:	33
<a href="#">The Inn With The Well</a> Ogbourne St George, SN8 1SQ 3.44 miles away Ivy House Hotel:	6
<a href="#">Parklands Hotel</a> Ogbourne St George, SN8 1SL 3.47 miles away Ivy House Hotel:	12
<a href="#">Alexandra House</a> Whittingham Drive, Wroughton, SN4 0QJ 6.69 miles away Ivy House Hotel:	150
<a href="#">The Landmark Hotel</a> Station Road, Chiseldon, SN4 0PW 6.72 miles away Ivy House Hotel:	16
<a href="#">Littlecote House Hotel</a> Littlecote, RG17 0SU 7.45 miles away Ivy House Hotel:	198
<a href="#">Chiseldon House Hotel</a> New Road, Chiseldon, SWINDON, SN4 ONE	28
<a href="#">Total</a>	443

Source: UpMyStreet.com and various internet searches

This page is intentionally left blank



# E/10/1632/FUL - IVY HOUSE HOTEL, HIGH STREET, MARLBOROUGH



This page is intentionally left blank

## REPORT TO THE EASTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	14 <sup>th</sup> July 2011
<b>Application Number</b>	E/11/0057/FUL
<b>Site Address</b>	Former gasholder site, land adjacent The Wharf, Devizes
<b>Proposal</b>	Redevelopment for 39 retirement apartments for older people including communal facilities, car parking and associated landscaping
<b>Applicant</b>	McCarthy & Stone Retirement Lifestyles Ltd.
<b>Town/Parish Council</b>	DEVIZES
<b>Grid Ref</b>	400310 161778
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Rob Parker

### Reason for the application being considered by Committee

This application is being brought to Committee at the request of the Division Member, Cllr Carter.

#### 1. PURPOSE OF REPORT

To consider the recommendation that planning permission be refused.

#### 2. REPORT SUMMARY

The main issues in this case are:

- a) Policy background & principle of residential development
- b) Density considerations
- c) Design and impact upon the conservation area and setting of the Kennet & Avon Canal
- d) Recreation provision
- e) Affordable housing
- f) Contaminated land
- g) Ecology
- h) Archaeology
- i) Adequacy of car parking
- j) Highways (Access, servicing, footpath link & cycle parking)
- k) Impact upon residential amenity
- l) Renewable energy
- m) Relationship to draft Planning Brief for Devizes Wharf

#### 3. SITE DESCRIPTION

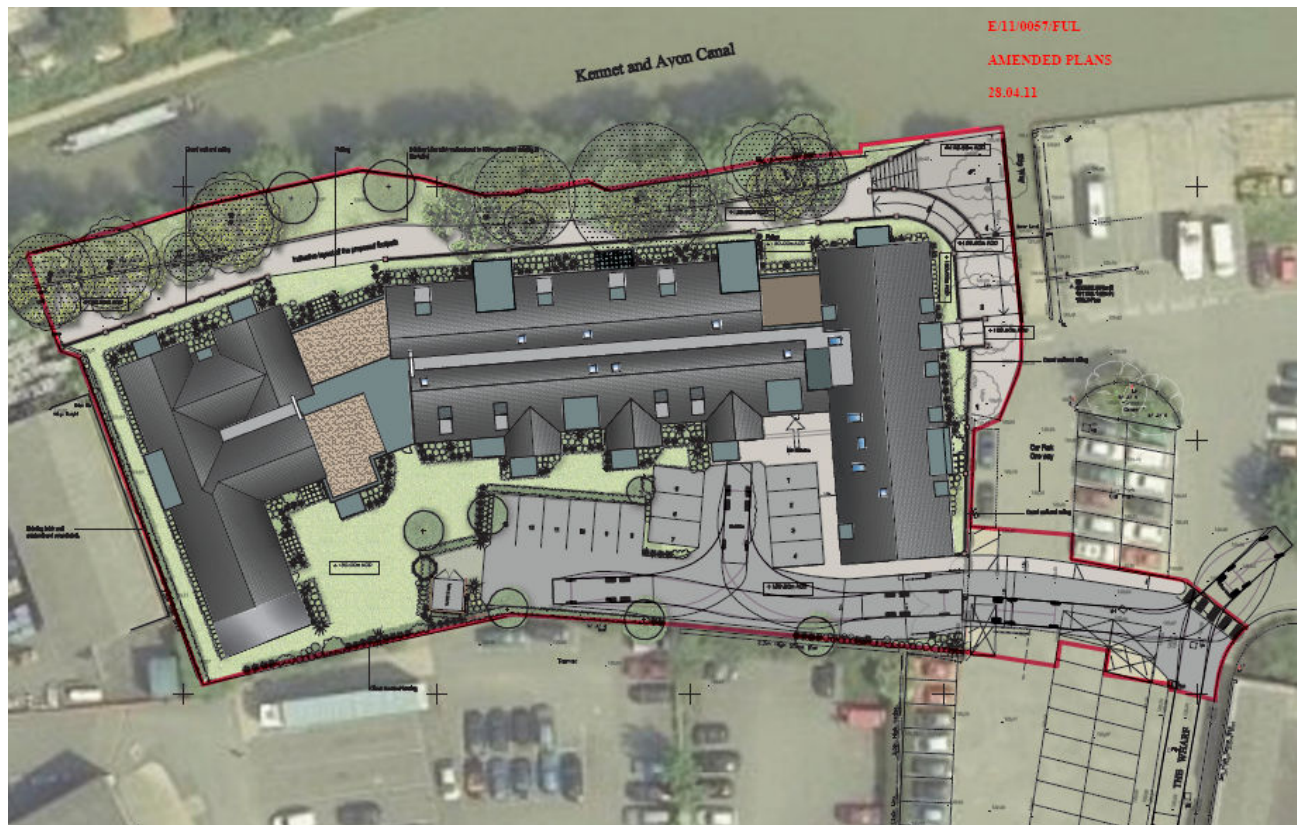
The application relates to the former gasholder site which lies adjacent to Devizes Wharf. The gasworks closed in 1955 but the two former gasholders survived until the 1990s. The site has been derelict since their removal. Covering an area of 0.37 hectares, the site has a frontage onto the Kennet & Avon Canal. To the east lies Devizes Wharf itself, dominated by its public car, slipway and The Wharf Theatre building. The site abuts Wadworths Brewery to the west and there is a barrel store building abutting the western boundary with the barrel handling yard beyond. Immediately to the south lies a car park for brewery employees and beyond that the Crown public house fronting onto New Park Street. Access to the site is via Devizes Wharf and the applicant has an easement across the Council's car park.

#### 4. RELEVANT PLANNING HISTORY

K/41361 – Erection of 3 storey block of 42 retirement apartments, 24 parking spaces, associated landscaping, external works and creation of canalside walkway - Application withdrawn.

#### 5. THE PROPOSAL

The application proposes the construction of 39 retirement apartments in three linked blocks. The blocks fronting onto The Wharf and canal would be 2½ storey whereas the western block (adjacent the Wadworths barrel yard) would be 3 storey. The buildings would be constructed of brick and natural slate with cedar cladding within metal framed balconies. The scheme would provide for a total of 13 car parking spaces and vehicle turning has been provided within the site. The development would make provision for a section of canalside footpath along the site frontage, the intention being to link The Wharf to Lower Wharf and Bath Road.



**Proposed Layout**



**North Elevation (facing the canal)**



**East Elevation (facing The Wharf car park)**

## 6. PLANNING POLICY

Saved policies PD1, HC2, HC5, HC10, HC30, HC34, ED21, AT1, NR3 & NR4 of the Kennet Local Plan 2011 are relevant to the consideration of this application, as are the contents of the Devizes Strategic Brief and Supplementary Planning Guidance contained in the document 'Community Benefits from Planning'.

Government policy contained in the following PPS documents is also a material consideration:

- PPS1: 'Delivering Sustainable Development';
- PPS3: 'Housing';
- PPS4: 'Economic Growth';
- PPS5: 'Planning for the Historic Environment';
- PPS9: 'Biodiversity & Geological Conservation';
- PPG13: 'Transport'
- PPS23: 'Planning and Pollution Control'; and
- PPG24: 'Planning and Noise'.

The Draft Planning Brief for Devizes Wharf is also relevant. This was approved by Cabinet for the purposes of consultation on 24<sup>th</sup> May 2011.

The Devizes Conservation Area Statement and Devizes Town Centre Design Code are material considerations.

## 7. CONSULTATIONS

**Devizes Town Council** – strongly objects to the development on the following grounds;

- It's an overdevelopment of the site (too many units)
- There are insufficient car parking spaces
- There is insufficient infrastructure within the town to support more elderly residents - i.e. loss of health services

The Town Council also asked for it to be noted that it felt that the development should be considered as a whole and not 'piecemeal', as currently there was no community feel to cutting up the site into separate developments.

The Town Council was consulted upon the amended plans and continues to object, making the following comment in addition to reiterating the ones above:

- Should there be a fire in one of the canal side flats, external access by the fire service would be very difficult.

**British Waterways** – no objections subject to suitably worded conditions and informatives, and the completion of a legal agreement to secure compensation for loss of wildlife habitat on-site.

**English Heritage** – comfortable in principle with the scale and design and is willing to leave further finessing of the proposals to the discretion of the Council's officers.

**Environment Agency** - no objections subject to suitably worded conditions and informatives.

**Wessex Water** – no objection to the proposal to connect the development to the public foul sewer. Approval from Wiltshire Council and British Waterways should be sought to discharge surface water to the canal.

**Wiltshire Council Archaeologist** – no objections, subject to a planning condition to secure an archaeological watching brief.

**Wiltshire Council Conservation Officer** – objects. The proposed development is inappropriate to this sensitive historic location. Whilst the agents have shown themselves willing to try to address the Council's concerns, the problem appears to be that the applicant has very specific operational and financial needs which require a high level of development from this relatively constrained site leaving little scope for fundamental amendment. The resultant development not only fails to achieve the specific aspirations for the enhancement of the area which are set out within the adopted Devizes Town Centre Design Code but also fails to meet the high standards demanded in general of new design by both national and local policy.

**Wiltshire Council Contaminated Land Officer** – no objections subject to the remedial measures set out on pages 1-2 of submitted document reference H34423/RJH/L03, relating to contamination at the site, being secured by a condition attached to the planning permission.

**Wiltshire Council Ecologist** – no objections subject to appropriate conditions and the applicant making a financial contribution towards off-site compensation for the loss of wildlife habitat on-site.

**Wiltshire Council Environmental Health** – recommends a refusal of planning permission on the grounds that the proximity of the Crown public house and Wadworths barrel handling yard are likely to result in noise nuisance for future occupants of the development.

**Wiltshire Council Highways** – no objections subject to appropriate conditions.

**Wiltshire Council Housing** – no objections subject to the applicant entering into a legal agreement to secure a £119,000 off-site contribution towards intermediate affordable housing. The legal agreement should make provision for any uplift in anticipated sales values of the open market dwellings upon completion of the development.

**Wiltshire Council Landscape Consultant** - The proposals represent a significant over-development of the site, and there is insufficient space to carry out the proposed building and create an attractive setting which takes account of the requirement to retain the trees and preserve/enhance the conservation area. The proposal should make provision for the retention of A and B grade trees.

**Wiltshire Fire & Rescue Service** – standard guidance letter regarding fire appliance / firefighting access, water supplies for firefighting and domestic sprinkler protection.

**Wiltshire Police Architectural Liaison Officer** – no objections.

## 8. PUBLICITY

Three representations of support have been received.

Eight representations of objection have been received. The following concerns are raised:

- a) The scheme makes inadequate provision for car parking.
- b) Noise late at night from the Crown public house and very early in the morning from the brewery cask store makes this site unsuitable for a retirement development.
- c) There are too many flats crammed into too small a space.
- d) The building will be overbearing in its context of a canalside building adjoining an important public space. Low rise buildings, and buildings further back from the water front would be more sympathetic to the area.
- e) The buildings are ugly and not in keeping with the area, and will impact upon important views from the canal and other perspectives.
- f) The profile of the building will negatively affect the canalside environment, casting a shadow over the canal at a location which is being considered for enhancement as a public space.
- g) The land should be used for something useful to the community or at least pleasant to look at and appropriate. This would be a wasted opportunity if the scheme went ahead.
- h) The development should not be permitted at this time, which is critical point in the overall Wharf Area plan; one of the guiding principles is that residential development should not predominate.
- i) What measures will there be for control of dust and noise for local residents? What is the estimated time of build?

**Trust for Devizes** – objects on the following grounds:

- The proposal is an over-development of the site.
- The scale and massing of the buildings is not in sympathy with this conservation area.
- The architectural design is not satisfactory either in its overall concept or its detail.
- There is inadequate parking.
- The application places undue emphasis on the role of public transport.
- There is inadequate provision for cycle storage.
- The developer makes no provision for renewable energy.

**CPRE** – Supports the principle of a retirement home development integrated into the overall scheme for the Wharf area, but objects to the current proposals by McCarthy & Stone. The development fails to make a positive contribution to the character and local distinctiveness of the historic environment, contrary to policy HE7 of PPS5. It also fails to achieve the high standard of design required by policy PD1 of the Kennet Local Plan 2011. Particular areas for concern are the scale, height, and massing of development and its relationship to townscape. There is no evidence of an attempt to integrate the development carefully into the revised scheme for the Wharf area. The bulk of the buildings should be reduced and the level of car parking increased. The offer of £127,000 for affordable housing is insufficient and the affordable housing should included within the scheme.

## 9. PLANNING CONSIDERATIONS

### 9.1 Policy background & principle of residential development

The application site lies within an area identified as 'Development Area A' in the Kennet Local Plan 2011. The area comprises The Wharf, Northgate and Devizes Hospital. Policy HC10 of the local plan allocates this area for mixed use developments, including new housing, leisure and recreation, retail and employment.

The policy states that these sites should provide in the region of 150 new houses for Devizes town centre. The policy further states that development should contribute by its design to the quality of the Town Centre Conservation Area.

Policy HC10 further states that to promote good urban design within Development Area A the open space required by policy HC34 may be reduced in consultation with the Council. When deciding whether any such reduction in open space on the site will be allowed, the policy requires the Council to take account of the extent and position of existing open space in the locality to ensure that overall provision for occupiers of the new development is acceptable. A high standard of design in accordance with Policy PD1 remains essential.

Policy ED21 of the local plan sets out a number of criteria for development within The Wharf, Northgate and Devizes Hospital. The policy states that development should:

- a) build upon the scale and pattern of existing development and provide for the retention and refurbishment of existing listed buildings and other good quality buildings in the area;
- b) be for mixed uses, including housing, leisure and recreation, retail and employment;
- c) provide for direct pedestrian links within the site overall, to the main shopping centre and to the Lower Wharf Development Area; and
- d) contribute through its design to the quality of the Devizes Town Centre Conservation Area.

Whilst the application proposal is for a wholly residential development, this is only one part of the overall development area and therefore it is not considered that the proposal would conflict with the requirement in policies HC10 and ED21 for development to be for mixed uses.

## **9.2 Density considerations**

Policy HC5 of the Kennet Local Plan 2011 states that the new density of residential development on large sites should be a minimum of 30 units per hectare, with the exception of sites which have been allocated for a lower net density because of site constraints. The policy states that higher densities will be sought where: (a) the location is close to a concentration of employment, a town centre or a public transport service where higher densities can contribute to a more sustainable pattern of development *or* (b) the development provides housing for special local needs such as small units for single people or dwellings for elderly or disabled people.

Policy HC5 further states that to achieve densities greater than 30 dwellings per hectare in sustainable locations, the amount of open space required on each site may be reduced in consultation with the Local Planning Authority. When deciding whether any such reduction in open space on the site will be allowed, the policy requires the Council to take account of the extent and position of existing open space in the locality, to ensure that overall provision for occupiers of the new development is acceptable.

The proposed development would be built at a density of 105 units per hectare. Whilst this is well above the densities expected for conventional family housing, this is a flatted development and therefore making comparisons is difficult as densities for this type of scheme will always be higher. This is a town centre site and a development for special local needs (i.e. sheltered housing) and therefore policy HC5 would permit higher densities in these circumstances. The existence of public realm at The Wharf and a recreational resource in the form of the Kennet & Avon Canal



means that the requirement for open space can be relaxed in this instance, as was the case for nearby Sudweeks Court (also a McCarthy & Stone development).

The issue is not so much the density *per se* but whether the scale and massing of development is appropriate in this location and whether the scheme displays a high standard of design, as required by policy PD1 of the Kennet Local Plan 2011 (see section 9.3 of report below).

### **9.3 Design and impact upon the conservation area and the setting of Kennet & Avon Canal**

The former gasholder site occupies a sensitive location within the Devizes Conservation Area, directly adjacent to The Wharf and within the setting of the Kennet & Avon Canal. The site is slightly elevated above the level of the adjacent car park and this increases its prominence in views from nearby public vantage points. There are important views of the site from the towpath on the north side of the canal, Dyehouse Lane, the nearby canal bridge on Commercial Road and the Wharf car park.

The application proposes a series of three linked blocks, each providing three storeys of accommodation. The blocks facing the car park and canal (arguably the most important elevations) have been designed at 2½ storey to reduce their scale. The western block backing onto the Wadworths barrel yard would be full three storey. The links between the blocks would be fully glazed, although there would be a need for some accommodation within the links, hence they would not be entirely transparent. Attempts have been made to introduce visual interest and break up the massing of the buildings by the inclusion of balconies and dormers.

The key issues to consider when assessing the design are:

- 1) Whether the proposals would preserve or enhance the character or appearance of the conservation area;
- 2) Whether the proposals would respect the setting of the Kennet & Avon Canal; and
- 3) Whether the proposals demonstrate the high standard of design required by policy PD1 of the Kennet Local Plan 2011.

There is no question that the proposed building(s) are sizeable in terms of their scale and massing. However, the use of three separate blocks has helped to break up the massing and amendments made at the pre-application stage and during the course of the application have further improved the design. One of the main amendments has been a reduction in the ridge height of all three blocks, and the reduction in the eaves height of the eastern block (facing the car park) to bring the upper storey of accommodation fully within the roof space.

Members will note that various objections have been made to the scale and massing of the buildings, not least from the Council's own Conservation Officer. However, it should also be noted that statutory consultee English Heritage (which was also involved in meetings at the pre-application stage) is comfortable in principle with the scale and design and was sufficiently happy with the proposals to leave further finessing to the discretion of the Council's officers.

The Council's Urban Designer has since been advising the case officer and applicant on the design of the scheme and his final comments (made following submission of amended plans) reflect the improvements that have been made to the scheme. There is some residual concern regarding the western block and the applicant's failure to break up the massing by stepping the forward section of the block (facing the canal) down to 2½ storeys. There are also concerns regarding the appearance of the dormers within the balcony framing on the block facing the canal; the Urban

Designer considers that these may appear too massive and out of proportion with the roof. Furthermore, there are unresolved comments about aspects of the detail, some of which can be made the subject of appropriately worded planning conditions to secure additional details. However, the scheme has now reached a stage when the case officer considers the design to be acceptable. As always on development schemes, success will be dependent upon the use of appropriate materials and architectural detailing and these matters can be controlled via condition.

It is acknowledged that assessment of this scheme is made more difficult by the fact that the site has remained undeveloped for the last twenty years and tree / vegetation growth since removal of the gasholders has meant that the site now makes a positive contribution to creating a 'green lung' in the town centre. However, it is important to have regard to the fact that the site was once developed and there is no policy objection in principle to redevelopment.

#### **9.4 Recreation provision**

Policy HC34 of the Kennet Local Plan 2011 requires developments of 20+ units to provide recreational open space. This standard comprises three parts: (i) equipped play for younger children; (ii) casual equipped play for older children; and (iii) formal pitch provision for adults. The development generates no requirement for children's play and therefore only the adult element is relevant. This would normally be provided off-site via a commuted sum, and the monies in this instance should be used for any form of recreation suitable for the over 55s. The applicants have also indicated that they would be prepared for the monies to pay for improvements to the public realm on The Wharf where residents of the sheltered housing scheme may choose to spend their leisure time. The relevant figure, calculated in accordance with the Supplementary Planning Guidance document 'Community Benefits from Planning' would be £25,000. This figure has been agreed by the applicant.

#### **9.5 Affordable housing**

Policy HC30 of the Kennet Local Plan 2011 states that on unforeseen sites within Devizes involving 25 units or more the Council will seek to negotiate about a 30% 'subsidised' affordable housing contribution and a 20% low cost market housing contribution, subject to evidence of local need and individual site characteristics. The Council subsequently re-aligned the definition of the 'low cost market' element to comply with the Government's definition of 'intermediate' housing contained in PPS3; essentially intermediate housing is shared ownership housing or housing at rents or prices below those of the market.

The Devizes Strategic Brief states that a contribution towards subsidised affordable housing will not be sought from housing schemes which restrict occupancy of the units to people aged 55 or over in recognition of the management problems associated with letting units to people of similar age and mixed tenure within a communal scheme. However, the brief states that low cost market housing should still be negotiated.

It is anticipated that an occupancy restriction would be applied to the proposed retirement units and therefore the development would be exempt from providing the subsidised element of affordable housing. The policy requirement for a low cost market (intermediate) element still applies, although officers have agreed that this could be provided off-site through payment of a commuted sum.

The applicant is offering a figure of £119,000 in lieu of 8 (7.8) intermediate housing units on the site. An Economic Appraisal has been supplied with the application to justify how this figure has been arrived at. Officers have scrutinised this information and are satisfied that the figure is realistic, having regard to the individual site characteristics and abnormal costs associated with decontaminating the site.

## **9.6 Contaminated land**

The site is a former gasworks and is known to be contaminated. Some remediation was carried out in 1997 by the former landowner (British Gas) after the gasholders had been decommissioned. The remediation was carried out voluntarily to mitigate potential 'statutory liabilities' - i.e. to prevent the impact of any pollutants from the site on the canal and any 'off-site receptors'. These works involved the removal of 401 cubic metres of impacted soils. There is, however, a requirement for further work to meet current standards for residential development and the applicants have put forward a set of basic principles for remediation of the site. These works have been agreed by the Council's contaminated land officer, although the Environment Agency has recommended that a condition be imposed to seek further detail. The cost is estimated by the applicant to be up to £250,000 which partly explains why the figure being offered for affordable housing is relatively modest.

## **9.7 Ecology**

The development is likely to result in a range of ecological impacts associated with the loss of the mosaic of scrub, grassland, bare ground and standing water which support wildlife and contribute to the Kennet and Avon Canal wildlife corridor. It will not be possible to fully mitigate / compensate for these losses within the confines of the development site given the constraints of site dimensions, design layout and landscape scheme; it is therefore considered appropriate for the development to provide off-site compensation for these ecological losses. This would be best achieved through a modest planning obligation which would contribute to habitat creation / enhancement projects along the canal in the Devizes area; British Waterways have several such projects planned which could deliver appropriate compensation for the development. The applicants have agreed to pay a sum of £8,000 towards ecology mitigation.

The applicant has also submitted a Biodiversity Strategy which can be made the subject of a planning condition. A sensitive lighting scheme can also be made conditional of any permission granted.

## **9.8 Archaeology**

The Council's archaeologist advises that there is the potential for significant medieval archaeology (i.e. the town defences) to survive beneath even such an intensively re-used site. The Extensive Urban Survey records the line of these defences ("ditch and bank") as passing through at least the southern part of the site. It also cites Cunnington as having, in 1945-47, "*measured the ditch at the gasworks on the northern side at [7.6m x 2.1m]*". On this basis the Council's archaeologist considers that an archaeological watching brief should be required as a condition of any planning permission.

## **9.9 Adequacy of car parking**

The development provides a total of 13 parking spaces for 39 residential units. This is identical to the parking provision agreed by the Council for nearby Sudweeks Court on New Park Street (also a McCarthy & Stone scheme). The location of the gasholder site within the town centre means that residents of the scheme would have easy walking (or cycling / mobility scooter) access to shops and services. The neighbouring public car park and on-street parking would provide convenient parking for staff and visitors.

The lack of car parking has been raised by various objectors who suggest that there is no evidence or any reason to believe that people who are over a certain age wish to give up car use. They argue that for many older people it becomes an increasingly important means of maintaining independence even if their annual mileage is relatively low. Whilst this may be true of the general population (although no evidence or data has been supplied by objectors) the category II sheltered housing schemes operated by McCarthy & Stone appear to display different characteristics.

The applicant has supplied a report from an experienced traffic and transportation consultant who has carried out extensive research on the subject. This showed that the average age of residents entering the accommodation was 75 years and 6 months (subsequent data shows the average age to be higher). The data shows a very clear link between moving into this form of housing and giving up car ownership. There is a very significant peak in residents giving up car ownership within six months before and six months after entry to their sheltered housing apartment.

The data shows that the combined peak parking demand from residents and visitors is 0.36 spaces per apartment, suggesting that the Wharf proposal would need 14 spaces to cater for peak periods. This is only one space more than the 13 spaces being proposed; the adjacent public car park and nearby on-street parking can easily accommodate the overspill at peak times.

It is also worth mentioning the policy adopted by McCarthy & Stone for residents parking. The company has replaced the 'first come first served' basis for the use of parking spaces with a new system of parking permits. The main advantage of this approach is that potential residents will know, in advance of purchasing an apartment, whether or not they will have a parking space. If they cannot acquire a permit they will have three options: (i) to give up car ownership (ii) to make other parking arrangements (such as renting a garage nearby) or (iii) not to purchase the apartment. Whilst this has the effect of artificially suppressing parking demand it nevertheless achieves the desired objective of not placed undue demands upon existing public car parking.

Overall, the strength of evidence presented by the applicant, together with the precedent set by Sudweeks Court, means that a refusal of planning permission on the grounds of lack of parking could not be substantiated at appeal. The Council's Highways Officer is satisfied with the level of parking provision being proposed. Members with long memories may recall that the Council lost an appeal against the applicants in Marlborough where the then highway officer objected on similar parking grounds to those raised by objectors.

#### **9.10 Highways (Access, servicing, footpath link & cycle parking)**

The development would be accessed across the Council's public car park over which the applicant has access rights. The plans were amended during the course of the planning application to extend the red line to connect to the public highway. A 1.5m wide footway is now shown to connect the development with the existing pavement in Wharf Street and there is suitable vehicular width (5.5m) to serve the development. This is considered to be an acceptable arrangement.

There is no requirement for a Travel Plan to be submitted in connection with this development. The proposal is in a sustainable location, being within easy walking distance of the town centre. The traffic generation is likely to be very low. The applicant has submitted data, based upon surveys at other similar developments, to show that the development would be likely to generate a maximum of 68 vehicle movements (34 arrivals and 34 departures) per 12 hour day (0700-1900). This is not considered to be significant, particularly in comparison to the number of vehicle movements generated by the public car park adjacent.

The amended plans show a vehicle track which satisfactorily demonstrates that service vehicles (including refuse collection vehicles, fire appliances and delivery vehicles) would be able to turn within the site and exit in forward gear.

The development makes provision for a new canalside footpath along the site frontage. This would form part of a future pedestrian linkage to the Lower Wharf, as referred to in policy ED21 of the Kennet Local Plan 2011. Construction of this footpath could be secured by way of a condition attached to the planning permission and it is anticipated that it would be adopted by the Council, initially as amenity land

and then as public highway once the remaining linkages (principally across the section of canal frontage owned by Wadworths) are secured.

The nature of the development as a sheltered housing scheme means that the site is likely to have a low demand for cycling. However, the applicant's own surveys have shown that similar developments do generate limited demand for cycle parking, with 2% of residents owning bicycles and a further 2.25% interested in taking up cycling if adequate cycle parking were provided. This translates into a requirement for 2 long term cycle spaces (which would need to be under cover and secure so that residents can leave their bicycles overnight). This level of provision can be accommodated in the scheme's mobility scooter store within the building itself. In addition, the applicant acknowledges that there is a need for 3 short stay parking spaces in the form of simple stands to which bicycles can be locked. These can be secured by a condition attached to any planning permission.

### **9.11 Impact upon residential amenity**

The site's relatively isolated location in relation to existing residential properties means that the development would have no adverse impact upon the amenities of local residents. However, there is the potential for future residents of the scheme to be affected by existing sources of noise. There are two particular noise sources of relevance: (i) the Crown public house on New Park Street; and (ii) the adjacent barrel handling yard belonging to Wadworth brewery.

The Council's Environmental Health Service has considered this issue and objects to the planning application on the grounds that the operation of the public house and barrel handling yard are likely to give rise to noise nuisance for the occupants of the development, thereby resulting in complaints. Both of the neighbouring uses operate at anti-social hours and in combination they are likely to cause annoyance and sleep deprivation.

The Environmental Health Service would have a duty to investigate any complaints under the Environmental Protection Act 1990 and where statutory nuisance does exist the Council is duty bound to take enforcement action against the person or business responsible (in this case Wadworths) to require that the nuisance is abated.

Enforcement action could lead to a range of consequences for the business concerned including restrictions on their operation, the carrying out of works requiring expenditure and potentially legal proceedings against them. This could jeopardise the future viability of the business.

It is worth noting that the business could use the statutory defence of "best practicable means" available under the Environmental Protection Act 1990 which, in some circumstances, can allow a business to continue operating in a way that is causing a statutory nuisance for people living nearby. However, this would not resolve the noise nuisance for those affected.

The Environmental Health Service is therefore concerned that, in addition to the potential consequences for Wadworths resulting from action under the Environmental Protection Act, there is also no guarantee that the Council will be able to resolve the noise nuisance if it does occur.

As such, the scheme would be contrary to policy PD1 of the Kennet Local Plan 2011 which requires all proposals to adequately address a range of factors, one of which is the impact upon residential amenity, including that caused by reason of noise or disturbance. The proposals would also conflict with government policy contained in PPS24: 'Planning and Noise'.

The applicant has submitted amended plans in an attempt to address the concerns of the Environmental Health Service. The amendments include the sealing of some windows facing the brewery, the addition of acoustic screens to the sides of the north

facing balconies nearest the brewery and changes to the balcony design for southern facing units to incorporate the balcony area into the living room space with a Juliet balcony arrangement.

The Environmental Health Service acknowledges that these amendments are an improvement on the previously submitted plans and accepts that it would offer a degree of additional protection for occupants of the development. However, it considers that the amendments do not address some of the most serious concerns with respect to the development. The proposals leave opening windows facing onto the sources of noise adjacent to the site. Of particular concern is the likelihood that, particularly in warm weather conditions, residents will wish to open their windows and will therefore be adversely affected by noise from the brewery and/or public house. The applicants have indicated that they would not be prepared to accept a solution whereby windows are sealed shut.

### **9.12 Renewable energy**

On 20<sup>th</sup> September 2007 the former Kennet District Council adopted an interim development control policy on renewable energy in new developments. The policy stated that:

“Larger-scale developments will be expected to provide, as a minimum, sufficient on-site renewable energy to reduce CO2 emissions from energy use by users of the buildings constructed on site by 10%. Developers will be expected to demonstrate that they have explored all renewable energy options, and designed their developments to incorporate any renewable energy requirements.”

The interim development control policy is still applicable until such time as the Wiltshire Core Strategy is adopted. The original intention of the policy was to facilitate the incorporation of various on-site renewable energy measures into new developments, e.g. solar thermal, photovoltaics, wind turbines, ground source heat pumps and air source heat pumps.

The applicant in this instance has produced calculations to demonstrate that the 10% reduction in CO2 emissions can be achieved by upgrading the fabric of the building, over and above the requirements of Part L of the Building Regulations (2010). The applicant's argument is that the Council's objectives can be achieved without having to resort to on-site renewables. Certainly the proposed approach is more durable than on-site renewables (which, being mechanical and/or electrical devices, will have their own reliability issues).

The applicant's proposal would comply with Core Policy 26 of the Council's consultation draft Wiltshire Core Strategy which requires developers to incorporate design measures to reduce energy demand. The emerging policy does not insist on the use of on-site renewable energy, but instead promotes sustainable design principles and specified levels under Code for Sustainable Homes.

It is considered that the Council's objectives could be met by imposing a planning condition to secure the build standard upon which the applicant's calculations were based. A refusal of planning permission could not be substantiated on the grounds of lack of renewable energy provision.

### **9.13 Relationship to draft Planning Brief for Devizes Wharf**

On 24 May 2011 the Council's Cabinet approved a draft Planning Brief for Devizes Wharf for the purposes of consultation. The consultation period is due to take place over the period 13 June to 5 August 2011 to coincide with the consultation period for the emerging Wiltshire Core Strategy.

The purpose of the Planning Brief is to help promote local ambitions for leisure and tourism based regeneration and growth at Devizes Wharf which has the potential to add to the vitality and viability of Devizes town centre.

The Planning Brief interprets existing Kennet Local Plan policies (ED21 and HC10) for the area and seeks to bring about incremental development that will complement and enhance the area and not diminish future opportunities. The ambition is to create a distinctive 'canal quarter' in Devizes that appears as a cohesive and coherent whole.

The focus of the Planning Brief is a series of objectives to protect and enhance the area supported by a statement of design principles that need to be adhered to when considering any planning applications on the site to deliver those objectives.

Clearly the Planning Brief will have direct relevance to the current planning application. However, the weight to be given to the Planning Brief as a material consideration cannot be significant on the basis that the document has not been adopted and is only published in draft for the purposes of consultation (and the results of the consultation exercise will not be known until August). Notwithstanding this, the draft Planning Brief tacitly acknowledges the current planning application and it is considered that the scheme could be implemented without compromising the brief's objectives.

Objectors have suggested that planning permission should be refused in order that the area can be developed comprehensively. This course of action is not recommended by your officers for two reasons:

- 1) The draft Planning Brief specifically recognises that the area may not be developed as a whole and therefore it sets out the criteria for incremental development to allow for the current economic conditions and the numerous and varied landholdings within the area.
- 2) There is no requirement in Development Plan policy that the former gasholder site should be developed in conjunction with the remainder of the development area.

#### **9.14 Other issues**

The vast majority of issues raised by objectors are addressed under the above headings. The only additional issue is raised by Devizes Town Council which considers that there is insufficient infrastructure within the town to support more elderly residents (reference is made to the loss of health services). This is a rather spurious argument as Devizes has a brand new NHS Treatment Centre on Marshall Road and Devizes is identified in the Kennet Local Plan 2011 as a settlement capable of accommodating new housing development (as evidenced by the number of other housing schemes which have been built in the town over recent years). The argument that elderly residents have special medical needs which cannot be catered for in Devizes, and which would therefore warrant a moratorium for sheltered housing schemes, would not withstand challenge in an appeal scenario as there are no planning policies to support this position.

#### **10. CONCLUSION**

This planning application presents an opportunity to redevelop the former gasholder site which has been disused and derelict for over 55 years. There can be no policy objection to the principle of redeveloping the site for residential purposes and the scheme does not prejudice the Kennet Local Plan's objective of securing a mix of uses for The Wharf, Northgate and Devizes Hospital. Likewise, the development would not prejudice the Council's aspirations for the Wharf as expressed through the recently published Planning Brief (which can only be given limited weight due to its consultation draft status). There is no policy objection to high density development in

this sustainable town centre location and it is considered that the standards of recreation / amenity space can be relaxed in this case.

Whilst the development of 2½ & 3 storey housing will represent a significant change to the site's appearance, this is inevitable given that the site has been free of structures for some considerable length of time. The proposed architectural solution breaks up the massing effectively by splitting the development into three separate blocks and the use of high quality materials, balconies, dormers and glazed links will further lift the design and add visual interest. Overall, it is considered that the scheme would successfully preserve the character and appearance of the conservation area and the setting of the Kennet & Avon Canal. The requirement for a high standard of design under policy PD1 of the Kennet Local Plan would be met.

The proposals would generate various planning benefits including £119,000 towards intermediate affordable housing, £25,000 towards adult recreation (or public realm enhancements on Devizes Wharf) and a canalside footpath which will ultimately provide for a link to the Lower Wharf. The development will also provide a contribution of £8,000 to offset the loss of wildlife habitat and fund habitat creation / enhancement projects along the canal.

The gasholder site is known to be contaminated and the clean-up costs may be significant (the applicant has budgeted for £250,000). It is highly unlikely that a tourism, leisure or community use could fund this. Notwithstanding the community's concerns regarding overdevelopment, it is worth bearing in mind that the proposed level of development may actually be required in order to make the scheme financially viable. The McCarthy & Stone scheme may also act as a catalyst for the development of other parcels of land on Devizes Wharf.

Concerns regarding the lack of car parking are overstated and the applicant has presented evidence to demonstrate that the number of spaces is adequate. The parking provision is identical to that approved for the nearby Sudweeks Court scheme. It is not considered that a refusal of planning permission on the grounds of lack of parking could be substantiated on appeal.

Where the proposals do fail, however, is in their relationship to, and compatibility with neighbouring land uses. The proximity of the Crown public house and Wadworths barrel handling yard is likely to result in noise nuisance for future occupants of the development and this would give rise to complaints which the Council would have a duty to investigate. The resultant enforcement action may have implications for the viability of the brewery or, if Wadworths successfully uses the statutory defence of "best practicable means" available under the Environmental Protection Act 1990, the noise nuisance will remain unresolved to the detriment of future occupiers of the development. The applicant's failure to have proper regard to the scheme's impact upon residential amenity would conflict with policy PD1 of the Kennet Local Plan 2011 and government policy contained in PPG24: 'Planning and Noise'.

Accordingly, having regard to the Development Plan and all other material considerations, the officer recommendation is for a refusal of planning permission.

**RECOMMENDATION:**

Refuse planning permission for the following reason:

1. The design of the scheme and its proximity / relationship to the Crown public house and the adjacent brewery's barrel handling yard is likely to result in noise nuisance for future occupants of the development. This would conflict with policy PD1 (B.10) of the Kennet Local Plan 2011 and government policy contained in PPG24: 'Planning and Noise'.



The conflict between land uses may result in the Council having to take enforcement action for statutory nuisance under the Environmental Protection Act 1990; such action would threaten the future viability of Wadworths brewery and its role as an important local employer and generator of local economic wealth. This would be contrary to the Government's overarching objective for sustainable economic growth as set out in PPS4: 'Planning for Sustainable Economic Growth'.

**Appendices:**

None

**Background Documents Used in the Preparation of this Report:**

The application file and documents listed in Section 6 of the officer report above.

This page is intentionally left blank

E/11/0057/FUL -

Date of Printing: 05/07/2011

Scale: 1:6415

Map reference: [Invalid Print Macro(map)]

© Crown copyright and database rights 2011 Ordnance Survey 100049050

Please select bitma



DEVIZES CP

DEV

100750E 100000E 100250E 100500E 100750E

This page is intentionally left blank

## REPORT TO THE EASTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	14 <sup>th</sup> July 2011
<b>Application Number</b>	E/11/0297/FUL
<b>Site Address</b>	Carina, Uphill, Urchfont, Devizes, Wiltshire SN10 4SB
<b>Proposal</b>	Erection of a 3 bedroom dwelling and single garage
<b>Applicant</b>	Mr Stephen Cook
<b>Town/Parish Council</b>	URCHFONT
<b>Grid Ref</b>	404365 157468
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Rob Parker

### Reason for the application being considered by Committee

This application is being brought to Committee at the request of the Division Member, Cllr Grundy.

#### 1. PURPOSE OF REPORT

To consider the recommendation that planning permission be refused.

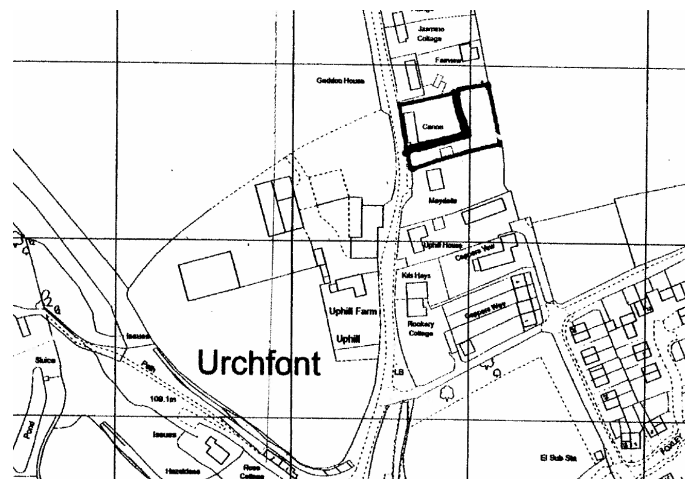
#### 2. REPORT SUMMARY

The main issues in this case are:

- a) Principle of development
- b) Impact upon the setting of the listed building
- c) Design
- d) Impact upon residential amenity

#### 3. SITE DESCRIPTION

The application relates to a property known as 'Carina' in Uphill, Urchfont. Starting from the village pond take Friars Lane (to the right of the pond) and follow this lane through The Bottom and this leads to Uphill. Carina lies on the right hand side of this no-through-road, and the application site lies to the rear of this property. Access to the site is via an existing driveway to the right of Carina.



#### 4. RELEVANT PLANNING HISTORY

The following decisions were taken before Carina was listed on 4<sup>th</sup> May 1982:

K/80/0704 - Outline application for dwelling and garage, refused planning permission on 18<sup>th</sup> December 1980 for the following reason:

“The proposed dwelling would, by virtue of its backland form, result in an unsatisfactory intensification of residential development to the detriment of the setting, privacy and amenities of adjoining properties and if permitted would be likely to set a precedent for similar unsatisfactory forms of backland development in the area.”

K/81/0535 – Bungalow with garage, refused planning permission on 20th August 1981 for the following reason:

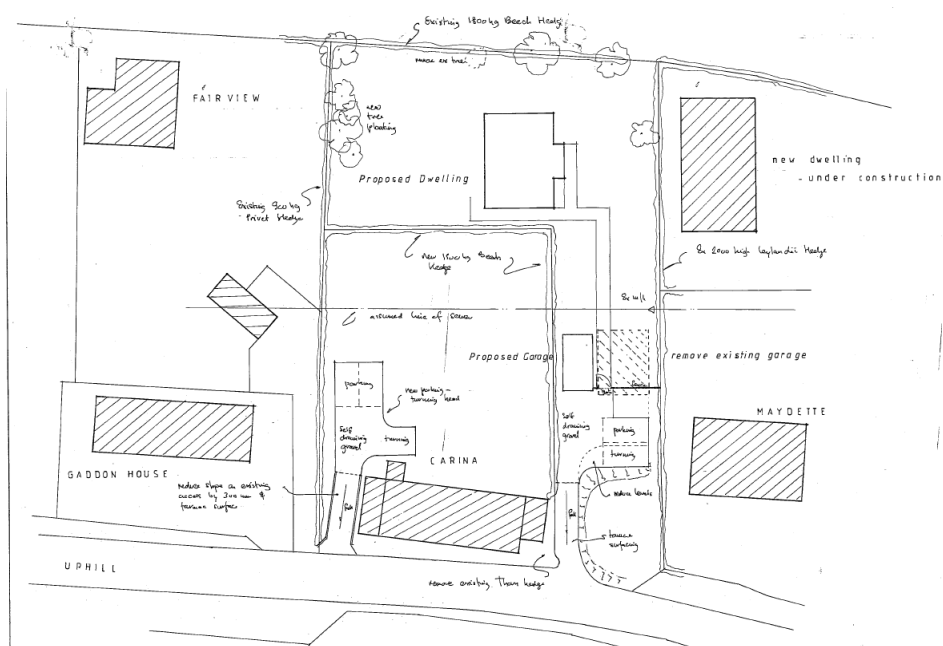
“Having regard to the dimensions of the site, the proximity of adjacent dwellings, and the presence of a public foul sewer on the site, it is considered that the proposal would constitute overdevelopment, in that a dwelling could not be accommodated without detriment to the setting, privacy and amenities enjoyed by adjacent dwellings.

“The erection of a bungalow on this narrow site would be alien amid the surrounding group of dwellings and in particular would be detrimental to the setting of Ardgowan, a building considered by the District Planning Authority to be of architectural and historic merit.

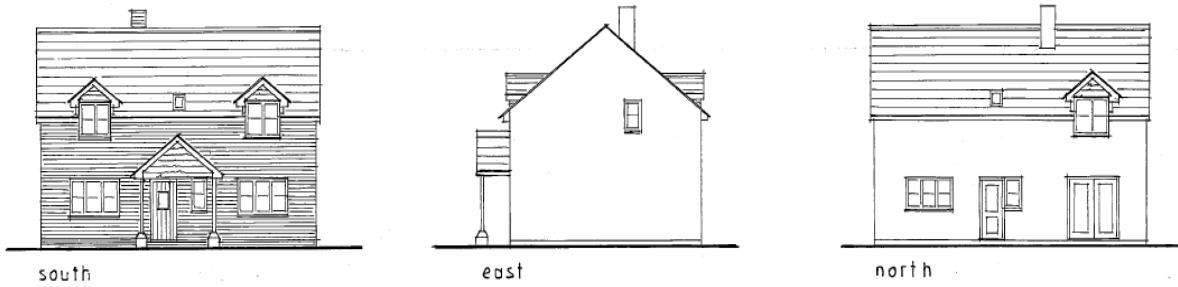
“The proposal would represent the consolidation of sporadic development extending along a narrow unclassified road outside the limits of Urchfont and is thus contrary to the provisions of the approved Western Wiltshire Structure Plan, which presumes against development which extends or perpetuates existing scattered development.”

#### 5. THE PROPOSAL

The application proposes the erection of a 3 bedroom detached dwelling and single garage in the rear garden of Carina. The existing double garage serving Carina would be demolished as part of the proposals.



PROPOSED LAYOUT



ELEVATIONS

## 6. PLANNING POLICY

Kennet Local Plan - policies PD1 & HC22 of the Kennet Local Plan 2011 are relevant to the consideration of this application, as is Supplementary Planning Guidance contained in 'Community Benefits from Planning'. Government policy contained in PPS1: 'Delivering Sustainable Development' and PPS5: 'Planning for the Historic Environment' is also a material consideration. Additional guidance contained in PPS5: 'Historic Environment Planning Practice Guide' is relevant.

## 7. CONSULTATIONS

**Urchfont Parish Council** – Supports this application; Subject to landscaping the whole plot (and in particular the northern and western boundaries) and agreement on the use of vernacular materials, the Parish Council does not believe the proposed application will have a negative effect on Carina.

**Wiltshire Council Conservation Officer** – objects. The proposed development will be out of character with historic development in the area by virtue of its siting and design. The proposal will have an adverse impact on the amenity of the listed building and lead to the substantial loss of the rural character of the plot. Overall, the proposals could not be said to preserve the setting of the listed building. There is no mitigating public benefit in this case.

**Wiltshire Council Highways** – no objections subject to a condition to secure the parking spaces for the existing and proposed dwellings, together with the accesses thereto. The Highways Officer comments as follows:

“The proposed new access is, in effect, combined with that of the adjacent property and consequently visibility is similar. It is a feature of Uphill that visibility at property accesses is restricted. However, both traffic speeds and flows are low so that there is no evidence of a safety problem.”

Wiltshire Fire & Rescue Service – standard guidance letter regarding fire appliance / firefighting access, water supplies for firefighting and domestic sprinkler protection.

## 8. PUBLICITY

The application has been publicised by press advertisement, site notice and neighbour letters.

One representation of support has been received from the owner/occupiers of Gaddon House, the thatched property on the road frontage immediately to the north of the site.

One objection has been received from the owner/occupiers of Fairview, the red brick and slate dwelling immediately to the north of the site (and to the rear of Gaddon House). The following concerns are raised:

- Planning permission has been refused on two previous occasions for development of this site.

- The proposal fails to respect the character of the area and the setting of the listed building.
- The proposal will have an adverse impact upon the amenity of Fairview and Gaddon House.
- The design is poor.

## **9. PLANNING CONSIDERATIONS**

### **a) Site description**

Carina is a substantial timber framed and thatched cottage dating from the late 17<sup>th</sup> Century. The property is set within a substantial plot, largely to the rear of the cottage. A beech hedge separates the plot from open fields to the east. The dwelling is served by a vehicular access to the south of the cottage off the lane. To the north is a narrow hard-surfaced pull-in which provides an additional parking space. The property has a double garage which is accessed via the southern access.

### **b) Planning history**

Planning permission was refused on two previous occasions for a dwelling on the plot. The refusal reasons are reproduced in the planning history section above, but key concerns were the backland nature of the development and the impact upon the setting, privacy and amenities of adjoining properties. Since those decisions were made Carina has been listed and therefore the Council has an additional duty to have regard to the impact upon the setting of the listed building.

### **c) Planning policy considerations**

The site lies within the Limits of Development defined for Urchfont in the Kennet Local Plan 2011. Policy HC22 of the local plan would permit residential development, providing that it is in harmony with the village in terms of its scale and character.

Policy PD1 of the local plan requires a high standard of design in all new developments and states that proposals should adequately address a range of criteria, including:

- 2) Scale, height, massing and density of development;
- 3) Relationship to townscape and landscape context ...
- 7) Relationship to historic features;
- 8) Elevational treatment;
- 9) Building materials, colour and detailing; and
- 10) The impact on residential amenity, including that caused by reason of noise and disturbance.

The Council has a statutory duty to have special regard to the desirability of preserving the setting of the listed building. Policy HE10 of PPS5 sets out policy principles guiding the consideration of applications for development affecting the setting of a designated heritage asset (in this case the listed building). In particular, policy HE10.1 instructs that LPAs should “treat favourably applications that preserve those elements of the setting that make a positive contribution to or better reveal the significance of the asset. When considering applications that do not do this, local planning authorities should weigh any such harm against the wider benefits of the application”.

Policy HE7.5 of PPS5 requires authorities to take into account the desirability of new development making a positive contribution to the character and local distinctiveness of the historic environment. This reinforces guidance contained in PPS1 which states that “designs which fail to take the opportunities available for improving the character and quality of an area should not be accepted”.



**d) Assessment of principle & impact on setting of listed building**

Under the current proposals the existing garden plot would be subdivided and a new dwelling constructed within the area to the east of the listed building. Land to the south of the plot would also be annexed from the existing cottage to provide vehicular access, garaging, parking and turning space for the new dwelling, whilst the current pull-in to the north would be extended into the garden to provide a hard surfaced parking and turning area for the existing dwelling.

Historic maps show the rear garden to have always been an open garden owned in association with the cottage and the mature garden makes a significant contribution to the informal and bucolic setting of the listed building, to that of neighbouring unlisted historic buildings (particularly the unlisted but historically significant Gaddon House), and to the wider area. Beyond the garden boundary, open views to fields reinforce the rural character of the property's setting.

The proposed dwelling would occupy a backland location accessed via an extension of the existing driveway for Carina. The location is out of character with the historic settlement pattern which, in the vicinity (and the village in general), relates closely to the lane with properties located at or close to the roadside.

To the north of the site is the property known as 'Fairview' which occupies a backland location to the rear of Gaddon House. This early 20<sup>th</sup> Century property, which predates the planning system, can be seen as a late and out of character intrusion which has marred the setting of the unlisted Gaddon House, possibly contributing to its decline to the extent that it was not considered as being worthy of listing during the 1980s re-survey.

To the south of the site planning permissions have been granted in recent years for two dwellings to the rear of existing properties (K/57938/F to the rear of Maydette and E/10/0873/FUL at Uphill House). However, neither of these proposals lies within the curtilage of a listed building and neither are backland plots in the conventional sense, as separate access was achievable from Foxley Fields. In the case of Uphill House, the dwelling was created through conversion of an existing outbuilding so there was no additional visual impact.

In the case of Carina, the development of the plot in depth, the annexation of garden area to the south for parking, turning and garaging for the new house and the extension of the access and hardstanding to the north would inevitably lead to a very significant diminution of the existing open and rural character of the plot, to the considerable detriment of the setting of this vernacular building. Current open views and the link with the landscape beyond would be broken and the amenity enjoyed by the existing property would be significantly diminished.

It is considered that the proposals would conflict with the following:

- Policy PD1 of the Kennet Local Plan 2011 which requires development proposals to adequately address their relationship to townscape and landscape context and historic features.
- Policy HC22 of the Kennet Local Plan 2011 which requires residential development to be in harmony with the village in terms of its scale and character.

- Government policy contained in PPS5 (and the accompanying Historic Environment Planning Practice Guide) in respect of the proposal's impact on the setting of a designated heritage asset (listed building).

The Conservation Officer has further made the point that Carina is a substantial historic house with a significant ongoing maintenance burden. She considers that the diminution of the setting of the building, the loss of privacy associated with the erection of the new house and the siting of its parking and access, and the reduction of the plot size to only a modest holding have the potential to prejudice the future viability of the listed building.

**e) Assessment of design**

The applicant's supporting statement suggests that the proposed dwelling is designed to "enhance the character of the area, and respect and enhance the existing Grade II Listed Building". However, officers consider that the proposed dwelling is of wholly indifferent design and quality which makes no reference either to distinctive architectural themes within the locality or to Carina itself. The design of the new dwelling offers no mitigation for the harm that would be caused by the development. Frankly, it is a standard suburban design with no distinguishing characteristics.

The design does not achieve the high standard of design sought by policy PD1 of the Kennet Local Plan 2011. Furthermore, the design conflicts with government policy in that:

- It fails to make a positive contribution to the character and local distinctiveness of the historic environment, contrary to PPS5; and
- It fails to take the opportunities available for improving the character and quality of an area, contrary to PPS1.

**f) Assessment of impact upon residential amenity**

The proposed dwelling is to be accessed via an extension of the existing driveway to the south of Carina and the increased noise and disturbance arising from the comings and goings associated with the new property (which will take place directly alongside the remaining garden area for Carina) would have an adverse impact upon the residential amenities of occupants of the existing property. It is considered that the proposal would conflict with policy PD1 of the Kennet Local Plan 2011 which requires proposals to adequately address their impact on residential amenity, including that caused by reason of noise and disturbance.

Members will note that the owner/occupiers of Fairview have objected on the grounds that development would harm their residential amenities. The principal concern is that the proposed dwelling would overlook Fairview and its garden. There are also concerns regarding the potential for noise and disturbance arising from the proximity of gardens to one another. Notwithstanding the above concerns, it is not considered that a refusal of planning permission could be substantiated on the grounds of adverse impact upon the amenities of Fairview. Whilst there would be a first floor bedroom window facing towards Fairview, the intervening distance between properties is approximately 31m (slightly less if the permitted extension to Fairview is constructed). This is well in excess of the 21m minimum window-to-window distance set out in the Council's Supplementary Planning Guidance on 'Community Benefits from Planning'. The new property would have a rear garden length of 16m which is considered to be sufficient to protect the amenities of the neighbours. A landscaping scheme for the boundary with Fairview can be conditioned if necessary.

It is not considered that there would be any adverse impact upon the amenities of the occupiers of Gaddon House. The owner/occupiers of this property have written in support of the application.

## **10. CONCLUSION**

Overall, officers consider that the proposed development would be out of character with historic development in the area by virtue of its siting and its poor design. The proposal would have an adverse impact on the amenity of the listed building and lead to the substantial loss of the rural character of the plot. The proposals would thus harm the setting of the listed building and there are no mitigating public benefits which may justify a grant of planning permission. The proposal would also have an adverse impact upon the residential amenities of occupiers of the existing property.

**Appendices:**

None

**Background Documents Used in the Preparation of this Report:**

The application file, PPS1: 'Delivering Sustainable Development', PPS5: 'Planning for the Historic Environment', PPS5: 'Historic Environment Planning Practice Guide' and SPG 'Community Benefits from Planning'.

This page is intentionally left blank

# E/11/0297/FUL - Carin, Uphill, Urchfont

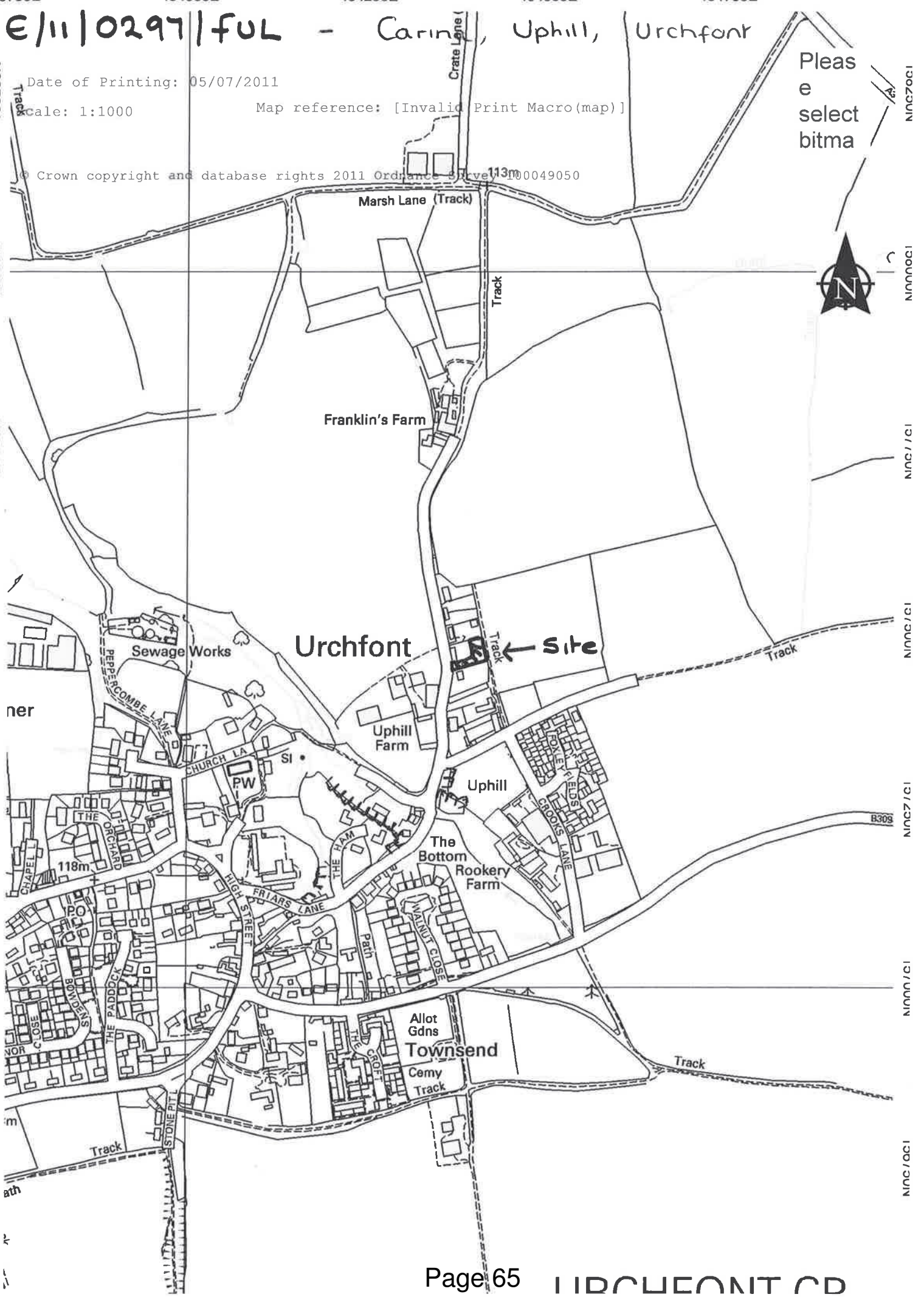
Date of Printing: 05/07/2011

Scale: 1:1000

Map reference: [Invalid Print Macro(map)]

Please  
select  
bitma

© Crown copyright and database rights 2011 Ordnance Survey 100049050



This page is intentionally left blank

**REPORT TO THE EASTERN AREA PLANNING COMMITTEE**

<b>Date of Meeting</b>	14 <sup>th</sup> July 2011
<b>Application Number</b>	E/11/0190/FUL
<b>Site Address</b>	Land adjacent to Haxon Dairy, Everleigh Road, Haxon, Salisbury SP4 9PT
<b>Proposal</b>	Erection of dwelling and garage
<b>Applicant</b>	Mrs Valerie Oldrey
<b>Town/Parish Council</b>	FITTLETON
<b>Grid Ref</b>	414988 149495
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Rob Parker

**Reason for the application being considered by Committee**

This application is being brought to Committee at the request of the Division Member, Cllr Howard.

**1. PURPOSE OF REPORT**

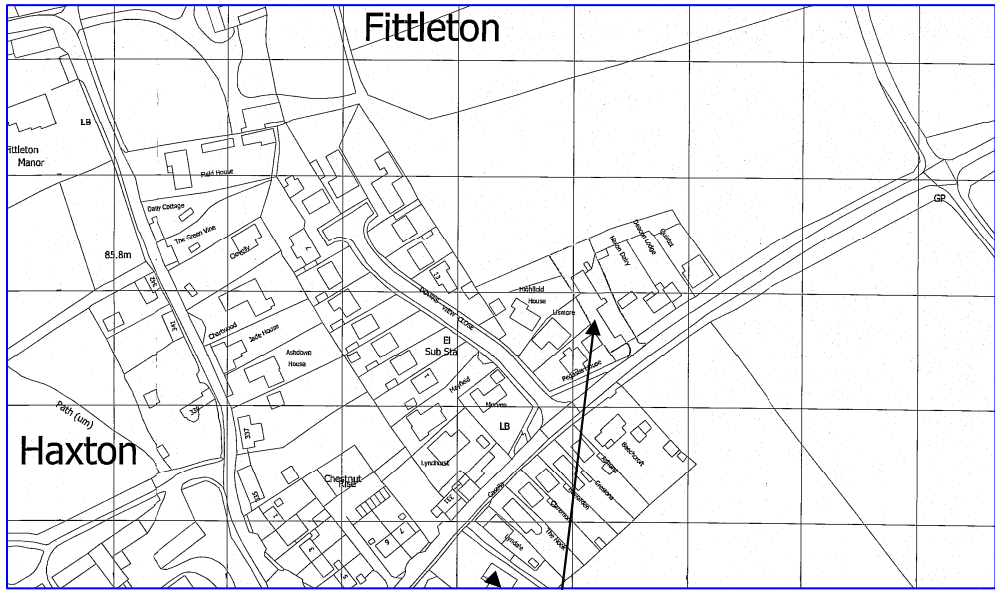
To consider the recommendation that planning permission be granted.

**2. REPORT SUMMARY**

The main issue in this case is the impact upon neighbour amenity.

**3. SITE DESCRIPTION**

This application relates to a site on the north-eastern edge of Haxon. When exiting the village on the Everleigh Road the site lies on the left hand side, immediately beyond the turning into Downs View. The site was formerly occupied by agricultural buildings but these have recently been demolished.



Site Location

#### 4. RELEVANT PLANNING HISTORY

**K/57623/O** – Erection of new dwelling, outline planning permission refused on the 28<sup>th</sup> November 2007. The refusal reason was as follows:

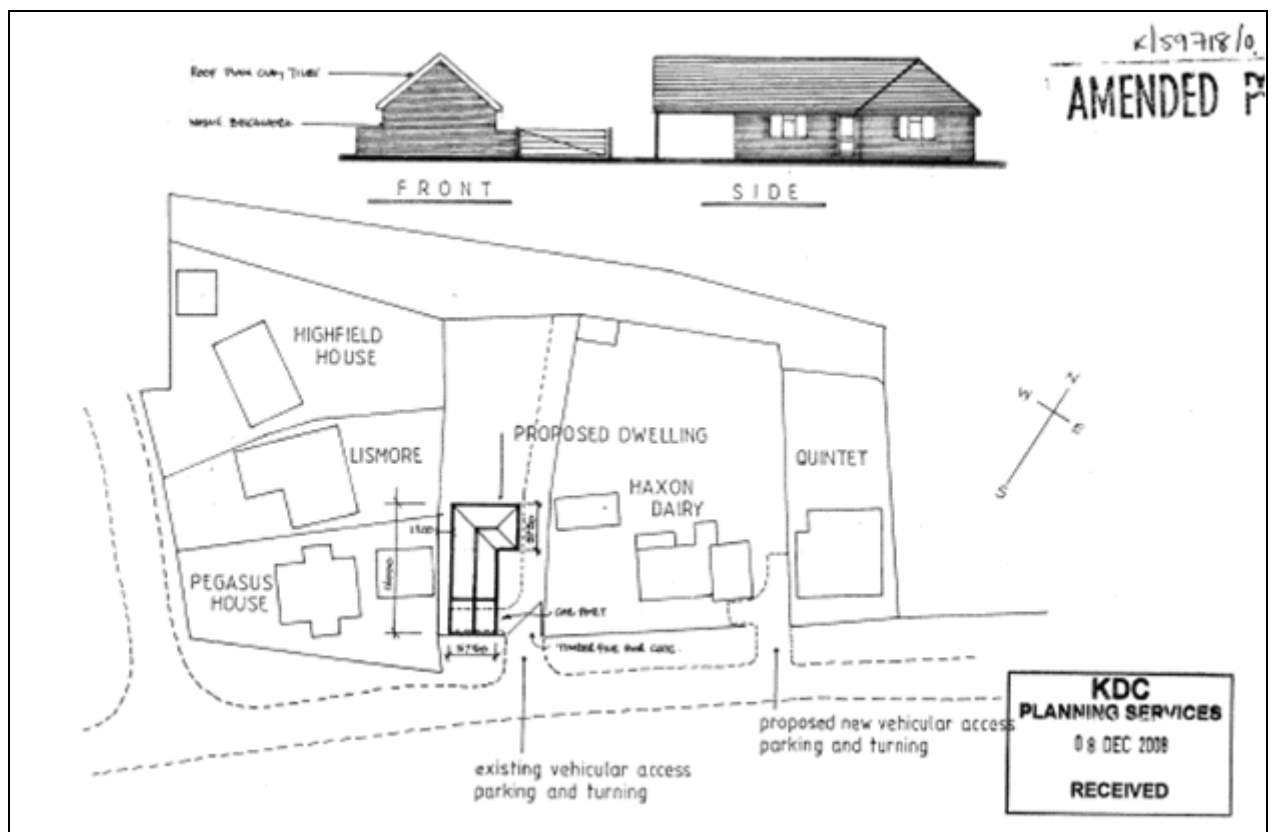
“The proposed dwelling would, by virtue of its siting on the plot and scale, be overbearing for the occupiers of adjacent properties, harmful to their amenities. Furthermore, the scale parameters provided suggest a dwelling of poor design and excessive scale. As such the proposals will be contrary to Policies HC24 & PD1 of the Kennet Local Plan 2011.”

**K/58417/F** – Erection of new two storey dwelling, planning permission refused on the 2<sup>nd</sup> May 2008. The refusal reason was as follows:

“The proposed dwelling would, by virtue of its siting on the plot and scale, be overbearing for the occupiers of adjacent properties, harmful to their amenities. Furthermore, the submitted illustrative elevations indicate a dwelling of poor design which fails to take the opportunities available for producing a high quality scheme on the site. As such the proposals will be contrary to Policies HC24 & PD1 of the Kennet Local Plan 2011.”

**K/59718/O** – Erection of single storey dwelling with new vehicular access, outline planning permission granted on 29<sup>th</sup> January 2009. A copy of the plans submitted with the application is included below for reference:

#### Scheme Approved under K/59718/O

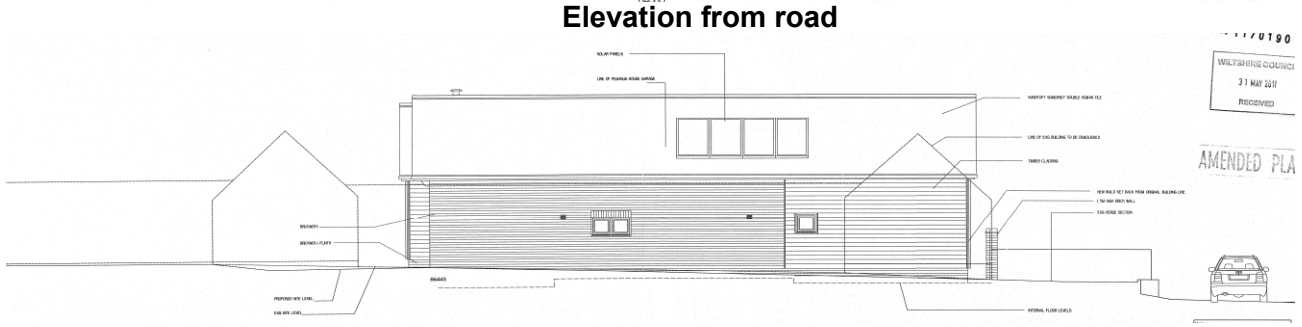
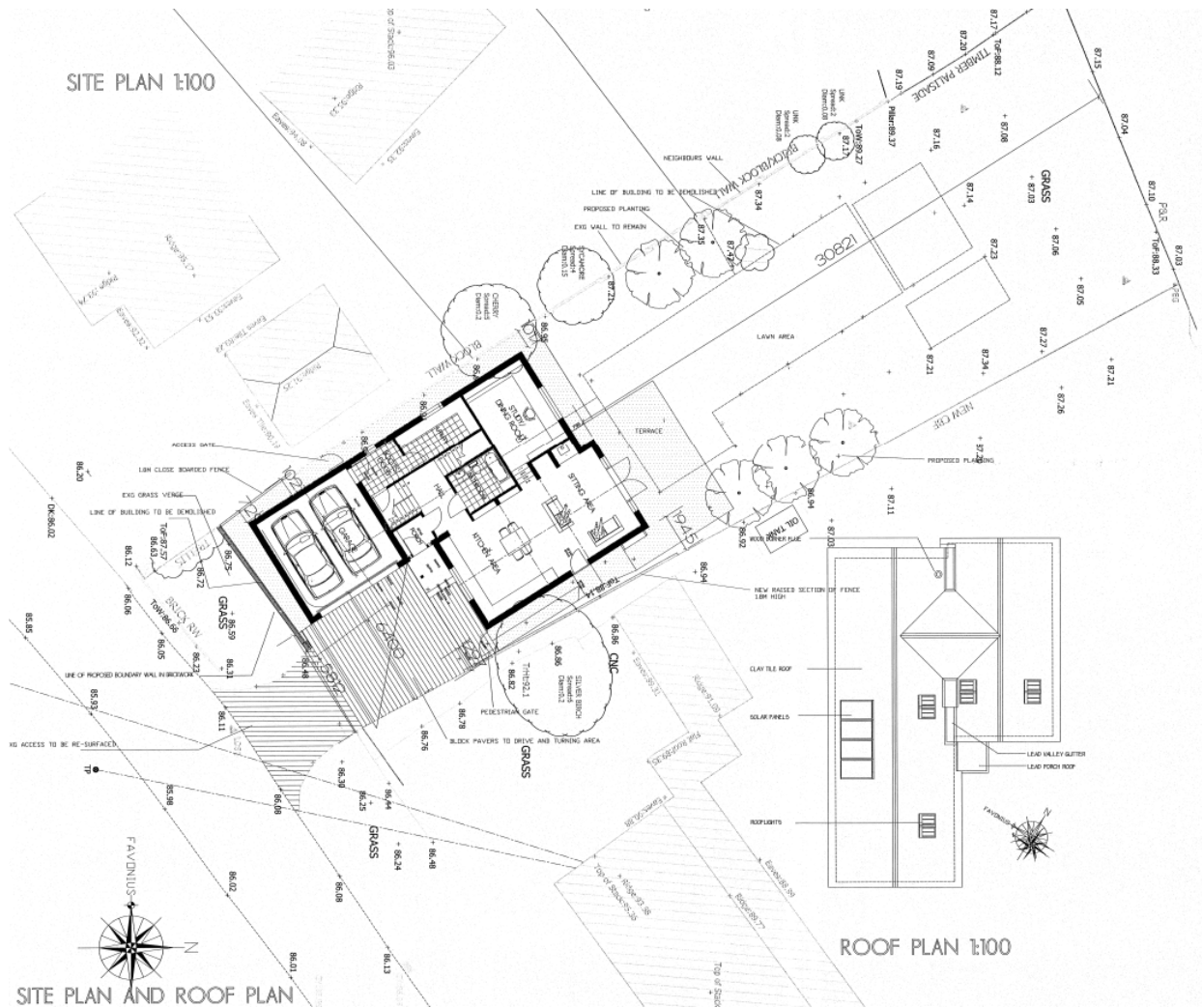


It is worth noting that K/59718/O sought approval for only two of the reserved matters: access and scale. The above layout plan was therefore illustrative, albeit it provided a good indication as to how the site would ultimately be developed under this planning permission.



## 5. THE PROPOSAL

The current application proposes the erection of a 2 bedroom detached dwelling and integral double garage.



## 6. PLANNING POLICY

Policies PD1 & HC24 of the Kennet Local Plan 2011 are relevant to the consideration of this application.

## 7. CONSULTATIONS

**Fittleton Parish Council** – Objects on the grounds that the proposals would be harmful to the amenities of the occupiers of Lismore, one of the dwellings immediately to the west of the site. The parish council accepted the 2m overlap on Lismore's garden proposed under the outline application. However, the level of overlap proposed under the current plans is unacceptable. The parish council suggests that the entire building is pulled forward on the plot, sacrificing the boundary wall on the road frontage.

**Wiltshire Council Highways** – no objections subject to conditions.

**Wiltshire Fire & Rescue Service** – standard guidance letter regarding fire appliance / firefighting access, water supplies for firefighting and domestic sprinkler protection.

## 8. PUBLICITY

The application has been publicised by site notice and neighbour notification letters.

One representation of objection has been received from the owner/occupiers of Lismore, one of the properties immediately to the west of the site. The neighbours are concerned by the level of overlap with their garden boundary and point out that the new building will be in direct line of view from their kitchen and bedroom. They welcome the submission of amended plans to reduce by 500mm the length of the element furthest from their property but do not consider that it goes far enough to address their concern about being 'hemmed in' and having reduced access to open sky and light. The objectors support the solution put forward by the parish council. They wish to emphasise that they have no problem with development of the site and, whilst they would have preferred no overlapping, they accepted the scheme approved at the outline stage.

The owner/occupier of Pegasus House has made a representation to confirm that he has no objections, but wants to make the Council aware of his un-bunded oil storage tank between his garage and the property boundary.

## 9. PLANNING CONSIDERATIONS

The principle of developing this site for a single dwelling was established by the grant of outline planning permission under reference K/59718/O. The issue is whether the latest scheme is acceptable in terms of its impact upon neighbour amenity. The owner/occupiers of Lismore have objected to the scheme and their position is supported by Fittleton Parish Council.

The proposal is for a pair of staggered blocks running lengthways into the site. The block closest to Lismore would overlap the garden boundary to that property by approximately 2.1m. The furthest block would project by an additional 0.735m, making the total projection approximately 2.835m.

The ridge height of the block closest to Lismore would be 5.2m above existing ground levels. The furthest block would be slightly lower at 5.0m. The building height would increase towards the front of the site due to falling ground levels, and therefore the block closest to Lismore would be 5.75m tall at the end nearest the road.

For comparison purposes, the scale parameters approved under K/59718/O were for a dwelling of height 5.2m. No slab height was specified (and there was no slab levels condition) but the worst case scenario is that the measurement would have been taken from existing ground levels. This means that the current proposal would be no higher than the dwelling already approved.

The question for the committee to consider is whether the revised siting and design for the dwelling would make it overbearing for the occupiers of Lismore (having regard to the applicant's fallback position under K/59718/O). Officers consider that the proposals are acceptable in terms of their impact upon neighbour amenity.

Although the dwelling would be taller and bulkier than the agricultural buildings which formerly occupied the site, its siting would leave the majority of the rear boundary to Lismore clear of obstruction and the neighbours would maintain a reasonable outlook and views of the countryside beyond (albeit loss of a view is not in itself a material planning consideration). It is not considered that the proposed building would be overbearing for the neighbours. There would certainly be additional massing near the neighbours' boundary but this would be mitigated by the modest eaves height (2.8m) and the fact that the roof would slope away from the boundary. There have also been some benefits to amenity from the removal of the former agricultural buildings on the site.

Both the parish council and objectors have suggested moving the building further forward on the site, thus removing the roadside wall at the rear edge of the grass verge. Whilst this may be a possibility for the block closest to Lismore (reducing the overlap with the garden to Lismore by up to a metre) it is not achievable for the other block, as to move this would prejudice the parking and turning area which is already tight. Officers have not invited any further amendment to the scheme as they consider the proposals to be acceptable as they stand. If members are considering a deferral of the application for further negotiation they should consider whether moving the block closest to Lismore forward would increase the potential for overlooking of the neighbours' garden.

The neighbours at Lismore did express concerns earlier in the application regarding the potential for overlooking from the rearward facing first floor bedroom window. This concern appears to have been addressed by the addition of timber screens either side of the window. Amended plans have been submitted during the course of the application showing a slight increase in the depth of these screens, and drawings have been submitted showing their role in preventing loss of privacy for the neighbours. Officers are satisfied that there would be no loss of privacy.

There have been no objections to the design of the proposed dwelling, except some initial concerns regarding the use of slate for the roof which the applicant has been happy to amend to double roman clay tile. Officers consider that the proposals are acceptable in terms of their impact upon the street scene and the character and appearance of the area.

**RECOMMENDATION:**

Grant planning permission for the following reason and subject to the conditions set out below:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any material harm to the amenities of neighbouring occupiers, the character and appearance of the area or highway safety. As such, the proposal is considered to comply with policies PD1 & HC24 of the Kennet Local Plan 2011.

- 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 No development shall commence on site until the following have been submitted to and approved in writing by the Local Planning Authority:
- a) Samples of the bricks to be used for the external walls / boundary wall;
  - b) Samples of the double roman clay tiles to be used for the roofs;
  - c) Samples of the timber cladding to be used for the external walls;
  - d) Details of any stain or preservative to be applied to the timber cladding;
  - e) Details of the stain to be applied to the barge boards and fascias;
  - f) Detailed working drawings of eaves and verges;
  - g) Details of rainwater goods;
  - h) Details of the paint finish to be applied to the windows;
  - i) Details of the timber garage doors and any finish to be applied; and
  - j) Samples of the block pavements to be used for the driveway / turning area.

Development shall be carried out in accordance with the approved details.

REASON:

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

- 3 The rooflights to be installed in the dwelling hereby permitted shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.

REASON:

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

- 4 The dwelling hereby permitted shall not be occupied until the sight screens either side of the window serving bedroom 2 have been installed in accordance with the details shown on drawing no. 719-20-07A. The screens shall be retained thereafter in accordance with the approved details.

REASON:

In the interests of neighbour amenity.

- 5 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions to the dwelling hereby permitted.

REASON:

In the interests of neighbour amenity and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions.

- 6 The dwelling hereby permitted shall not be occupied until the access, driveway and turning area have been completed in accordance with the details shown on the approved plans. These areas shall be maintained for use in connection with the development at all times thereafter.

REASON:

In the interests of highway safety.

- 7 Before the dwelling hereby permitted is occupied the first 4.5 metres of the access serving that dwelling (measured from the edge of the carriageway) shall be resurfaced

in a well bound consolidated material (not loose stone or gravel). The access shall be maintained as such thereafter.

**REASON:**

In the interests of highway safety.

- 8 Any gates serving the access for the new dwelling shall be set back 5.0 metres from the edge of the carriageway, such gates to open inwards only.

**REASON:**

In the interests of highway safety.

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

a) Application Form, Drawing no. 719-20-01 & Phase 1 Habitat Survey received on 11th February 2011.

b) Environmental Risk Assessment dated (March 2011) received on 4th April 2011.

c) Drawing nos. 719-20-02B, 719-20-03B, 719-20-04B, 719-20-05B, 719-20-06B & 719-20-07A received on 31st May 2011.

**Appendices:**

None

**Background Documents Used in the Preparation of this Report:**

The application file and history file K/59718/O.

This page is intentionally left blank

E/11/0190/FUL -

Land adjacent to Haxton Dairy

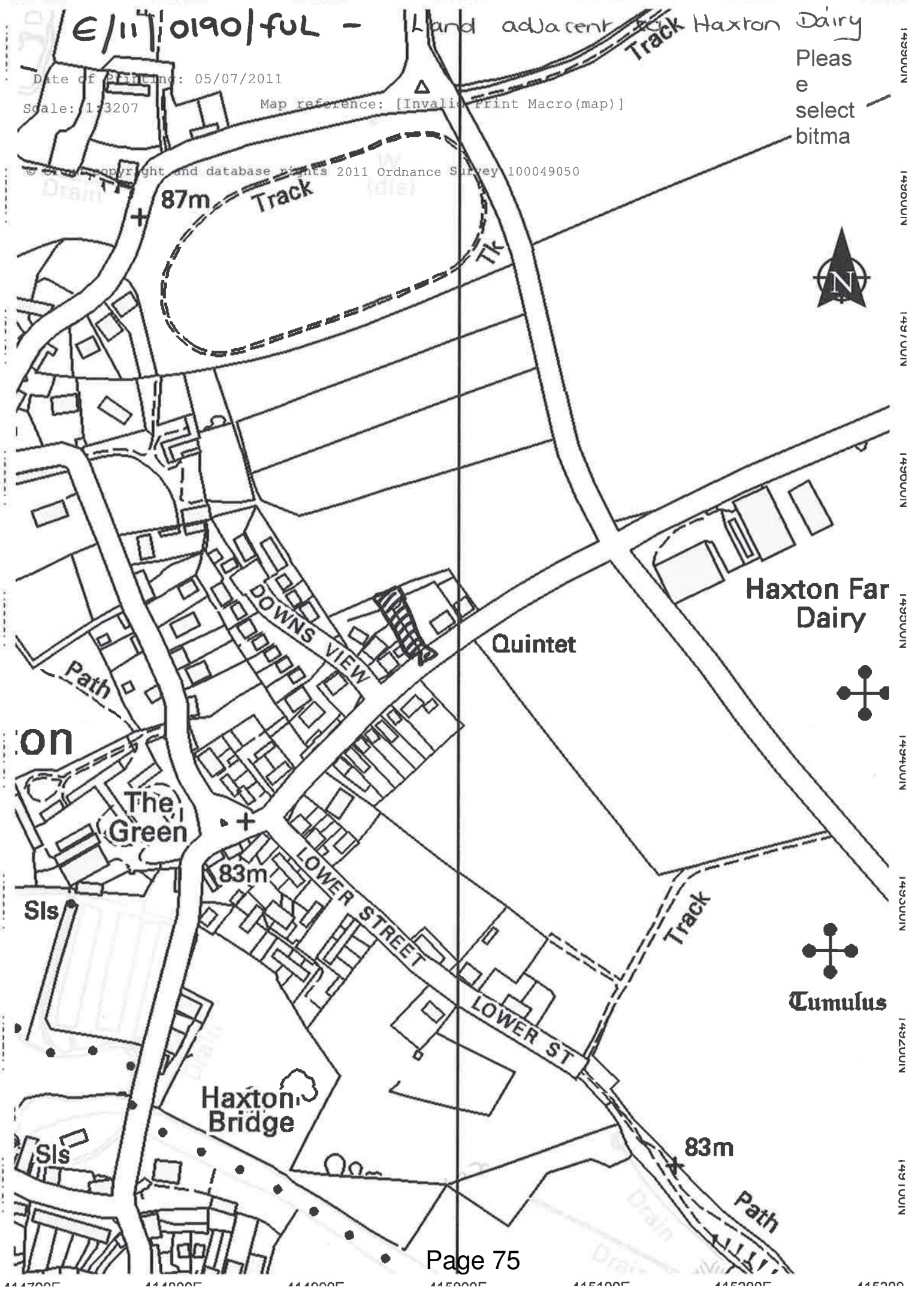
Date of Printing: 05/07/2011

Scale: 1:3207

Map reference: [Invalid Print Macro (map)]

Please select bitma

© Crown Copyright and database rights 2011 Ordnance Survey 100049050



**Tumulus**

This page is intentionally left blank



## REPORT TO THE EASTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	14 July 2011
<b>Application Number</b>	E/11/0654/FUL
<b>Site Address</b>	Park Farm, Clench Common, Marlborough, Wiltshire SN8 4DU
<b>Proposal</b>	First floor extension to bungalow to create two storey dwelling, erection of porch to east elevation (resubmission of E/11/0365/FUL).
<b>Applicant</b>	Mrs A Fox
<b>Town/Parish Council</b>	FYFIELD & WEST OVERTON
<b>Grid Ref</b>	416588 165130
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Peter Horton

### Reason for the application being considered by Committee

The application has been called to committee by the local division member, Cllr Mrs Milton.

### 1. Purpose of Report

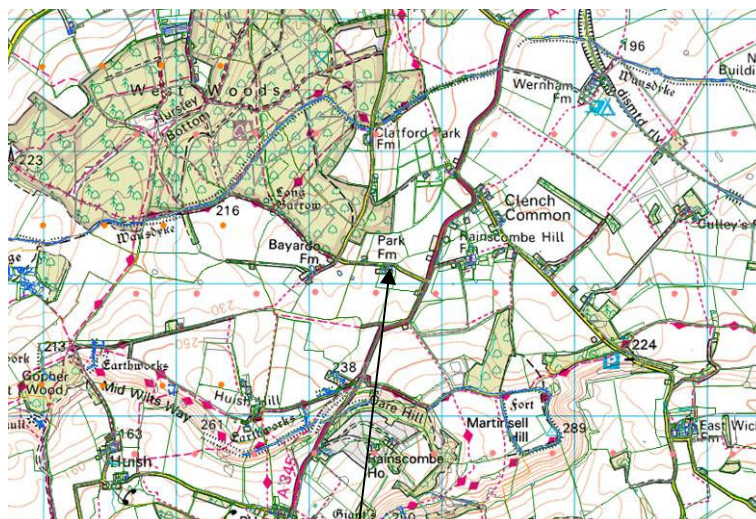
To consider the recommendation that the application be refused.

### 2. Report Summary

The main issues to consider are whether the proposed extension will be harmful to the character and appearance of the property itself and to the character and appearance of the wider area.

### 3. Site Description

Park Farm is a modern 3 bedroom bungalow situated along the minor road linking Clench with Clatford, some 330m west of its junction with the A345 Pewsey to Marlborough road. It is set back around 10m from the road, with a boundary hedge between. The property is rendered with a concrete tile roof. At some stage in the past the property has been enlarged with a single storey rear extension and with a rear conservatory.



Location of the site

#### 4. Planning History

An alternative scheme for a first floor extension to the property was withdrawn in May 2011 (ref E/11/0365/FUL) following officer concern with the scale and bulk of the proposal, and with its overall design.

#### 5. The Proposal

The proposal is to erect a first floor over the entire original part of the bungalow, providing four double bedrooms upstairs and four reception rooms plus existing conservatory downstairs. The whole property would be clad in “timber effect fibre cement weatherboard”. The roof would be tiled in “fibre cement slates”.



Existing roadside (north) elevation



Proposed roadside (north) elevation



Existing front (east) elevation



Proposed front (east) elevation

#### 6. Planning Policy

**Kennet Local Plan** - policy PD1 lays down general principles of development such as the requirement for “a high standard of design”. The requirement for good design is also laid down in central government planning policy in PPS1 paragraphs 33-39. Paragraph 34 states that: “design which is inappropriate in its context, or which fails to take the opportunities available for improving the character and quality of an area and the way it functions, should not be accepted”. Paragraph 35 states that a mark of good design is that it “be integrated into the existing natural environment”.

**Wiltshire & Swindon Structure Plan** - policy C8 and central government planning policy contained in PPS7 require development proposals in AONBs not to harm their scenic quality.

## **7. Consultations**

Fyfield & West Overton Parish Council: No objection in principle. However the choice of materials and the colour of the cladding should be more sympathetic with the environment.

## **8. Publicity**

No neighbour comments received.

## **9. Planning Considerations**

The key planning considerations are the impact of the proposal on the character and appearance of the host property and the impact on the character and appearance of the wider area, which lies within the AONB.

Like most bungalows, the property occupies a large footprint and the proposal is to erect a first floor over the entire original part of the property. This would raise the ridge height from the present modest 5.3m to 7.9m. This would be achieved by constructing a 16.4m ridge running the whole north – south axis of the building, and then running two subsidiary ridges perpendicular to it, producing two gables on the east (front) elevation.

Erecting a whole first floor over a bungalow is rarely a satisfactory design solution, and this current proposal is no exception. It would make for an extremely bulky property with a massive expanse of roof, to the detriment of the character and appearance of the host dwelling. It cannot be said to be a subservient extension, but rather would subsume the original property into a massive structure which would bear no resemblance to the host property as is.

The current property has an extremely modest landscape impact due to its low ridge height and situation some 10m back from the road behind a boundary hedge. However the proposed enlarged property would be far more intrusive in the local environment as a result of the 16.4m and 10.5m wide expanses of first floor development projecting to a height of 7.9m. This adverse landscape impact would be exacerbated by the inappropriate choice of materials, namely “timber effect fibre cement weatherboard” and fibre cement slates. Such artificial materials are entirely inappropriate for an AONB and would draw further attention to the unfortunate design and bulk of the property. The proposal would be highly “inappropriate in its context” and would not “integrate into the existing natural environment” (PPS1 refers).

Whereas the impact of the development may be limited to the minor road that fronts it, and this represents only a tiny part of the AONB, the protection of the landscape and the scenic beauty of the AONB depends on a great many individual decisions which have the potential to cumulatively conserve or destroy the natural beauty of the landscape and the countryside. It is only by attention to seemingly small matters that the qualities of the AONB which justified its designation in the first place can be protected in the long term. At a local level the proposed development would harm the special environmental qualities of the area, and in doing so harm those of the AONB.

Officers would have no objection to the principle of a sensitively designed replacement dwelling of one and a half storeys. However the applicant has declined to take up this suggestion.

## **10. Conclusion**

The proposed first floor extension over the entire original part of the bungalow would make for an extremely bulky property with a massive expanse of roof, to the detriment of the character and appearance of the host dwelling. The resultant dwelling would be detrimental to the scenic quality of this part of the AONB, an

impact exacerbated by the proposed use of unsympathetic artificial materials.

### **RECOMMENDATION**

That planning permission is refused for the following reasons:

The proposed erection of a first floor over the entire original part of the existing bungalow would make for an extremely bulky property with a massive expanse of roof, to the detriment of the character and appearance of the host dwelling and the landscape in which it is situated. The proposed use of inappropriate artificial materials would draw further attention to the unfortunate design and bulk of the property, to the detriment of the character and appearance of this part of the North Wessex Downs area of Outstanding Natural Beauty. The proposal is therefore contrary to policy PD1 of the Kennet Local Plan and to central government policy requiring good design set out in PPS1 and to the requirement to preserve the special environmental qualities of AONB's set out in PPS7.

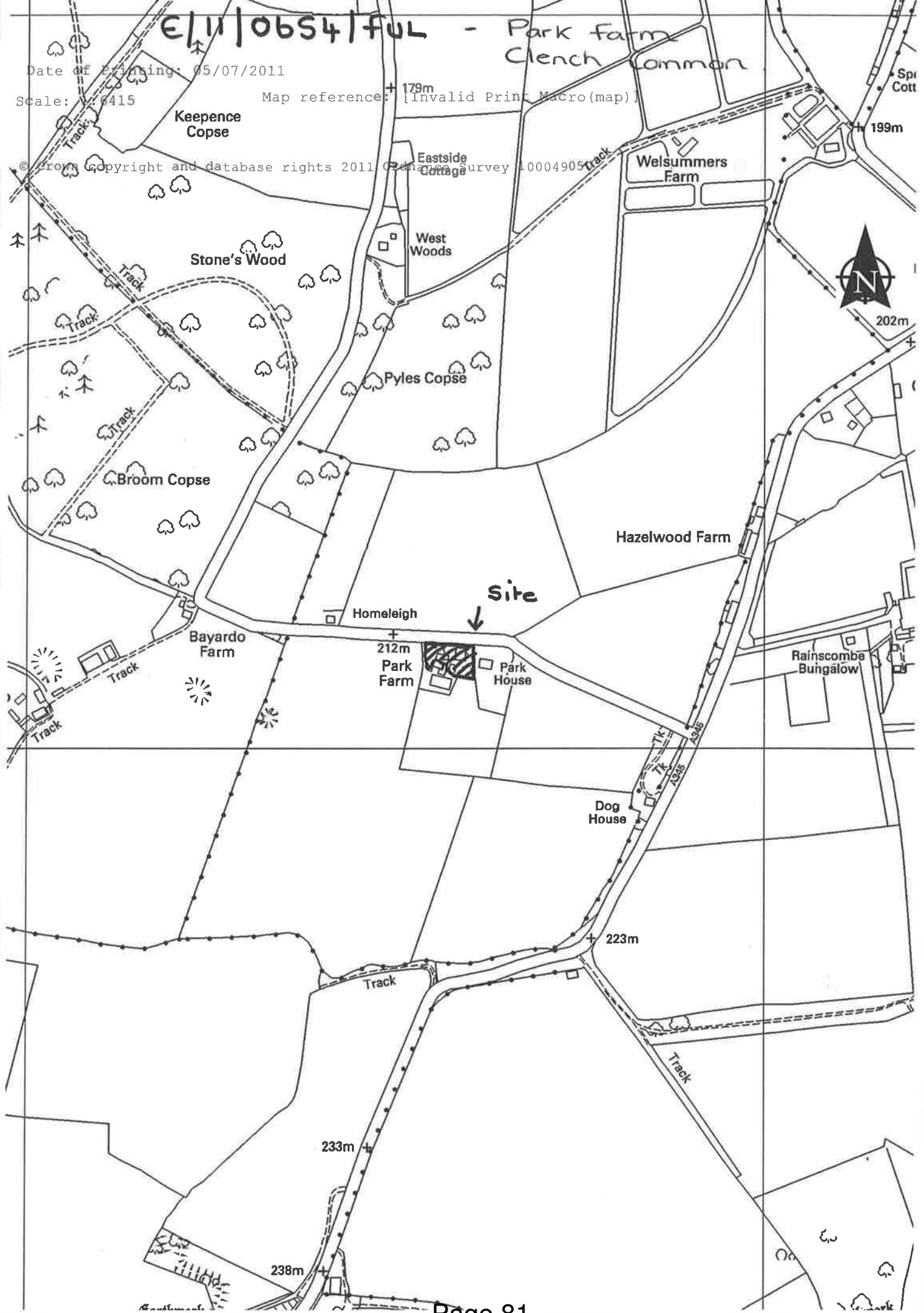
# E/11/OBS4/FUL - Park farm Clench Common

Date of Printing: 05/07/2011

Scale: 1:6415

Map reference: [Invalid Print Macro(map)]

© Crown Copyright and database rights 2011 Ordnance Survey 10004905



This page is intentionally left blank

## REPORT TO THE EASTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	14 July 2011
<b>Application Number</b>	E/11/0691/FUL
<b>Site Address</b>	Avenue Farm House Winterbourne Monkton Swindon SN4 9NW
<b>Proposal</b>	Construction of outbuilding to form garage workshop and ancillary accommodation (amendment to previous application E/09/01289/FUL).
<b>Applicant</b>	Mr Jeremy Sumbler
<b>Town/Parish Council</b>	WINTERBOURNE MONKTON
<b>Grid Ref</b>	409985 171557
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Peter Horton

### Reason for the application being considered by Committee

The application has been called to committee by the local division member, Cllr Mrs Milton.

### 1. Purpose of Report

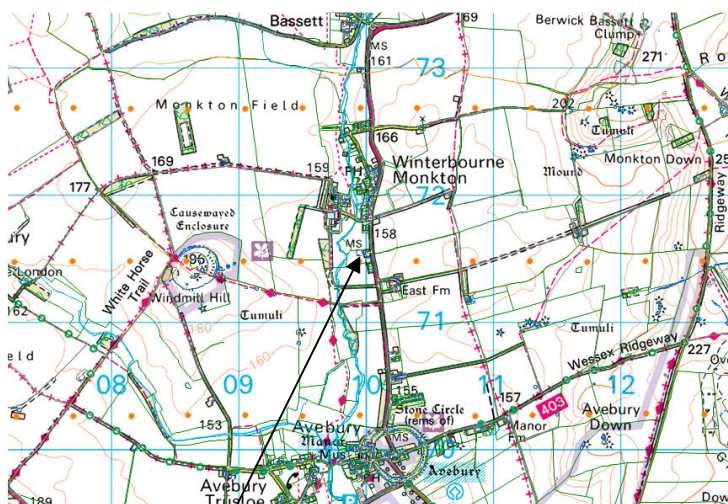
To consider the recommendation that the application be refused.

### 2. Report Summary

The main issues to consider are: (a) whether the proposal is tantamount to the creation of new dwelling in the countryside and therefore contrary to long standing national and local countryside planning policies, and; (b) whether the proposal would be detrimental to the character and appearance of the area, including to the setting of the Avebury World Heritage site.

### 3. Site Description

Avenue Farm is a modern six bedrooed property situated on the western side of the A4361 Avebury to Swindon Road. It is located in the countryside beyond the southern outskirts of Winterbourne Monkton, around 1km north of Avebury. The application relates to garden on the southern side of the property, sandwiched between it and 175 Winterbourne Monkton. The site is situated 320m outside the boundary of Avebury World Heritage Site.



#### 4. Planning History

**K/55164/F approved November 2006.** This application proposed two storey extensions on either end of the existing dwelling to create a substantial six bedroomed property.

**E/09/0439/FUL refused May 2009.** This application proposed an L-shaped outbuilding with sides of 15m and 18m in length. It was considered that a building of such a size would be detrimental to the visual amenities of the area. Furthermore, it was considered to be tantamount to a new independent dwelling, having kitchen, bathroom, very large sitting room and two bedrooms. Hence the proposal was considered to be contrary to long standing local and national countryside policies.

**E/09/1289/FUL approved November 2009 (but not implemented).** This proposal was for an L-shaped outbuilding with sides of 13.3m and 12.0m. It would be for a garage and workshop on the ground floor but with no residential accommodation or anything at first floor level. A condition required it to be used solely for purposes incidental to the enjoyment of the existing dwelling house, and not to be used as a separate unit of residential accommodation.

**E/10/0771/FUL refused August 2010.** This proposed an outbuilding of the same dimensions as approved by E/09/1289/FUL. However there would be a set of rooms at first floor level: living area/kitchen, bathroom and two bedrooms. The level of residential accommodation was such that the proposal was considered to be tantamount to a new dwelling in the countryside. Hence the proposal was refused on countryside policy grounds similar to those cited in the refusal for E/09/0439/FUL.

#### 5. The Proposal

The application proposes the construction of a large new outbuilding to provide a garage/workshop and ancillary residential accommodation to the main house. It would provide two garages and a workshop on the ground floor. Also on the ground floor would be a kitchen. Upstairs there would be two bedrooms, a bathroom and a sitting room.

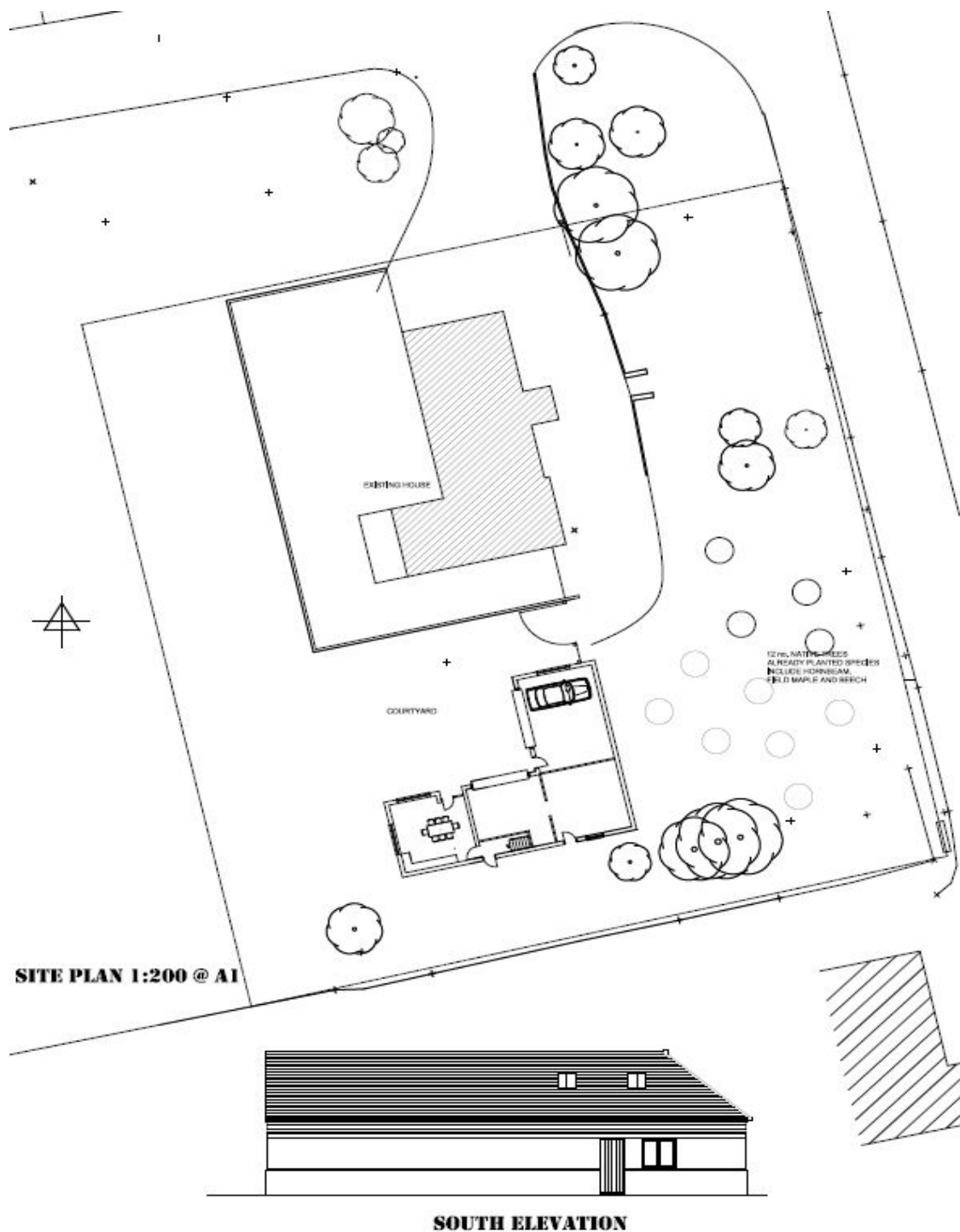
The building would be L-shaped, with the shorter side (13.3m) presenting a blank elevation on to the road. The longer side would measure 17.0m. The building would be 5.6m to the ridge. It would be constructed of brick with tile hanging to the gables, with a tiled roof. The fenestration would have a distinctly domestic character, including some very wide windows (notably a large first floor picture window). There would be 6 windows in total plus 8 rooflights. There would be 3 external doors plus two double garage doors.

To put the size of the building in context, it has a footprint almost as big as the house itself and larger than that of the dwelling at Haxton dealt with earlier in the agenda.

The ancillary accommodation is proposed to be used as a “granny flat” for the applicant’s parents.







World Heritage Site Officer: The site is located within the setting of Windmill Hill and of the World Heritage Site. It is visible from Windmill Hill and on the approach to the World Heritage Site on the main road. The proposal is appreciably larger than that granted by E/09/1289/FUL and is for a dwelling rather than an outbuilding. The development would represent a considerable negative cumulative impact in the rural landscape that is the setting of Windmill Hill and the World Heritage Site, contrary to local plan policy HH3 and to PPS5.

Environmental Health: Require an informative to be attached to any planning permission concerning their powers to investigate any noise complaints regarding use of the proposed workshop.

## 8. Publicity

Local Residents: No comments received

## 9. Planning Considerations

The application proposes a two bedroom detached annex to a substantial 6 bedroomd property. The site has a long planning history (see above) in which two previous proposals for residential annexes have been refused on the grounds that the proposals were tantamount to the creation of a new dwelling within the countryside, contrary to long standing national and local countryside planning policies. Neither of these refusals was tested at appeal. But now the applicant is proposing a building even larger than was proposed when last refused in 2010, and whose level and style of fenestration is considerably more domestic.

Although the proposed occupants of the annex would have familial ties with the applicant, the internal layout of the building reveals it to have all the facilities of an independent dwelling and there would be no need for the occupants to rely on any of the facilities in the main house. Furthermore the seemingly superfluous second garage within the building (not deep enough to accommodate a car) could readily be subsumed into an even larger residential unit.

Whilst it would be open to the local planning authority to condition any approval to be occupied in an incidental manner to the main house, the scale of the building and the proposed level of facilities are such that the building lends itself to independent occupation. Furthermore, the local planning authority would be likely to come under pressure to remove any such condition in the future when the personal family circumstances of the applicant have changed and there is no longer any need to provide a "granny flat".

The agent cites case law in the form of Uttlesford DC v SoSE & White from 1992 in support of the application. This concerned an instance where an attached garage had been converted to a granny annex with full facilities. The courts held that no material change of use had occurred and the fact that the elderly occupier of the annex had living facilities that enabled her to live independently from the rest of the family did not amount to the creation of a separate planning unit that required permission. However the current proposal involves a detached new build structure and officers consider that it would involve the creation of a separate planning unit. Although the Uttlesford case establishes the potential to convert existing outbuildings to provide annex accommodation to the main dwelling, it did not involve the creation of what could really become an independent dwelling.

Officers conclude that the proposed building, which would have two bedrooms and all domestic facilities, is tantamount to the creation of a new dwelling within the open countryside. As such the proposal does not accord with long standing national and local countryside policies expressed in Kennet Local Plan policy HC26 and in central government planning policy contained in PPS7.

Planning permission has previously been granted for a garage/workshop building without first floor accommodation (ref. E/09/1289/FUL). This building measured 13.3m by 12.0m and displayed simple fenestration, presenting a blank elevation to the main road to minimise visual impact. On balance it was considered that the proposal would not materially harm the setting of the World Heritage Site or the scenic quality of the AONB.

Although the current proposal maintains the same elevation to the road as previously approved, its rear projecting wing is 5.0m longer and its fenestration is more dominant and more domestic in character. A building of this size is considered to be an overdevelopment of the site, being 5.5m longer than the widest section of the main house. Notwithstanding the blank elevation to the main road, it is considered

that a building of this size and design in this sensitive countryside location would be detrimental to the setting of the World Heritage Site and to the scenic quality of the AONB.

## **10. Conclusion**

The proposed building, measuring 17m by 13.3m long and with two bedrooms and all domestic facilities, is tantamount to the creation of a new dwelling within the open countryside. This would be contrary to long standing national and local countryside planning policies. In addition, the proposal, by virtue of its size, design and location, would also be detrimental to the setting of the Avebury World Heritage Site, with the scale and appearance of a dwelling, and to the visual amenity of the North Wessex Downs AONB. It is therefore recommended that planning permission is refused.

## **RECOMMENDATION**

That planning permission is refused for the following reason:

The proposed building, measuring 17m by 13.3m long and with two bedrooms and all domestic facilities, is tantamount to the creation of a new dwelling within the open countryside, and has the bulk, scale and appearance of a dwelling. In this location, it would be detrimental to the appearance of the North Wessex Downs AONB and to the setting of the Avebury World Heritage Site. As such the proposal does not accord with long standing local and national countryside policies expressed in Kennet Local Plan policy HC26 and in central government planning policy contained in PPS7. The proposal is also contrary to Kennet Local Plan policies PD1 and HH3 and to central government planning policy contained in PPS5.

E/11/06917/FUL

Date of Printing: 05/07/2011

Scale: 1:6415

Map reference: Invalid Print Macro (map)

Long Barrow  
(site of)

© Crown Copyright and database rights 2011 Ordnance Survey 100019050

Avenue farmhouse,  
Winterbourne Monkton.

Please

select

bitma

WINTERBOURNE  
MONKTON

NINC77/1

NINC00/1

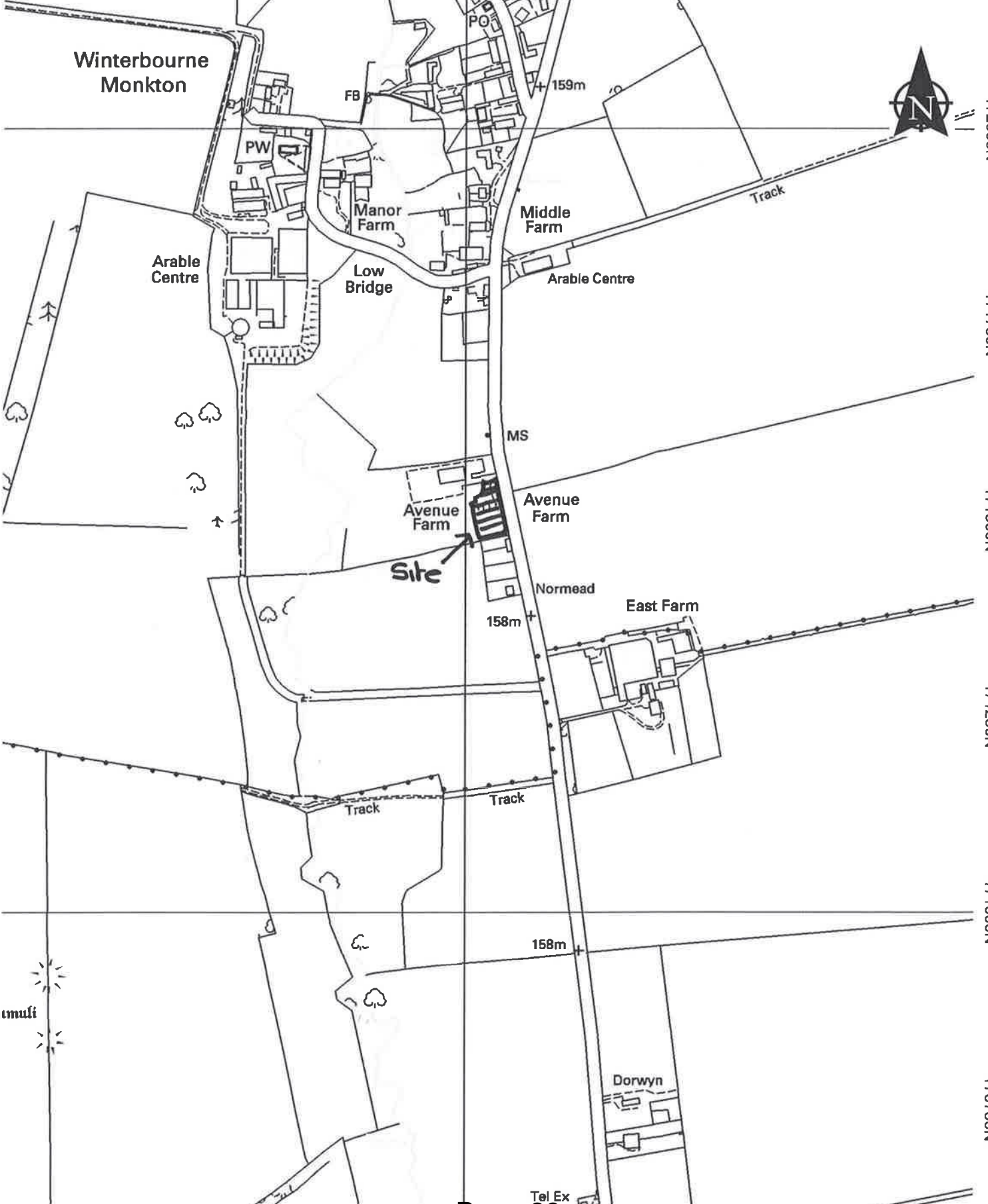
NINC11/1

NINC11/1

NINC21/1

NINC11/1

NINC10/1



unufi

400500E

400750E

440000E

440250E

Tel Ex

This page is intentionally left blank