

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Monkton Park, Chippenham
Date: Wednesday 20 April 2011
Time: 6.00 pm

Please direct any enquiries on this Agenda to Roger Bishton, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 713035 or email roger.bishton@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

Membership:

Cllr Peter Colmer	Cllr Alan Hill
Cllr Christine Crisp	Cllr Peter Hutton
Cllr Peter Davis	Cllr Howard Marshall
Cllr Bill Douglas	Cllr Toby Sturgis
Cllr Peter Doyle	Cllr Anthony Trotman

Substitutes:

Cllr Chuck Berry	Cllr Simon Killane
Cllr Paul Darby	Cllr Mark Packard
Cllr Mollie Groom	Cllr Bill Roberts

Part I

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

1. **Apologies for Absence**

2. **Minutes** (*Pages 1 - 12*)

To approve and sign as a correct record the minutes of the meeting held on 30 March 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 and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

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

Questions

To receive any questions from members of the public or members of the

Council received in accordance with the constitution. 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 Wednesday 13 April 2011. Please contact the officer named on the first page of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6. **Planning Appeals** (*Pages 13 - 14*)

An appeals update report is attached for information.

7. **Planning Applications** (*Pages 15 - 16*)

To consider and determine planning applications in the attached schedule.

- 7.a **10/03993/FUL - Roundhouse Farm Outbuildings, Marston Meysey, SN6 6LL - Change of Use to Storage and Distribution** (*Pages 17 - 36*)
- 7.b **10/04304/FUL - Great Dairy Farm, Sodom Lane, Dauntsey, SN15 4JA - Change of Use to Equestrian for Breeding & Rearing Horses, Provision of Outdoor Menage and Erection of Four Stables & Two Tack Rooms** (*Pages 37 - 42*)
- 7.c **10/03664/FUL - Methuen Park, Bath Road, Chippenham, SN14 0UL - Reconfiguration & Refurbishment of Existing Retail Warehouse to Create Three Retail Warehouse Units together with Improvements to Car Parking, Landscaping & Servicing** (*Pages 43 - 52*)
- 7.d **10/01968/FUL & 10/01969/LBC - The Old Vicarage, Church Walk, Ashton Keynes, SN6 6PB - External Alterations and Extensions to the House** (*Pages 53 - 58*)
- 7.e **10/04414/FUL - 55 Pavenhill, Dogeridge, Purton, SN5 4BZ - Redevelopment involving Demolition of Existing Dwellinghouse and Erection of 7 Dwellinghouses & Associated Works** (*Pages 59 - 66*)
- 7.f **11/00515/FUL - Brook Hill House, Brook Hill, Sherston, Malmesbury, SN16 0NQ - Two Storey Extension with Basement & Single Storey Rear Extension** (*Pages 67 - 70*)

8. **Urgent Items**

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

Part II

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

None

NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 30 MARCH 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Chuck Berry (Reserve), Cllr Peter Colmer, Cllr Christine Crisp, Cllr Bill Douglas,
Cllr Alan Hill (Vice Chairman), Cllr Peter Hutton, Cllr Simon Killane (Reserve),
Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Chris Caswill, Cllr Sheila Parker, Cllr Nina Phillips, Cllr Jane Scott OBE and Cllr Carole
Soden

25. Apologies for Absence

Apologies for absence were received from Cllr Peter Davis (who was substituted by Cllr Chuck Berry), Cllr Peter Doyle and Cllr Howard Marshall (who was substituted by Cllr Simon Killane).

26. Minutes

Resolved:

To confirm and sign the revised Minutes of the meeting held on 9 March 2011, as circulated at the meeting.

27. Declarations of Interest

Cllr Alan Hill declared a personal interest in Minute No 31(e) – Application No 11/00001/FUL - Innisfrey, Washmeres, Colerne, Chippenham, SN14 8DQ - First Floor Extension to Bungalow to Form House, owing to his acquaintance with Mr Gerrard Churchouse, a local resident and an objector to the proposal. He stated that he would take part in the debate on this application and vote.

28. Chairman's Announcements

There were no Chairman's announcements.

29. **Public Participation and Councillors' Questions**

Members of the public addressed the Committee as set out in Minute No 31 below.

There were no questions received from members of the public or members of the Council.

30. **Planning Appeals**

The Committee received and noted a report setting out details of:-

- (i) Forthcoming hearings and public inquiries between 21 March & 30 June 2011.
- (ii) Planning appeals received between 24 February & 17 March 2011.
- (iii) Planning appeals decided between 24 February & 17 March 2011.

31. **Planning Applications**

1a **10/04672/FUL & 10/04673/CAC - Land at Station Hill, Chippenham, SN15 1EQ - Change of Use & Refurbishment of Existing Buildings to Form Offices & the Addition of a New Build A1 Unit proposed as a Convenience Store, including Parking. Demolition of Buildings, Structures & Boundary Walls**

The following people spoke against the proposal:

Mr David Rowlands, a local resident
Mr Sat Gill, a local resident
Mr William Brown, a local resident

The following people spoke in favour of the proposal:

Mr Edward Heard, Llanfear LLP, the applicant

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that the application be delegated to the Area Development Manager for planning permission and listed building consent to be granted subject to conditions. He also 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 as detailed above, expressing their views regarding the planning application.

Members heard the views of Cllr Chris Caswill, the local member, who, whilst not objecting to the change of use of the existing building on the site to form offices, did object to the construction of a new A1 convenience store.

During discussion, Members expressed concern regarding the opening hours and the sale of alcohol during the late evening.

Resolved:

To delegate the Area Development Manager to issue:-

(1) planning permission, subject to negotiations with the applicant to consider imposing a condition restricting opening hours and subject also to the following conditions:-

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Plans

Location plan 1:1250 P000

Site Plan 1:200 P001

Ground floor plan P002

First floor plan P003

Proposed elevations - sheet 1 P004

Proposed elevations – sheet 2 P005

Demolition plan P100

All date stamped 29/12/10

Agreement in principle for convenience store frontage car park to be relocated off site in future P006

Date stamped 15/03/11

REASON: To ensure that the development is implemented as approved.

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

REASON: 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 design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied / brought into use.

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

5. The development hereby permitted shall not be first brought into use/occupied, until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

6. The development hereby permitted shall not, at any time, be subdivided into a larger number of units.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additional units on the site.

7. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site without the prior approval in writing of the Local Planning Authority.

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

8. No development shall commence on site until details of the storage of refuse, including details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

INFORMATIVES

1. This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

2. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

REASON

The application is for retail and office development that is an entirely appropriate form of development in this town centre location. The proposal is considered to represent the best compromise between good urban design and the requirement for development that ensures highway safety. The proposal is considered to enhance the character and appearance of this part

of the Chippenham Conservation Area, and as such would meet the requirements of Policy HE1, HE2 as well as Policies C3, C4 and R2 of the adopted North Wiltshire Local Plan 2011.

(2) Conservation area consent, subject to the following condition:-

1. No works for the demolition of the building(s) or any part thereof shall commence on site until a valid construction contract has been entered into under which one of the parties is obliged to carry out and itself complete the works of development of the site for which planning permission/listed building consent has been granted under application reference 10/04672/FUL or such other application(s) approved by the Local Planning Authority; and; evidence of the construction contract has first been submitted to and approved by the Local Planning Authority.

REASON: In the interests of the visual amenity of the locality, which is within a designated Conservation Area.

INFORMATIVES

1. This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

2. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

REASON

The proposed demolition of existing and out-buildings and boundary wall is considered to be acceptable in the context of planning permission being granted for redevelopment of the site under reference 10/04672/FUL and would be in complete accordance with the requirements of Policy HE1 and HE2 of the adopted North Wiltshire Local Plan 2011.

1b **10/03043/FUL & 10/03044/LBC - The Old Vicarage, Church Walk, Ashton Keynes, SN6 6PB - Extension to Coach House in Curtilage of The Old Vicarage. Internal & External Alterations & Extension to Coach House**

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application. He introduced the report which recommended that the application be refused and drew Members' attention to the late items.

Members of the Committee then had the opportunity to ask technical questions.

On hearing the views of Cllr Carole Soden, the local member, who supported the application and stated that Ashton Keynes Parish Council had raised no objections,

Resolved:

To delegate the Area Development Manager to issue:-

- (1) **Planning permission, subject to conditions to include only time limit, list of plans, protection of trees, sample of materials, flood measures as recommended by the Environment Agency and archaeology.**

REASON

The proposed works will not lead to substantial harm to the significance of this heritage asset and will thereby preserve the historic interest of the listed building.

- (2) **Listed building consent, subject to conditions to include only time limit, list of plans, protection of trees, sample of materials, flood measures as recommended by the Environment Agency and archaeology.**

REASON

The proposed works will not lead to substantial harm to the significance of this heritage asset and will thereby preserve the historic interest of the listed building.

1c **10/03536/FUL - Land off Old Combe Road, Grittleton, Chippenham, SN14 6AQ - Relocation of Stables and Feed Store**

The following people spoke against the proposal:

Mr John Wilding, a local resident
Cllr Ian Myles, representing Grittleton Parish Council

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report which recommended that planning permission be granted subject to conditions. She also 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 as detailed above, expressing their views regarding the planning application.

Members heard the views of Cllr Jane Scott, the local member, who questioned whether the application site was the right location, bearing in mind that the proposal would not enhance the landscape being part of an Area of Outstanding Beauty and there were other sites available.

After discussion,

Resolved:

To refuse planning permission for the following reason:-

The proposed stables and associated equine paraphernalia in this part of this Area of Outstanding Natural Beauty would neither conserve or enhance the natural beauty of the landscape and would adversely affect the character of the Area contrary to Policies NE4 (Areas of Outstanding Natural Beauty) and NE15 (The Landscape Character of the Countryside) of The North Wiltshire Local Plan 2011.

1d **10/04304/FUL - Great Dairy Farm, Sodom Lane, Dauntsey, SN15 4JA - Change of Use to Equestrian for Breeding & Rearing Horses, Provision of Outdoor Menage & Erection of Four Stables & Two Tack Rooms**

The following person spoke against the proposal:

Mr Andrew Chapman, a neighbour

The following person spoke in favour of the proposal:

Mr Geraint Jones, Pegasus Planning Group

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted subject to conditions.

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

After discussion, during which concern was expressed that the operation should not develop into a commercial business and thus result in a significant increase in traffic movements along the country lane leading to the premises,

Resolved:

To defer consideration of the application for one cycle to seek the views of the Highways Officer as to whether the imposition of the following conditions would overcome the objection:

- 1. The development hereby permitted shall only be for the stabling of horses owned by the occupiers of Great Dairy farm and shall at no time be used for livery, equine tuition or leisure rides.**
- 2. No more than 4 horses shall be stabled within the application site boundary.**

1e 11/00001/FUL - Innisfrey, Washmeres, Colerne, Chippenham, SN14 8DQ - First Floor Extension to Bungalow to Form House

The following people spoke against the proposal:

Mr Gerrard Churchouse, a local resident

Mr Coombs, a local resident

The following people spoke in favour of the proposal:

Mr Paul Ockley

The Committee received a presentation by the Area Development Manager which set out the main issues in respect of the application. He introduced the report which recommended that planning permission be granted subject to conditions. He also 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 as detailed above, expressing their views regarding the planning application.

Members heard the views of Cllr Sheila Parker, the local member, who expressed concern on the impact the proposal would make on neighbouring properties.

Resolved:

To refuse planning permission for the following reason:-

The proposal is for a bungalow on a tightly constrained site located within an Area of Outstanding Natural Beauty and a Conservation Area , adjacent to a listed building. The proposed extension to provide an upper storey to the bungalow would, by nature of its height, scale and use of materials, become more prominent in views within the village and in the wider landscape. It is also considered to have a potentially overbearing impact on neighbouring properties. Overall the proposal would not respect the local character or distinctiveness of this part of Colerne, would fail to preserve or enhance the Conservation Area, would fail to conserve or enhance the landscape of the Area of Outstanding Natural Beauty and would create a development that result in an unacceptable loss of amenities to adjacent dwellings. The application proposal is contrary to Policies C3 (i) and (iii); Policy NE4 (particularly points a and b) and Policy HE1.

- 1f **11/00102/FUL - 32 Hardenhuish Lane, Chippenham, SN14 6HN - Demolition of Existing Dwelling & Erection of New Dwelling with Detached Garage**

The following person spoke against the proposal:

Mrs Gill Fullbrook, a local resident

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. He introduced the report which

recommended that planning permission be granted 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 a statement from a member of the public as detailed above, expressing her views regarding the planning application.

On hearing the views of Cllr Nina Phillips, the local Member and after discussion,

Resolved:

To defer consideration of the application to allow the applicants the opportunity to address the concerns raised by the Council's Drainage Engineer and prepare an acceptable method of dealing with surface water drainage, including reference to the proposed basement.

1g 11/00154/FUL - The Old Forge, 11 High Road, Ashton Keynes, SN6 6NX - Two Storey Rear Extension & Two Dormer Windows to Front Elevation

The following person spoke in favour of the proposal:

Mr Paul Eastham, the applicant

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. She introduced the report which recommended that planning permission be refused.

Members of the Committee then had the opportunity to ask technical questions after which the Committee received a statement from a member of the public as detailed above, expressing his views regarding the planning application. Members also received a letter from the Vice-Chairman of the Ashton Keynes Parish Council in support of the application.

On hearing the views of Cllr Carole Soden, the local Member, in support of the application and after discussion,

Resolved:

To delegate to the Area Development Manager to permit planning permission, subject to revised plans being received showing the chimney removed or repositioned to be internal rather than external, and conditions as appropriate.

REASON

The extension is considered to preserve and enhance the host dwelling and the Conservation area in which it is located. The proposal complies with policies C3, HE1 and H8 of the north Wiltshire Local Plan 2011.

32. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 9.15 pm)

The Officer who has produced these minutes is Roger Bishton, of Democratic Services, direct line (01225) 713035, e-mail roger.bishton@wiltshire.gov.uk

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

**Wiltshire Council – Area North
Planning Committee
20th April 2011**

Forthcoming Hearings and Public Inquiries between 06/04/2011 and 31/07/2011

Application No	Location	Parish	Proposal	Appeal Type	Date
09/01315/CLE	OS 7400, Hicks Leaze, Chelworth, Lower Green, Cricklade	Cricklade	Use of Land for Storage and Dismantling of Cars, Vans, Lorries, Plant and Machinery for Export and Recycling; Siting of One Caravan for Residential Use	Public Inquiry	26/04/2011

Planning Appeals Received between 17/03/2011 and 06/04/2011

Application No	Location	Parish	Proposal	DEL or COM	Appeal Procedure	Officer Recommendation
10/03915/S73A	BRIDGE PADDOCKS, BRAYDON ROAD, LEIGH, WILTSHIRE, SN6 6RQ	Leigh/Purton	Removal of Condition 1 of Planning Permission 10/00794/FUL to Permanent Stationing of Caravans for One Gypsy Pitch.	DEL	Informal Hearing	Refusal
10/04226/FUL	CHENEY COURT FARM, DITTERIDGE, DITTERIDGE, BOX, CORSHAM, SN13 8QF	Box	Demolition of Existing Building & Erection of Agricultural Storage Building	DEL	Written Representations	Refusal
10/04300/FUL	59 CHAMBERLAIN ROAD, CHIPPENHAM, WILTSHIRE, SN14 0TF	Chippenham	Two Storey Side Extension	DEL	Written Representations	Refusal
10/04364/FUL	6 FAIRVIEW, CRICKLADE, WILTSHIRE, SN6 6BE	Cricklade	Two Storey Extension to Rear	DEL	Written Representations	Refusal

Planning Appeals Decided between 17/03/2011 and 06/04/2011

Application No	Location	Parish	Proposal	DEL or COM	Appeal Decision	Officer Recommendation	Appeal Type
10/03976/FUL	14 GRANGER CLOSE, CHIPPENHAM, WILTSHIRE, SN15 3YH	Chippenham	Two Storey and Single Storey Extension to Rear of Property	DEL	Allowed with Conditions	Refusal	Written Representations
10/01243/FUL	1 THE TYNINGS, CORSHAM, SN13 9DE	Corsham	Erection of Dwelling	DEL	Appeal Dismissed	Refusal	Written Representations
10/03673/FUL	35 HALLSFIELD, CRICKLADE, WILTSHIRE, SN6 6LR	Cricklade	Erection of Attached New Dwelling	DEL	Appeal Dismissed	Refusal	Written Representations

08/00267/ENF	5 HAM COTTAGES, BROAD TOWN, SWINDON, WILTSHIRE, SN4 7QY	Broad Town	Not in accordance with 08/013/FUL - outside staircase and conversion of loft into living space	ENF	Dismissed and Enforcement Notice Upheld	Enforcement Notice	Written Representations
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Agenda Item 7

INDEX OF APPLICATIONS ON 20/04/2011

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
7a	10/03993/FUL	Roundhouse Farm Outbuildings, Marston Meysey, Wiltshire, SN6 6LL	Change of Use to Storage and Distribution	Permission
7b	10/04304/FUL	Great Dairy Farm, Sodom Lane, Dauntsey, Wiltshire, SN15 4JA	Change of Use to Equestrian for Breeding and Rearing Horses, Provision of Outdoor Menage and Erection of Four Stables and Two Tack Rooms (Resubmission of N/10/01459/FUL)	Refusal
7c	10/03664/FUL	Methuen Park, Bath Road, Chippenham, Wiltshire, SN14 0UL	Reconfiguration and Refurbishment of Existing Retail Warehouse to Create Three Retail Warehouse Units Together with Improvements to Car Parking, Landscaping and Servicing	Delegated to Area Team Leader
7d	10/01968/FUL	The Old Vicarage, Church Walk, Ashton Keynes, SN6 6PB	External Alterations and Extensions to the House.	Refusal
	10/01969/LBC		Internal and External Alterations and Extension to House.	Refusal
7e	10/04414/FUL	55 Pavenhill, Dogeridge, Purton, Wiltshire, SN5 4BZ	Redevelopment Involving Demolition of Existing Dwellinghouse and Erection of 7 Dwellinghouses and Associated Works.	Delegated to Area Team Leader
7f	11/00515/FUL	Brook Hill House, Brook Hill, Sherston, Malmesbury, Wiltshire, SN16 0NQ	Two Storey Side Extension with Basement & Single Storey Rear Extension	Refusal

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	20 th April 2011		
Application Number	10/03993/FUL		
Site Address	Roundhouse Farm Outbuildings, Marston Meysey, Wiltshire, SN6 6LL		
Proposal	Change of use to storage and distribution		
Applicant	Moreton C Cullimore (Gravels) Ltd		
Town/Parish Council	Marston Meysey Parish Council		
Electoral Division	Cricklade & Latton	Unitary Member	Councillor Peter Colmer
Grid Ref	413128 196488		
Type of application	FULL		
Case Officer	Lydia Lewis	01249 706 643	Lydia.lewis@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Colmer has submitted a request for the planning application to be considered by the committee to assess the environmental and highway impact of the proposal. The application was deferred from the 9th March Planning Committee to enable the case officer to seek further clarification regarding the site's drainage.

1. Purpose of report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Report summary

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

- Principle of development;
- Impact upon highway safety and sustainability;
- Impact upon noise and disturbance;
- Impact upon flood risk; and
- Impact upon ecology

The application has generated objection from Marston Meysey Parish Council; Campaign for the Protection of Rural England; County Highways and 6 letters of objection from the public.

3. Site Description

The application site lies just south of the C116 (Cricklade to Kempford Road), in open countryside approximately two miles north east of Cricklade and a quarter of a mile south of Marston Meysey. The former Roundhouse Farmhouse is located to the east of the site. The Round House, a grade II listed, residential dwelling is situated some 120 metres to the south. A public right of way runs within the site, along the western boundary.

The site comprises three buildings and a former stables.

Building 1 has a floorspace of 767.43 square metres, is a steel portal framed asbestos cement clad building with an eaves height of approximately 5.1 metres and doors of approximately 4.7 metres wide and 4.5 metres high.

Building 2 has a floorspace of 164.73 square metres and is a steel framed shed believed originally to have been a hay barn which had been adapted to a grain drying store. This is also constructed with steel portal frame and corrugated metal cladding, with internal eaves height of approximately 5.46 metres and doors approximately 3.9 metres wide.

Building 3 has a floorspace of 865.88 square metres and is constructed of two sheds joined together and incorporated into one building. This is constructed with portal frame, asbestos cement roof cladding, and block and concrete panel walls. It has an eaves height of approximately 3.2 metres and a door approximately 4.5 metres wide to one bay.

The former stables block is attached to building 1 and has a floorspace of 115.10 square metres. This is constructed of block walls and a corrugated metal sheet clad roof and has approximately ten stalls.

The total floorspace of the site is approximately 1,913.14 square metres and the site area extends to approximately 0.56 hectares.

4. Relevant Planning History		
Application Number	Proposal	Decision
06/2860/COU	<p>Change of use of buildings to vehicle workshop (B2) – Refused for the following reasons:</p> <ol style="list-style-type: none"> 1. <i>The site is in a rural location remote from services and not well served by public transport.</i> 2. <i>The building is in a generally poor condition and not in sympathy with the rural character of this part of the countryside. The continuation and re-use of the building is therefore considered not to respect the local character, distinctiveness and setting of the area.</i> 3. <i>The proposed use is likely to result in the increased use of a substandard access with a resulting prejudicial effect upon highway safety.</i> 4. <i>Insufficient information has been submitted with the application to assess the effect the proposal would have upon the bats and their habitat.</i> 5. <i>The use of the building for B2 use class would be likely represent an unacceptable level of noise and disturbance to the occupiers of the nearest dwelling (Roundhouse Farmhouse).</i> 	Refused
02/02413/COU	<p>Change of use of units 1, 2, 3, 4 and 5 to B1 – Refused for the following reasons:</p> <ol style="list-style-type: none"> 1. <i>The site is in a countryside location remote from services and not well served by public transport. The proposal</i> 	Refused

01/02907/COU	<p><i>would, therefore, generate additional journeys by private car.</i></p> <p>2. <i>The buildings are unattractive, in generally poor condition and not in sympathy with the rural character of the countryside.</i></p> <p>Change of use to B1 (Business) – Refused for the following reasons:</p> <p>1. <i>The site is in a countryside location remote from services and not well served by public transport. The proposal would, therefore, generate additional journeys by private car.</i></p> <p>2. <i>Any increased use made of the sub-standard access generated by the proposed development would be prejudicial to road safety.</i></p> <p>3. <i>The buildings are unattractive, in generally poor condition and not in sympathy with the rural character of the countryside.</i></p>	Refused
92/1534/S73	Retrospective change of use of former grain store to B1(c) purposes	Approved
87/2580/F	Change of use of grain store building to agricultural engineering workshop	Refused

5. Proposal

The applicant seeks consent for change of use from agricultural to storage and distribution (use Class B8). The development is speculative but it is anticipated that at least 2 employees would be required on site.

No external alterations are proposed.

The application form states that the proposed hours of operation are 07:00 to 18:00 Monday to Friday and 08:00 to 17:00 on Saturdays with no Sunday working. There is a slight discrepancy in the application documents with the supporting statement stating that the opening hours would be 08:00 to 17:00 Saturday **and** Sunday.

8 parking spaces and 2 disabled parking spaces are proposed to the front of the site.

The following documents have been submitted in support of the application:

- Bat Roost Inspection – Final report 25 November 2010.
- Noise Impact Study, dated 2nd May 2000
- Flood Risk Assessment, dated January 2007
- Planning Statement, dated October 2010
- Building Survey Report, dated 10th January 2011

6. Planning Policy

North Wiltshire Local Plan:

C3 – Development Control Policy
C4 – Business Development Core Policy
NE9 – Protection of Species
NE18 – Noise and Pollution
T1 – Minimising the Need to Travel
BD5 – Rural Business Development

Central government planning policy

Planning Policy Statement 4 – Planning for Sustainable Economic Growth
Planning Policy Statement 7 – Sustainable Development in Rural Areas
Planning Policy Statement 9 – Biodiversity and Geological Conservation
Planning Policy Guidance 13 – Transport
Planning Policy Guidance 24 – Planning and Noise
Planning Policy Statement 25 – Development and Flood Risk

7. Consultations

Conservation Officer - The proposals show ten parking spaces at the front of the site just inside the boundary with the road. There are no indications of signage, lighting or surface materials for the area and in order to support this application, it is asked that should consent be granted conditions be added to ensure minimal alteration to the external appearance of the buildings and site in order that the impact on the character and appearance of the area is minimal and is not detrimental to the setting of the listed building beyond the site. Any external lighting should be minimal and agreed by the Local Planning Authority. Any external signage, either attached to buildings, boundaries or posts should be minimal, non-illuminated and agreed by the Local Planning Authority. Details of the car park surfacing. Some kind of system which allows plants to grow through so that it is not a hard surface is anticipated. Any alterations to fencing and gates should be approved by the Local Planning Authority. The existing hedgerow should be maintained and, where possible, improved by laying, in order to screen the site.

County Highways – There is a history of similar applications on this site which were refused. The current permission of B2 use of one of the units was a specific use permission for the repair of shopping trolleys and this use ceased several years ago (pre 2006 when the last application was made).

The site is located in open countryside and the only bus service in the vicinity provided only a once daily shopping journey to Swindon or Cirencester. They are not suitable for journey to work purposes in connection with the proposed use.

It is recommended that the application is refused for the following reason:

- The proposal, located remote from services and not well served by public transport, is contrary to the key aims of Planning Policy Guidance 13 which seeks to reduce growth in the length and number of motorised journeys.

County Highways have considered the additional information received from the applicant and wish to maintain this objection as it is considered unlikely that the majority of employees will live near enough to walk or cycle to this site.

Council's Agricultural Advisor – It is understood that the buildings previously served the farmland at Roundhouse Farm. Following planning permission the farmland is now in use for gravel extraction. It is understood that there is no continuing agricultural activity on the farmland. At present the buildings are wholly unused for agriculture. The nature of their construction suggests that they served a small arable and beef unit, with buildings 1 and 2 equipped for grain and building 3 suited for use by livestock.

It is considered that all the buildings are still capable of agricultural use, both for arable enterprises and for livestock. The question then is what the demand would be for such use. Clearly the main source of demand was from the use of the agricultural land at Roundhouse Farm. That demand has now ceased, with the use for gravel working. The Council's Agricultural Advisor is not aware of any continuing local demand for off-site buildings from other farmers. In the event that such demand existed then it would usually be met on-farm through new buildings. There is often seasonal demand for grain storage; however, the nature of the storage at the subject site is small scale.

Overall, the buildings are small scale and capable of agricultural use, however, demand for such use is likely to be extremely limited.

Environmental Health – The noise impact study submitted with the application has no relevance to this specific proposal. It is the 2000 noise report for the proposed mineral extraction at Roundhouse Farm.

It is recommended that the hours of operation suggested in page 6 of the accompanying statement be incorporated into a suitably phrased condition, with the exception of Sunday use. Sundays, should be treated the same as Bank Holidays and therefore operations should be restricted to Monday to Saturday only.

It is recommended that the physical control and management measures stated on page 9 of the statement be incorporated into a suitably phrased condition to be attached to any consent. Provided the points summarised above are conditioned, no adverse comments on noise grounds are raised.

District Ecologist – Having reviewed the available information, the findings of the bat survey are agreed and no objections are raised in relation to ecology.

Environment Agency – The buildings are located in Flood Zone 2 (medium risk) therefore no objections in principle are raised to the proposed storage use at the site. However, flood risk does need to be considered carefully as the site is extensively surrounded by Flood Zone 3b (functional floodplain), which carries a risk of user's being stranded on site should a flood occur.

It is not considered that the proposed development will increase flood risk at the site or to third party land. It will not increase the vulnerability use of the building or extend the building footprint. Given the proposed storage use, it is unlikely that people will be on site should a flood occur. Therefore conditions are recommended relating to finished floor levels, a Flood Warning and Evacuation Plan, development to be carried out in accordance with the Flood Risk Assessment and details of Surface Water Draining.

The above comments are based on there being limited users on site due to the storage use. The Council may wish to consider limiting permitted development rights, specifically for change of use, as some B1, B2 uses are likely to increase the number of users on site and make evacuating the site an unviable option from a safety point of view.

The Environment Agency appreciate that the proposed conversion will not increase flood risk as stated in the FRA. However, PPS25 encourages opportunities to reduce flood risk wherever possible through the use of SuDs. Notwithstanding this, the site is in a sensitive location overlying Source Protection Zone 1 (SPZ1 – the inner catchment for a local borehole supplying potable drinking supplies). Drainage needs to be carefully considered and the Environment Agency would

expect surface water to be treated before it is introduced into the ground. Foul drainage should be directed to mains sewer as indicated on the application forms. The LPA should seek confirmation from the Sewerage Undertaker that they are happy to accept these flows. If this is not the case the Environment Agency must be re-consulted as non-mains systems are generally not accepted in SPZ1.

further consultation response has been received stating that the Environment Agency have a general policy against the use of non-main drainage systems in SPZ1. The water abstraction at Meysey Hampton (for which SPZ1 this site falls into) is from the Oolites. These Oolites are overlain in this area by a considerable thickness of Oxford clay (probably in excess of 50m at this site). The clays in this location are overlain by terrace gravel deposits. Because of the presence of this clay which is highly impermeable, it is unlikely that any discharge from the development will discharge into the terrace gravel deposits. However, the aquifer in the terrace gravel deposits is likely to occur at a shallow depth, and as such the site should still be considered as being located in a sensitive location.

The agent has advised that there will not be any increase in foul drainage facilities from the existing single toilet in the building, and there is unlikely to be a significant increase in users. On this basis, and taking into account the geological context outlined above, the Agency would not have an objection in principle to the use of a septic tank. However, please be aware that the preferred option would still be to discharge to mains sewer and no evidence has been submitted to demonstrate that this is not feasible. A condition is recommended regarding foul drainage.

Thames Water – Does not require a build over agreement.

Marston Meysey Parish Council – There have been a number of planning applications at this site which are believed to have a bearing on the current application: 92/1534/S73, 01/2907/COU, 02/2413/COU, 06/2860/COU, and 07/1905/CLE.

Footpath MMEY6 travels along the western side of the site. No mention is made of the impact of the planning proposal on the footpath which is a key access to the Wildlife Conservation Area with reed beds to which the Roundhouse Farm sand and gravel quarry is to be restored. There would be a serious safety issue for walkers sharing the site within HGVs and the proposal would not provide a quiet and peaceful access to the nature reserve.

Vehicle Parking is shown as 'existing' the parking area shown on the site map is part of the curtilage of Roundhouse Farmhouse.

Sewage is shown as mains sewer, there is no mains sewer. The site floods. There is a hedgerow on the site adjacent to the C116 and there are a row of mature trees along the entrance road to the Roundhouse, a listed building which are an important part of the local landscape character. The proposed gross internal floor space is 1,913.14 square metres, as opposed to 767.43 square metres for which restricted B1(c) was retrospectively granted. This is an increase to 2.5 times. The site is in a rural location remote from services and not well served by public transport. The buildings are in a generally poor condition and not in sympathy with the rural character of this part of the countryside. The proposed use of these buildings of significant scale is likely to result in the increased use of a substandard access with a resulting prejudicial effect on highway safety.

The proposal would likely represent an unacceptable level of noise and disturbance to the occupiers of a listed building The Roundhouse. The proposal would result in a significant number of commercial vehicle movements on the site and therefore an unacceptable risk of accidents to members of the public using the footpath. A number of errors, omissions and suppositions in the supporting document have been noted. In summary these include:

- The site is connected to the A419 via the C116 and C124.
- The adjacent Roundhouse Quarry is designated to be restored to reed beds and a Wildlife Conservation Area

- Building 1 was granted permission solely for trolley repairs and no other purpose within B1(c).
- The site is extremely visible from the surrounding countryside.
- At least 3 of the bus services shown no longer exist.
- The buildings are in various stages of dilapidation.
- There are definitely bats on the site.

Creating 2 or even a few low income jobs cannot be considered as a positive contribution to the local economy and does not outweigh the harm associated with this form of development. There is a substantial local business accommodation available in the area at Cirencester, Cricklade, Fairford and Lechlade plus various localised industrial estates. No material harm to local economic prospects will therefore occur if planning permission is refused.

The following revised comments have been received from the Parish Council following the submission of a number of supplementary information:

'Principle of Development

The applicant has not met the requirements of Policies C3, BD5, BD6. The applicant has not submitted a structural survey, which we consider should be accompanied by an asbestos report given that asbestos has been identified on the site. The report should provide full details of the structural work necessary as set out in BD6 10.13. The survey report of the buildings clearly states that the purpose of the report is to assess the suitability for change of use and is not a structural survey. Indeed the survey details that the building will need to be upgraded in order to be serviceable, this will include substantial replacement of cladding, roofing materials and utilities and perhaps more dependent on the condition of the asbestos.

The buildings themselves do not have any architectural merit, they are an eyesore in this open countryside location. The harm caused by retaining these buildings far outweighs the benefit in relation to the wider strategic plans for the site and those of the Cotswold Water Park. Policies C3, BD5, BD6.

In terms of sustainability, this is not a suitable location and is in excess of 8 mls to Cirencester and 14mls to Swindon which would be the likely feeder centres. There would not be a direct benefit in terms of employment to Marston Meysey. There are units located in Fairford, 3 mls away which is the closest town provided in a complex some of which are empty providing a far more sustainable location. Policies C1, C3, BD5, BD6.

Highway Safety

We consider the access to be inadequate given the heavy traffic on this road primarily HGV vehicles. The access to the gravel pit is some 200 yards away and found necessary to have a vision splay of a significant distance in both directions. We do not understand why the Council objected to the access in the last 3 applications but not in this instance.

The proposed use of this access will compromise the safety of pedestrians walking the footpath through the site, as the site will be intensified far greater than any previous use. Policies C3, BD5, BD6

Existing & Developing Character of the Area

The proposed development site is located within the Cotswold Water Park, as part of the evolution of the wildlife area formed from the gravel pits the gravel company regularly consult with the CWP

ecologist in relation to reed beds and the creation of wildlife habitat in order to provide continuity and benefit from their expert advice. The proposed development is not in line with the aims of the strategic policy of the CWP, indeed the gravel pit operators are going to great expense to create an environment for nature conservation and will provide substantial benefit to the public whilst walking the footpath. The proposed development will harm the character of that currently developing in relation to leisure and recreation. Policies NE6 NE7.

Drainage / Environmental Impact

The applicant states on the planning application form that the foul drainage will be connected to an existing main sewer. This is not the case. It is our understanding that there is no main sewer.

The surface water disposal is also an issue in this instance as HGV vehicles are associated with a B8 'Use' of storage and distribution and because of this surface water will drain into the watercourse, especially as the benefit of interceptors are not provided.

The Noise Impact Study was produced in May 2000. This is 11 years ago. The immediately surrounding environment has changed since this time. The Clean Neighbourhoods and Environment Act 2005 has also been introduced and the Permitted level of noise (England) Directions 2008 have also been introduced, no reference has been made to either. No consideration has been given to the movement of materials on site where it is a requirement for a fault lift truck to have its beeper on during the periods of movement. The site is so close to Roundhouse Farm that the accumulative effect of this noise can be quite disturbing. The Noise Impact Study is in relation to gravel extraction and does not detail any possible risks to or from the proposed development site or provide any mitigation measures. Policies C3, BD5, BD6, HE4

The Flood Risk Assessment was produced in January 2007 it does not take into account current Government Policy Guidance or legislation. PPS 25 Development and Flood Risk was amended 29th March 2010. The Flood Risk Regulations were introduced 2009. The work for the 2007 document was produced in 2006, this is before the 2007 floods specifically in this area. No account has been taken into consideration the change in topography to the surrounding site. Indeed the FRA does not include the site (as shown on the maps included). This indicates that the assessment was not carried out specifically to identify issues relating to this particular area of the site.'

Campaign for the Protection of Rural England – object commenting specifically on transport, listed buildings and landscape issues.

Transport and Access – The C116 is a fairly narrow rural road with little or no verges and deep ditches on either side. It is not a safe route and is already used by mineral workings, agricultural suppliers or commercial / private. Any further increase would be detrimental to local residents and further damage the environment through verge and road degradation.

Listed Buildings – The former Canal worker's circular house and adjacent canal bridge are Listed Buildings. They along with Footpath 6 which runs directly south from Marston Meysey to this bridge, and the former canal crossing, form an important historic entity. The towpath of the disused and partially filled Wiltshire and Berkshire canal form major features of the distinctive low lying wet landscape and the agricultural history of this part of North Wiltshire.

If change of use to B2/B8/A1 were permitted the opportunity to recreate the canal / historic buildings complex as a whole, and as part of a potentially greater restoration scheme for tourist and visitor venue use, would be lost and not recoverable. The area is one with sparse population and despite the minerals workings still retains an overriding sense of tranquillity.

Landscape - In the longer term it is intended that after the gravel workings have ceased, in phases, the area will revert to a rural setting albeit of reed beds and ponds rather than wetland meadows. The adjacent land, to the south and east, is designated under the Minerals extraction agreement as a restoration area of reed beds, trees and shrubs as a wildlife haven. This, under a

S73 Agreement in December 2009 relating to restoration works, was to have been fully restored by the end of December 2010. So far only one third of the area has been restored. Moreover the access to the proposed site area would be by an internal track, from a gate used by the minerals company, running west parallel to the C116 and along part of what is the restoration area. This would suffer from the proximity of the internal road bringing the noise, visual intrusion and dust accompanying any commercial use of the site, all of which would be detrimental to the success of the wildlife aspiration.

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

6 letters of objection have been received in response to the application publicity. The comments raised are summarised below:

- A public footpath MMEY6 runs through the site. Recently, an order was made diverting MMEY10 limiting access to the restored gravel pit. This resulted in a number of objections and it is likely that further restrictions on the use of existing footpaths will also be strongly contested.
- Noise and disturbance to occupiers of Roundhouse Farmhouse, the Roundhouse, to users of MMEY6 and to those wishing to enjoy a Wildlife Conservation Area;
- Negative impact on the adjacent Wildlife Conservation Area
- Would result in a significant number of commercial vehicle movements to / from the site and give rise to a significant number of accidents to members of the public using MMEY6.
- The site is in a rural location and is not served by public transport. The proposal would therefore give rise to a significant number of journeys by private car and by commercial vehicles;
- The buildings referred to in the application appear to be in poor condition and are not in sympathy with the rural character of the countryside or planned Wildlife Conservation Area. The continued use / re-use of these buildings does not respect the current character of the area or future character of the area;
- The scale of use proposed is likely to result in increased use of an inadequate site access and this may worsen highway safety;
- In the past, several similar applications have been made with the objective of using the site for non-agricultural purposes. All were dismissed with the exception of a retrospective application relating to the limited use of one building in 1992. Circumstances have not changed significantly and the reasons for rejection given previously are still valid;
- The site is on the outskirts of Marston Meysey and its many listed buildings;
- It might be argued that at present the site is compatible with the gravel workings nearby but this will not be the case when reed beds have been planted and the restoration to a Wildlife Conservation Area has been completed; and
- The buildings are claimed to be in good condition but the photograph provided by the estate agents clearly shows that they have no aesthetic appeal.
- Unacceptable impact on the grade II listed Round House and Marston Meysey Bridge;
- If there was a genuine appetite for local industrial land the application would not be speculative;
- The bat survey is incomplete;
- The parking spaces are not existing and are part of the farmhouse property not part of the farm site;
- The applicants account of public transport is mis-leading; and
- 3 lorries left the road within 200 metres of the entrance when building 1 was being used for trolley repairs.

9. Planning Considerations

Principle of development

Policy BD5 of the North Wiltshire Local Plan is of particular relevance to this application and states that development proposals for business uses (Use Classes B1, B2 and B8) in the countryside will be permitted where development:

- i) Involves the re-use of existing rural buildings suitable for conversion, where the architectural and historical interest of the original building is not compromised; or
- ii) Involves limited new building located within or well related to an existing group of building's which respects local building styles and materials, and is in keeping with its surroundings; or
- iii) Involves the limited expansion or replacement of an existing premises, where the development would be more acceptable and sustainable than might otherwise be achieved through conversion;

And in all cases;

- iv) The proposal does not lead to dispersal of business uses that would be detrimental to town and village vitality and economic viability; and
- v) Due consideration is given to the impact on the road network in the vicinity of the development.

The reasoned justification to this policy states that whilst proposals in the open countryside, remote from settlements, are not normally appropriate, opportunities for the re-use of existing, or new / replacement buildings may be acceptable where the development is of appropriate scale and situated within or are well related to an existing complex of buildings. Buildings suitable for conversion comprise those that are not ruinous and where conversion would not perpetuate a rural eyesore, nor lead to over intensive development or unsightly external storage. A new / replacement building may be viewed as being more acceptable and sustainable if for instance the development would bring about an environmental improvement in terms of the impact of the development in its surroundings and landscape. A proposal which is extensive in size and scale, or which is unsympathetic to its surroundings will not be considered appropriate in this context.

The proposed development must be compatible with the rural surroundings and may provide opportunities to promote the local rural economy through change of use to business uses which can have a positive impact on local employment.

Policy EC12 of PPS4 states that local planning authorities should approve planning applications for the conversion and re-use of existing buildings in the countryside for economic development, particularly those adjacent or closely related to towns or villages, where the benefits outweigh the harm in terms of a number of criterion including (v) the suitability of the building(s), and of different scales, for re-use recognising that replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion.

The applicants have confirmed that the site has been marketed for over 2 years by Alder King LLP. A 'Schedule of Interest' has been submitted in support of the application. This details all of the enquiries into the lease of the buildings from 02/08/08 to the time of submitting this application for a variety of uses including A1, B1, B2, B8, D1, D2 and sui generis. These could not be progressed due to planning restrictions

A Building Survey Report has been submitted in support of the application. This concludes that the property is suitable for B8 use (storage and distribution), provided that the materials for storage will not degrade subject to the normal range of humidity and temperature.

The report details that some general maintenance would be beneficial for the most effective use of the site and its buildings and these include:

- Refurbishment of the electrical service and lighting installations;
- Maintenance and making secure to the doors and cladding of each of the three main buildings; and
- Refurbishment of the tar paved areas for lorry and pedestrian access.

The survey goes on to state that these outbuildings will require general improvement as part of a maintenance effort. This is typical in buildings of this age and type.

These buildings were historically associated with Roundhouse Farm which is now a sand and gravel quarry. The Council's Agricultural Advisor has considered the scheme and has confirmed that whilst the buildings are small scale and capable of agricultural use, demand for such use is likely to be extremely limited.

The buildings are large open plan buildings with wide and high doorways making them suited to the proposed B8 storage use.

The buildings are situated in a prominent location adjacent to the C116. These are agricultural buildings of a type and design which you would expect to see within a rural setting such as this and the Council would have no control over these being re-instated for agriculture. On balance, and in consideration of the above, it is considered that the re-use of vacant farm buildings for employment development would be acceptable in this case. The issue of sustainability is addressed below.

Impact upon Highway Safety and Sustainability

Policy C3 of the Local Plan states that new development will be permitted subject to a number of criteria, including inter alia: promote sustainable patterns of development that will reduce the overall need to travel and support increased use of public transport, cycling and walking; and have a satisfactory means of access, turning, car parking and secure cycle storage and not result in a detrimental impact upon highway or pedestrian safety.

Paragraph 43 of Planning Policy Guidance 13: Transport (PPG13) states that in order to reduce the need for long-distance out-commuting to jobs in urban areas, it is important to promote adequate employment opportunities in rural areas. Further stating that Local Planning Authorities should be realistic about the availability, or likely availability, of alternatives to access by car. Similarly, they should not reject proposals where small-scale business development or its expansion would give rise to only modest additional daily vehicle movements, in comparison to other uses that are permitted on the site, and the impact on minor roads would not be significant.

Footpath MMEY6 runs through the site along the western boundary. The Public Rights of Way team have reviewed the application and have advised that with the low number of vehicular movements they do not foresee a problem to users of the footpath.

The applicants have submitted a Swept Path Analysis to demonstrate that there is sufficient space for vehicles (including articulated vehicles) to leave the site in a forward gear. On this basis, County Highways have withdrawn their objection regarding highway safety. Their objection on the basis of sustainability still stands.

Conditions requiring the parking to be laid out and the turning space to be provided prior to use are recommended.

The application site is relatively closely related to the village of Marston Meysey which provides a variety of services, situated approximately a quarter of a mile to the south and linked via a public footpath. The proposal is expected to employ 2 members of staff and create approximately 2 HGV movements (two in and out) during am and pm peak periods each day (one every 30 minutes).

Previous applications for change of use to B1 and B2 have been refused on the basis of sustainability. Retrospective consent was granted for the change of use of building 1 to B1(c) (ref: 92/1534/S73), this was restricted to trolley repair. A B8 use is less intensive than either a B1 or B2 use and a number of vehicle movements would be generated through the agricultural use of the buildings.

It is certainly unusual for officers to disagree with the recommendation of the Highways team. However in this case, given the proposed use of the site, and the limited number of vehicle movements associated with such a use, the guidance contained in PPG13 and the proximity of the site to the village of Marston Meysey, it is not considered that a refusal on the basis of sustainability could be sustained. The proposed development is therefore considered acceptable in this regard.

Impact upon Noise and disturbance

Policy NE18 of the Local Plan states that development will only be permitted where it would not generate, or itself be subject to, harm upon public health or cause pollution to the environment by the emission of excessive noise, light intrusion, smoke, fumes, other forms of air pollution, heat, radiation, effluent or vibration.

A noise impact study dated 2nd May 2000 has been submitted in support of the application. The agent advises that although this does not include a specific assessment of anticipated noise from the proposed change of use, it does however highlight background noise levels which are typically experienced at the nearest residential property to the site, namely Roundhouse Farm.

Background noise levels are highlighted in Table 1 of the report – taken between 10:45 am and 11:30 am at position 1 (identified as Weystone Bridge in the site location appended to the Noise Impact Study). Position 1 is highlighted as having a background noise level range of between 36dB LA90 and 40dB LA90. The agent has stated since undertaking the Noise Impact Study the mineral extraction operations at Roundhouse Farm Quarry have now commenced and as a result a rise in background noise levels in the area is likely.

The agent has drawn the officers attention to section 7 of the Noise Impact Study headed 'Road Traffic Noise'. This section highlights that the typical average two way traffic flow on the C116 / 124 is 130 vehicles per hour with 7% being HGVs – 134 per hour if HGV movements associated with the neighbouring minerals working are counted. This section concludes that, *'considering the prevailing noise environment at the properties adjoining the C116/124 which in LA eq (1 hr) terms is dictated already by the noise from HGVs; in the very 'worst case' the noise levels would increase by 1.5 dB LA eq (1hr). Such an increase is not significant and would likely not be noticeable against the existing traffic noise climate.'*

The applicant acknowledges that additional noise associated with the proposed use from vehicles engines and from reversing vehicle alarms has the potential to impact upon residential amenity.

The applicant proposes to minimise the potential for complaint by adopting the following noise control and management measures:

- When waiting to be unloaded vehicle engines will be switched off;
- When possible, particularly during any early morning and evening deliveries, audible reversing alarms to be switched off and night silent alarms to be used; and
- Drivers to be advised not to sound horns unless in an emergency.

The applicant has confirmed that they are willing to accept a condition in relation to the above in addition to a reasonable condition relating to the restriction of working hours or noise emitted from the site.

To ensure that the amenities of neighbouring occupiers are protected conditions restricting external storage and external lighting are also recommended.

Environmental Health have considered the proposals and have raised no objections subject to the imposition of conditions relating to the physical control and management measures referred to above and hours restricted to 07:00 to 18:00 Monday to Friday and 08:00 to 17:00 on Saturdays with no Sunday or Bank Holiday working. Conditions to this effect are recommended and the proposed development would not therefore have an unacceptable impact in terms of noise and disturbance in accordance with policy NE18 of the Local Plan.

Impact upon Flood Risk

Planning Policy Statement 25: Development and Flood Risk (PPS25) states that all forms of flooding and their impact on the natural and built environment are material planning considerations. Local Planning Authorities should ensure that all new development in flood risk areas is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed.

The buildings are situated within Flood Zone 2 (medium risk) and the site is extensively surrounded by Flood Zone 3b (functional floodplain). In accordance with the requirements of PPS25, a Flood Risk Assessment (FRA) has been submitted in support of the application.

The Environment Agency consider that the proposed development will not increase flood risk at the site or to third party land. It will not increase the vulnerability use of the building or extend the building footprint. Given the proposed storage use, it is unlikely that people will be on site should a flood occur. The Environment Agency have recommended a number of conditions relating to: finished floor levels, Flood Warning and Evacuation Plan; work should be in accordance with the FRA; and a surface water drainage scheme. They have also stated that their comments are based on there being limited users on site due to the storage use and a condition removing permitting development rights for change of use should be considered. Conditions in relation to the above are recommended, including a condition restricting the use class to B8.

The Environment Agency stated within their initial consultation response that foul drainage should be directed to mains sewer as indicated on the application forms. The Local Planning Authority should seek confirmation from the Sewerage Undertaker that they are happy to accept these flows. If this is not the case the Environment Agency must be re-consulted as non-mains systems are generally not accepted in SPZ1.

Thames Water were consulted as part of the application process and no objection was raised. The applicant has confirmed that no change to the existing foul drainage is proposed. Further discussions have taken place with Thames Water regarding whether the site is connected to the mains sewer. Whilst they are not able to confirm whether the site is connected, they have advised that the site is situated so far from the mains public sewer that it is extremely unlikely.

Further discussions have taken place with the Environment Agency and a revised consultation has been received. In summary, this states that they have a general policy against the use of non-main drainage systems in SPZ1. The water abstraction at Meysey Hampton (for which SPZ1 this site falls into) is from the Oolites. These Oolites are overlain in this area by a considerable thickness of oxford clay (probably in excess of 50m at this site). The clays in this location are overlain by terrace gravel deposits. Because of the presence of this clay which is highly impermeable, it is unlikely that any discharge from the development will discharge into the terrace gravel deposits. However, the aquifer in the terrace gravel deposits is likely to occur at a shallow depth, and as such the site should still be considered as being located in a sensitive location.

The agent has advised that there will not be any increase in foul drainage facilities from the existing single toilet in the building, and there is unlikely to be a significant increase in users. On this basis, and taking into account the geological context outlined above, the Agency would not have an objection in principle to the use of a septic tank. Their preferred option, however would

still be to discharge to mains sewer and no evidence has been submitted to demonstrate that this is not feasible. It is therefore recommended that a further condition be attached to any consent requiring the submission of a scheme for the disposal of foul drainage.

It is not considered that the proposal would not be subject to an unacceptable risk of flooding or materially increase the risk of flooding elsewhere and the proposal would therefore be in accordance with PPS25.

Impact upon Ecology

Policy NE9 states that planning permission will not be granted for development which would have an adverse effect on badgers or species protected by Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981 as amended by Section 74 of the Countryside and Rights of Way Act 2000 or Schedule 2 of The Conservation (Natural Habitats) Regulations (1994) and Protection of Badgers Act 2000.

A bat roost inspection report has been submitted in support of the application. This concludes that based on evidence found during the inspection the majority of the affected buildings are considered to be of negligible value for bats with little or nothing in the way of suitable opportunities. No evidence was found to suggest any of the affected barns support a maternity, summer or winter roost for bats. Only the single storey extension in Barn 1 has limited evidence of past use by single or low numbers of Pipistrelle and Natterer's bats. The evidence suggests this room as only ever being used as a sporadic feeding station.

The report recommends the following mitigation measures:

- Remove, block up or cover with mesh the ventilation pipe in the single storey extension thereby prohibiting future bat access to this foraging area; and
- Ensure all buildings are sealed from bird access outside the bird breeding season or do not interfere with nesting birds if present within the buildings when in operation.

The applicants' agent has confirmed that the applicant would adopt both of these recommendations if planning consent is granted.

The Council's ecologist has reviewed the above, agrees with the findings of the bat survey and has no objections in relation to ecology. A condition is recommended ensuring that the mitigation measures set out in the bat roost inspection report are implemented on site.

10. Conclusion

The agricultural buildings were historically associated with Roundhouse Farm which is now a sand and gravel quarry, and demand for future agricultural use is therefore likely to be extremely limited. The buildings are large open plan buildings with wide and high doorways making them suited to the proposed B8 storage use. Subject to conditions, the proposed development would neither have an unacceptable impact in terms of noise and disturbance nor be subject to an unacceptable risk of flooding or materially increase the risk of flooding elsewhere, nor be detrimental to highway safety, nor have an unacceptable impact on protected species in accordance with policies C3, C4, NE9, NE18 and BD5 of the North Wiltshire Local Plan 2011.

11. Recommendation

Planning Permission be GRANTED for the following reason:

The agricultural buildings were historically associated with Roundhouse Farm which is now a sand and gravel quarry, and demand for future agricultural use is therefore likely to be extremely limited. The buildings are large open plan buildings with wide and high doorways making them suited to the proposed B8 storage use. Subject to conditions, the proposed development would not: have an unacceptable impact in terms of noise and disturbance; be subject to an unacceptable risk of

flooding or materially increase the risk of flooding elsewhere; be detrimental to highway safety; or have an unacceptable impact on protected species in accordance with policies C3, C4, NE9, NE18 and BD5 of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The mitigation measures detailed on page 9 of the Bat Roost Inspection Final Report dated 25 November 2010 shall be carried out in full prior to the first occupation of the development and / or in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

POLICY – Planning Policy Statement 9: Biodiversity and Geological Conservation.

3. Prior to the use or occupation of the development hereby permitted, the car parking areas shown on the approved plan(s) shall be provided and shall thereafter be kept available for the parking of vehicles at all times.

REASON: In the interests of road safety.

Policy: C3 of the North Wiltshire Local Plan 2011

4. No development shall commence until details of a consolidated and surfaced vehicle turning space has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be first brought into use until that turning space has been completed in accordance with the approved details. Such turning space shall thereafter be retained and kept clear of obstruction at all times.

REASON: To enable vehicles to enter and leave the site in forward gear in the interests of highway safety.

POLICY – C3 of the North Wiltshire Local Plan 2011.

5. The development hereby approved shall operate in accordance with the 'physical control and management measures' set out on page 9 of the Planning Statement produced by David Jarvis Associates and dated October 2010.

REASON: In the interests of the amenity of neighbouring occupiers in accordance with policies C3 and NE18 of the North Wiltshire Local Plan 2011.

6. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site without the prior approval in writing of the Local Planning Authority.

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

POLICIES - C3 and BD5 of the North Wiltshire Local Plan 2011.

7. The delivery and despatch of goods to and from the site shall be limited to the hours of 07:00 am and 18:00 pm Monday to Friday and 08:00 am and 17:00 pm on Saturdays, and at no time on Sundays and Bank or Public Holidays.

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

POLICY - C3 of the North Wiltshire Local Plan 2011.

8. The use hereby permitted shall only take place between the hours of 07:00 am and 18:00 pm Monday to Friday and 08:00 am and 17:00 pm on Saturdays, and at no time on Sundays and Bank or Public Holidays.

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

POLICY - C3 of the North Wiltshire Local Plan 2011.

9. Finished floor levels of the development shall be set no lower than the existing floor levels.

REASON: - To ensure flood risk is not increased in accordance with Planning Policy Statement 25: Development and Flood Risk.

10. No part of the development shall be occupied until a Flood Warning and Evacuation Plan has been submitted to, and agreed in writing by, the Local Planning Authority.

REASON: - To reduce the risk of flooding to users of the development in accordance with Planning Policy Statement 25: Development and Flood Risk.

11. No development shall commence until details of surface water drainage based on sustainable drainage principles have been submitted to, and agreed in writing by, the Local Planning Authority. Development shall be carried out in complete accordance with those details so agreed.

REASON:- To reduce flood risk, improve biodiversity and water quality, and to protect controlled waters in accordance with Planning Policy Statement 23: Planning and Pollution Control and Planning Policy Statement 25: Development and Flood Risk.

12. The site shall be used for storage and distribution and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument re-voking or re-enacting that Order with or without modification).

REASON: - The proposed use is acceptable in flood risk terms but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the number of users on site in accordance with Planning Policy Statement 25: Development and Flood Risk.

13. No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage have been submitted to and approved in writing by the Local Planning Authority. The lighting approved shall be installed and shall thereafter be maintained in accordance with the approved details.

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

POLICY – C3 of the North Wiltshire Local Plan 2011.

14. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made

without the prior approval of the local planning authority. Amendments may require the submission of a further application.

- Figure 1/R1 – Site Location, date stamped 4th November 2010
- 1771 Figure 2 – Block Plan, date stamped 22nd October 2010
- 1771 Figure 1 – Site Location, date stamped 22nd October 2010
- D172/1 – Vehicle Swept Path Analysis, date stamped 22nd December 2010

REASON: To ensure that the development is implemented as approved.

15. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated January 2007 and the following mitigation measure detailed within the FRA:

1. There will be no new buildings or extensions to the existing building and no new walls or other enclosures shall be built.

REASON: - In the interests of the amenity of the area, to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions / extensions or external alterations and to prevent any increase in flood risk on site or downstream of the site by ensuring there is no reduction or disruption of the floodplain in accordance with Policy C3 of the North Wiltshire Local Plan and Planning Policy Statement 25: Development and Flood Risk.

16. 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 or external alterations to any building forming part of the development hereby permitted.

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

POLICY- C3

17. 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 buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

POLICY-C3

18. No development shall commence until a scheme for the disposal of foul drainage from the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include a detailed assessment of the options for foul drainage disposal and their impact on the underlying groundwaters. Where significant impacts are identified, appropriate mitigation measures to protect groundwaters shall be agreed with the Local Planning Authority, and implemented for the lifetime of the development.

REASON: To secure an appropriate means of foul drainage disposal and prevent pollution of the water environment, in accordance with Planning Policy Statement 23: Planning and Pollution Control.

Informatives

1. The FRA has included a Flood Plan, however, a robust site specific plan must be drawn up to ensure that people are off site prior to a flood occurring as this is the primary means of protecting people at this site. The development should sign up to the Environment Agency's Floodline service (0845 988 1188) which is available in the area and can consider fitting their own flood warning system to protect the development and its contents further.
2. In seeking to discharge condition 18 of this consent, the detailed assessment must be in line with the Environment Agency's Pollution Prevention Guidance Note 5 and Circular 03/99. It must be demonstrated that the septic tank is the only viable means of foul drainage disposal before the Agency can accept this method on site because it is not the most sustainable or environmentally-friendly option.

An Environment Permit may be required for any non-mains drainage system (even if it is already existing) depending on the amount of waste being produced. More details can be found at the following link:

<http://www.environment-agency.gov.uk/business/topics/water/110593.aspx>



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	20 th April 2011		
Application Number	N.10.04304.FUL		
Site Address	Great Dairy Farm, Sodom Lane, Dauntsey, Wiltshire, SN15 4JA		
Proposal	Change of use to equestrian for breeding and rearing horses, provision of outdoor manege and erection of four stables and two tack rooms.		
Applicant	Mrs Cutner		
Town/Parish Council	Dauntsey		
Electoral Division	Brinkworth	Unitary Member	Toby Sturgis
Grid Ref	399823 181628		
Type of application	Full		
Case Officer	Mrs Emma Pickard	01249 706 637	Emma.pickard@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been called back to committee following deferment of the item from the last committee to obtain highways view on conditions suggested by councillors.

1. Purpose of Report

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

2. Report summary

The main issues in consideration of this application are the impact of the proposal on:

- highway safety;
- visual and residential amenity; and
- flooding.

3. Site Description

Great Dairy Farm is situated just south of the main village of Dauntsey and south of the M4 motorway.

Vehicular access to Great Dairy Farm is off Sodom Lane. There are residential properties to both sides of the access track and, adjacent to the gateway to Great Dairy Farm, is a small triangular shaped area where vehicles park and turn. The track continues beyond this area to a field immediately to the south west of the farm where the development is proposed.

The site area itself is relatively flat and there is a large amount of mature vegetation surrounding the site.

A bridleway follows the line of the access and crosses through Great Dairy Farm.

The site is within floodzone 2.

4. Relevant Planning History		
Application Number	Proposal	Decision
09.01269.ful (This application was on an adjacent parcel of land belonging to Great Dairy Farm)	Change of use of agricultural land to livery and riding school, provision of outdoor manege and erection of four stables and two tack rooms in single building.	Withdrawn
10.01459.ful	Change of use to equestrian livery, provision of outdoor manege and erection of four stables and two tack rooms.	Refused

5. Proposal

A horse trainer has recently moved in to separate ancillary accommodation at Great Dairy Farm and stables her horse in one of the 4 existing stables. This planning application seeks permission to erect an additional 4 stables, tack rooms and manege to accommodate one brood mare (which is currently in the existing stables) and up to three further horses for training in dressage by the resident trainer. These horses will then be sold, on a timescale dependent on their aptitude for dressage (which appears may be anything between 3 months and 18 months). The horses will also be taken to competitions by the trainer. The applicant anticipates that the three remaining existing stables will be retained for use by the applicants.

Included within the proposal are improvements to the access by widening the drive to allow two cars to pass. The circulation area and parking area will be altered so that it can accommodate 5 parking spaces.

6. Planning Policy

North Wiltshire Local Plan Policy C3 – Development Control Core Policy.
North Wiltshire Local Plan Policy NE15 – The Landscape Character of the Countryside.
There are no specific Local Plan policies relating to equestrian development.

7. Consultations

Highways – recommend refusal as the proposed use would increase traffic movements resulting in additional hazard and inconvenience to road users.

Dauntsey Parish Council – No objections in principle however the council would like it to be noted that there is a risk of the boundaries between adjoining properties being damaged as a result of a higher volume of vehicles including heavy good vehicles entering and manoeuvring around this property, so a suggestion that a provision for boundary protection/security is implemented.

Environmental Health – No objection subject to condition.

Environment Agency – No objection subject to condition.

Wiltshire Council Rights of Way – the bridleway should not be obstructed and any new fencing or gates/structures on the path should have permission granted by the highway authority.

Agricultural consultant. Will be detailed in planning considerations below.

8. Publicity

One letter of objection was received which is summarised as follows:

- Current proposal means all traffic will be along the boundary fence with Dauntsey Lodge. Frequent movement of people livestock and vehicles will create disturbance and be intrusive. The development will impact on the amenities of this property;
- Car park is only 8 metres from our house;
- Riders and drivers will be able to look over the fence;
- Fence to Dauntsey Lodge Farm has been damaged by horses;
- To minimise the impact on our property the tarmaced area should be further up the track;
- Question the need for additional parking spaces when the assertion is that reduced movements will result;
- Would want an impermeable surface laid to the parking area; and
- Would ask that a planning condition restrict equine usage to horses owned by the occupiers of Great Dairy Farm to prevent commercial development, and also a legal agreement to tie the use to the house.

A letter of objection was received from the Dauntsey Parish Council Drainage Board who state that their flood objections to the previous application (10.01459) remain.

9. Planning Considerations

The applicant contends that the proposed use is private/domestic as the horses will be owned by the applicant. However, the submitted documents do describe a commercial activity and Officers have realistically concluded the proposal to constitute a commercial use on that basis. The trainer living on site is employed by, and will be training the horses on behalf of, the owner, and the horses will then be sold for financial gain. It is stated that the proposal will make the most of the equestrian knowledge of the trainer and will supplement the applicant's pension while in retirement. In normal circumstances, 8 stables for private use would require special justification.

Highways

Highway safety is a great concern at this site as the vehicular access onto Sodom Lane, which lies on the inside of the bend, is substandard. When exiting the site visibility splays of 2.4 x 140m should be achieved but only 2.4m x 88m is achievable to the left. In addition, forward visibility of 160m is required but only 147m and 150m are achievable.

Highways have made it clear to the applicant that they could not accept a proposal which generated any additional vehicular movements above the current level (when compared to the agricultural use).

A highways document was submitted by PFA in support of the proposal. An agricultural consultant was also engaged by the local planning authority to make an assessment on the traffic levels between the two uses, based on agricultural and equestrian practice.

The agricultural use comprises currently five alpacas (with possible expansion to 10) and 40 ducks. The assessment also includes keeping up to 100 breeding ewes. Until recently, these numbers of sheep were kept at the site by a separate owner. The assumption also includes four horses kept in the existing stables. The applicants also sell some hay produced at the site.

This proposal seeks to address highway concerns expressed in the two previous applications by proposing a use that does not increase the traffic using the access when compared to the existing use. The PFA report assumes the proposal is for private use only and that, in terms of traffic

generation, differs from the previously refused application which was for full livery. The report nevertheless goes on to describe an activity that is unmistakably commercial in nature.

PFA state that as a result of the development the sheep farming will cease. Any remaining hay will be kept for the additional horses. The assumptions regarding traffic movements are included on table 2.1 within the PFA report. It is stated for the sheep farming that vehicle movements would be:

- 1 visit per day (2 movements) to deliver lambs/sheep from lambing pens;
- 2 visits per day (4 movements) for attending the sheep during lambing season;
- 2 visits per day (4 movements) to attend to the sheep during the summer season;
- 1 visit per week (2 movements) to take lambs to market when ready generally during August/September;
- In addition to this, 2 deliveries per week (4 movements) for fodder throughout the year.

With the proposed equestrian use the report assumes that feed will be supplied with the existing deliveries and that, apart from occasional visits from a farrier and vet, the only additional generation of traffic would be by prospective buyers and which is assumed at 2 per horse (4 traffic movements).

The table assumes there would be an average of 4 traffic movements per day associated with the 'typical' sheep farming use and 0 movements per day for the equestrian use. Peak movement would be 6 for sheep farming and 6 for equestrian. However, the PFA report concludes that the equestrian use offers a reduction in vehicular movements. This is considered to be an unrealistic conclusion.

Indeed, the Council's own agricultural consultant's assessment of a sheep enterprise differs from the assumptions in the PFA report. He concludes, 'the ewe enterprise would utilise the grassland for its principle foodstuff, possibly supplemented by hay and a concentrated feed in the run up to lambing. The occasional trip might be required for the collection of delivery of bulk feed, however, I would not anticipate a frequency greater than once a month. Trips would also be needed to collect lambs for sale at a finished weight; however, such trips would again be infrequent.'

For the assumption of traffic generation for training horses, the agricultural consultant takes into account weekly trips for competition throughout the year (although the trainer takes her horse at present and can accommodate an additional horse). He also states, 'there will also be trips to and from the holding for the vet and for prospective owners/dealers for horses that are not retained to compete.'

His opinion, overall, is that the frequency and regularity of trips for the proposed dressage enterprise will be significantly greater than those associated with the ewe enterprise that it is proposed to replace.

Following matters of clarification by the applicant and receipt of the agricultural report, the Highway officer has reviewed their initial conclusions. The Highway officer has now also concluded that the proposal is commercial in nature and now objects to the application on the grounds that 'they are satisfied the proposed use will actually lead to an increase in vehicular movement on top of what could be considered a fallback position.'

The applicants have suggested that a condition which limits the use of the stables and manege only by horses within the ownership of Great Dairy Farm or those residing at the site, may overcome the council's objection. However, it is considered that this condition would not impact on vehicular movements. In addition, it may not be reasonable given that officers consider the use to be commercial in nature and that it is assumed that buyers would wish to ride horses at the site before buying them.

Residential Amenity

The proposal utilises an existing parking area and access track. Whilst it is considered that the proposed use would increase the level of movements on this access, it is considered that the increase would not unduly compromise residential amenity.

In addition, concerns have been raised about overlooking from riders on horseback. However, as the access track is also bridleway there is already the possibility for this to happen.

Visual Amenity

The stable building and manege would be sited in a location fairly close to Great Dairy Farm and would be screened by a large amount of existing mature vegetation. It is considered that the proposal would not adversely affect the appearance of the area.

Flooding

A flood risk assessment was submitted as part of this application within which it is recognised that the area has experience significant flooding in recent years, specifically, 2007 and 2008, (although Great Dairy Farm was largely unaffected). Mitigation measures are set out in the report and the Environment Agency has no objection subject to these measures being carried out.

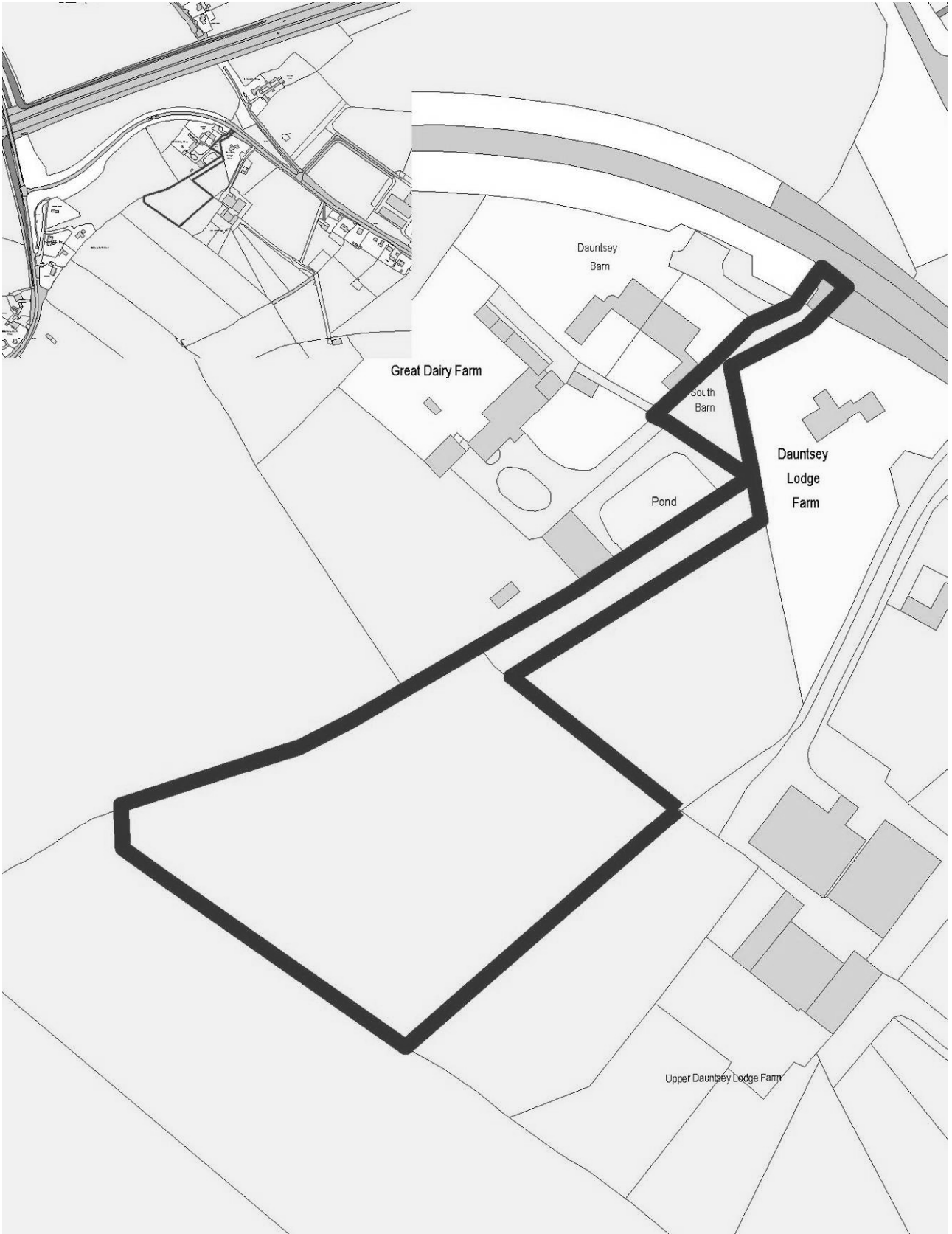
10. Conclusion

Whilst there is no objection to the principle of a small-scale business enterprise within this rural location, it is considered that the proposed use would generate vehicular movements in excess of the existing agricultural use on site which in the context of a substandard access from the highway, would cause a hazard to road users.

11. Recommendation

Planning Permission is REFUSED for the following reason:

1. The proposed development would result in an increase in use of a substandard access which would be detrimental to highway safety, and is, therefore, contrary to policy C3 of the North Wiltshire Local Plan 2011.



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	20 TH April 2011		
Application Number	10/03664/FUL		
Site Address	Methuen Park, Bath Road, Chippenham, SN14 0UL		
Proposal	Reconfiguration and refurbishment of existing retail warehouse to create 3 retail warehouse units together with improvements to car parking landscaping and servicing.		
Applicant	Legal and General Assurance Society Ltd		
Town/Parish Council	Corsham Town Council		
Electoral Division	Corsham Town	Unitary Member	Councillor Peter Davis
Grid Ref	389844 172029		
Type of application	Full		
Case Officer	Charmian Burkey	01249 706667	charmian.burkey@wiltshire.gov.uk

Reason for the application being considered by Committee

The application is being brought to Committee under The Area Development Manager's discretion due to the significant amount of interest in the application.

1. Purpose of report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Report summary

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

- Visual appearance.
- Impact on vitality and viability of Chippenham Town Centre.
- Landscape considerations.
- Highways issues

The application has generated no objection from Corsham Town Council and 4 letters of objection from the public and Chippenham Vision

3. Site Description

The site is currently one large warehouse-like building which houses Focus Do-It-All. There is some significant landscaping around the site and there is an existing car park to serve the store.

4. Relevant Planning History

Application Number	Proposal	Decision
N.90.2742.F	New building for non-food retail use/garden centre/associated landscaping/ car parking and access road.	Permitted subject to

N.94.1610.F	Extension to existing garden centre	conditions including on restricting the sale of food other than confectionary Permitted no conditions
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5. Proposal

The proposal is for the reconfiguration and refurbishment of an existing retail warehouse to create 3 retail units.

6. Planning Policy

North Wiltshire Local Plan: policies C3; Retail Policy R4 (Proposals outside town centres)

Central Government Planning Policy Statement PPS4

7. Consultations

Corsham Town Council raise no objections.

Highways do not object subject to the proposal remaining non-food.

The Council's landscape officer is satisfied with revised proposals in relation to landscape issues and the specific matter of adequately retaining and incorporating existing trees as important landscape features subject to conditions.

Environment Agency does not object subject to conditions and an informative.

Spatial Plans Officer questions the need for a full retail assessment given the nature of the proposal to "reconfigure" part of the floorspace. A subsequent meeting was held between the agent, spatial plans officer and DC officer.

The agent has subsequently submitted revised the proposal so that the total sales area is 3375 sqm comprising of 3 units with a total sales area of 2725sm and one mezzanine of 650sqm floor area. The total sales space is marginally greater than the existing floor space on site (3,315sqm), but less than the permitted development (ie 3315sqm plus 200sm mezzanine) and has no regard to the retail sales space comprising the garden centre/external sales area (1,320sqm). The revised proposals now result in less sales space at ground floor level compared to the existing (circa 590sqm)) and 1460sqm less sales space overall.

The Council's Strategic Planner is happy with this amended proposal.

ING (who are working with the Council on the Bath Road Car Park Site) are very concerned about the nature of this retail application. The proposed units are the size of units likely on the Bath Road Carpark site. They state that the supporting material fails to provide analysis sufficient to determine the planning application. Given the significant change in the retail offer they consider the application requires both an assessment of retail impact and a sequential assessment of other sites. They point to Policy R4 of the Local Plan and PPS4. Policy EC14.4 states that an impact assessment is required for planning applications below 2,500sqm not in an existing centre and not in accordance with the development plan that would be likely to have a significant impact on other centres. The type of retailers being attracted to the site are typically national town centre type retailers, many of whom do not currently exist in the town centre. This would have the effect of

diluting the retailer demand in the town centre. They argue that as the scheme enhances the qualitative nature of the permitted floorspace, policy EC14 indicates that the applicant should undertake a retail impact and sequential site assessment.

Chippenham Vision state: The applicants are proposing to reconfigure and refurbish the property to create 3 retail units.

Case law Stevenage Borough Council v Secretary of State for Communities and Local Government 2010 - In 2006 Stevenage Borough Council granted permission to retail premises that sought some minor amendments to an existing premises including installation of additional entrance doors. The planning authority had treated the application as being an amendment or alteration of the building permitted by the 1987 planning permission

The Secretary of State however determined that the impact of the planning permission was therefore to create a new "building" for the purposes of planning legislation. By treating the application as an amendment the authority failed to reapply existing conditions or take the opportunity to apply new conditions.

In accordance with the decision of *Newbury DC v Secretary of State for the Environment 1981*, it is noted that it was held by the House of Lords, that if the granting of planning permission was of such character that led to the creation of a new planning unit then the existing use rights are extinguished.

The Court of Appeal in *Jennings Motor Ltd v Secretary of State for the Environment 1982* held that 'where there has been a total change of the physical nature of the premises it is easy to infer that reliance on any prior use is abandoned and a new planning history [begins]'

Wiltshire Council also has experience of this ruling – see *Bourne Retail Park, Salisbury 2010*. Wiltshire Council had an opportunity to apply a condition to restrict the use of planning units – it did not apply a restrictive condition only but made reference to a previous permission which resulted in a legal challenge.

This development (10/03664) is clearly the creation of three new buildings. Separate entrances are created, it is a completely new build, the development is divided into three distinctly separate units with their own access, delivery, servicing and security arrangements. Whatever permission, conditions or principles that were applied to the original development no longer apply. The application must be treated as new development. It is not appropriate to merely accept the interpretation of the development based on the applicant's own words.

The works could not and should not be carried out without planning permission. The application creates three completely new buildings where one stood previously.

Therefore all policies pertaining to new development should be applied in this case.

These include:

Policy R4 of the adopted North Wiltshire Local Plan 2011 states that retail proposals (Use Classes A1, A2, A3) on the edge or outside of the defined town centre shopping areas will only be permitted where:

- (i) There is a demonstrable need for the development;
- (ii) It can be demonstrated the sequential test approach has been followed, whereby there are no suitable sites in the town centre and edge of centre sites;
- (iii) Proposals do not individually or cumulatively undermine the vitality or viability of the town centres; and
- (iv) The proposal is accessible by a range of means including walking, cycling and by public transport.

The policy also states that ‘Applications to vary the goods sold or to allow subdivision of units will be permitted where it can be demonstrated that the proposal would not harm the vitality and viability of the town centre.’

PPS4 sets out planning policies for economic development to be taken into account when preparing local development documents and are a material consideration in development management decisions. PPS4 identifies that in achieving a prosperous economy, the Government’s overarching objective is sustainable economic growth. To achieve this, key objectives include, amongst other things, improving the economic performance of towns, delivering more sustainable patterns of development, promoting the vitality and viability of towns and other centres. This latter objective is to be achieved through, focussing economic development and growth in existing town centres and competition between retailers through the provision of efficient shopping services in town centres.

The sequential approach requires that all in-centre options have been thoroughly assessed before less central sites are considered. Where no town centre site is available, suitable and viable, preference should be given to edge-of-centre sites that are well connected to the centre by easy pedestrian access.

There is therefore a very strong case for requiring a sequential impact assessment for this site prior to any planning permission being granted.

The Spatial Planning Officer who assessed the application stated:

“I have asked that appropriate conditions are added in order that we can claw back some control over the site, although I recognise that this may only be in relation to design matters.”

Appropriate conditions added to the development could (and we believe should) include restrictions to the range of goods permitted for sale, notably restrictions to bulky goods only. This would provide a degree of protection to the town centre with regards to both comparison and convenience goods sales.

The Chippenham Vision therefore requests that these conditions should be applied to the planning application.

The local planning authority may impose conditions regulating the development or use of land under the control of the applicant even if it is outside the site which is the subject of the application.

Such conditions would be consistent with national planning policies as expressed in Government Circulars, Planning Policy Guidance notes and other published material. They also accord with the provisions of development plans and other policies of local planning authorities

The original planning permission was granted in 1991. Planning policy both at local and national level has changed. The retail environment in and around Chippenham has changed and the focus and priority on ‘sustainable’ development is now at the fore of all planning and development activity.

Such a condition would not be unduly restrictive. The previous retail operator was a provider of bulky goods, therefore it would not nullify the benefit of any permission being granted. A large number of out of town retailers are covered by similar restrictions without problem.

Furthermore it is possible to restrict changes of use which would not be regarded as development within the terms of the Town and Country Planning Act, or by reason of the provisions of the Town and Country Planning Order 1987.

Changes of use can be restricted either by prohibiting any change from the use permitted or by precluding specific alternative uses.

The Act identifies that it is reasonable to restrict changes of use so as to prevent the use of large retail premises where such a use might have a damaging effect on the vitality of a nearby town centre.

Such a specific restriction may be defined as retail sales limited to DIY products, furniture, carpets, electrical goods, gardening goods, office supplies and toys.

The Chippenham Vision believes that this would be reasonable in this particular case. The impact will be primarily on Chippenham Town Centre not Corsham.

Therefore to reiterate the position of the Vision members:

- The Chippenham Vision therefore urges that this application and the officer's recommendations relating to it be urgently reviewed by the planning committee.
- The Chippenham Vision requests that a detailed sequential impact assessment be undertaken and reviewed prior to any decision being taken.
- The Vision also requests that full consideration be given to the application of class use restrictions (limiting trading to 'bulky goods' only) as a condition of planning permission.

The Chippenham Vision comprises Chippenham Area Board Councillors, Chippenham Town Council, North Wiltshire Economic Partnership, Chippenham Community Area Partnership, Chippenham Civic Society, Chippenham Chamber of Commerce, Wiltshire College, Sheldon School, Chippenham Borough Lands Trust.

8. Publicity

The application was advertised by site notice and press advert.

4 letters of objection have been received.

Summary of key relevant points raised:

- Effect on Town Centre Vitality and viability.
- Conditions to be imposed.

9. Planning Considerations

The proposal is for the reconfiguration and refurbishment of an existing retail warehouse to create 3 retail units.

The building in question currently operates as a FOCUS Do-it All store and was originally granted planning permission under N.90.2742.F and the garden centre extended under 94/1610/FUL. The original permission, whilst preventing food retail (other than ancillary) allows "general" retail. It also allows for subdivision of the units and no minimum sizes of units and insertion of units up to 200sqm (Mezzanines over this size require planning permission in any event). Just because the current occupier has used it as one unit for essentially bulky goods does not deflect from this. In addition to this the garden centre addition had no conditions restricting what could be sold from that floor area.

The originally submitted application involved removing a rear section of the building and rebuilding it to the side and introducing mezzanine floors within the building. The total retail area remained the same. The total retail area used as a base by the applicants included the outside retail space. The newly formed structure would be divided into 3 units with mezzanines inserted (Still total floor area identical to the existing unit including the outside retail area).

However, officers have expressed concern that the outdoor sales area was being included. Such an argument has been supported by appeal decisions, but in order to allay the Council's fears, the

applicant has submitted revisions which, by the removal of the mezzanines and removing the floor area apportioned to the outside retail area (barring 60 sqm), brings the floor area figure within the floor area of the existing building.

Policy EC14 states "References in this policy to planning applications for main town centre uses include any applications which create additional floor space, including applications for internal alterations where planning permission is required, and applications to vary or remove conditions changing the range of goods sold". The current application falls outside this definition as no additional floorspace is being provided.

In determining this application the Council **MUST** take into account the existing permitted use of the site - That is 3315sqm of ground floor with 1,320sqm of external retail space = 4635 sqm. No conditions on the original approval placed any restriction on the goods to be sold other than it should only be for non food for the building and none at all for the outdoor retail space; there was no restriction on subdivision nor on adding (permitted development size) mezzanines.

The proposal, whilst involving demolition and rebuilding, will actually result in a retail floor area of less than the existing store plus its permitted "additions" and this figure includes taking out the external retail floor area (barring 60 sqm). The units will essentially be turned to face the car park and there will be 3 of them with their own entrances. The profile of the building will change, but the revisions are considered to enhance the scheme's appearance.

The legal cases referred to by Chippenham Vision are not considered to be relevant to this application. Approximately 55% of the original unit footprint will remain and 45% will be "reconfigured". The Mothercare case in Salisbury is to do with non-imposition of conditions when a variation to a permission is granted. In this case the same conditions regarding limiting the range of goods to be sold are to be imposed; *Newbury DC v Secretary of State for the Environment 1981* refers to the creation of a new planning unit where "radical" changes to the nature of the building have occurred; *Jennings Motor Ltd v SoS for the Environment 1982* relies on there being "a total change in the physical nature of the premises. With 55% of the original building remaining it is not considered that a total change has occurred. If Chippenham Vision's argument is followed to its logical conclusion, one could end up with a new building with 55% of it as open non-food retail (as the original building) and 45% (some partly within the un restricted non-food retail units) more tightly conditioned. This is clearly untenable.

The existing store is only restricted from selling food (other than confectionary), so whilst the fears of ING and Chippenham Vision are understood, it is not possible to further condition to restrict what can be sold as one of the tests of Circular 11/95 is that conditions should be reasonable. It is considered that with the amendments that the agent has made in terms of floor area, the proposal is compliant with policy C3 of the North Wiltshire Local Plan 2011.

10. Recommendation

Planning Permission be GRANTED for the following reason:

In determining this application the Council must take into account the existing permitted use of the site - That is 3315sqm of ground floor with 1,320sqm of external retail space = 4635 sqm. No conditions on the original approval placed any restriction on the goods to be sold other than it should only be for non food; there was no restriction on subdivision nor on adding (permitted development size) mezzanines.

The proposal, whilst involving demolition and rebuilding, will actually result in a retail floor area of less than the existing store plus its permitted "additions" and this figure includes taking out the external retail floor area (barring 60 sqm), which has an open retail use. The units will essentially be turned to face the car park and there will be 3 of them with their own entrances. The profile of the building will change, but the revisions are considered to enhance the scheme's appearance.

The existing store is only restricted from selling food (other than confectionary), so whilst the fears about impact on the town centre are understood, it is not possible to further condition to restrict what can be sold. One of the tests of Circular 11/95 is that conditions should be reasonable. It is considered that with the amendments that the agent has made in terms of floor area, the proposal is compliant with policy C3 of the North Wiltshire Local Plan 2011 and advice in PPS4 Planning for Sustainable Economic Growth.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

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

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

3. The proposed units shall not be used for the sale of food other than confectionery, ancillary to the main use, without the prior grant of planning permission in that respect.

REASON: In the interests of protecting the vitality and viability of the town centre.

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

- (a) indications of all existing trees and hedgerows on the land;
- (b) details of any to be retained, together with measures for their protection in the course of development;
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (d) finished levels and contours;
- (e) means of enclosure;
- (f) car park layouts;
- (g) other vehicle and pedestrian access and circulation areas;
- (h) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- (j) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- (k) retained historic landscape features and proposed restoration, where relevant.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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 and the protection of existing important landscape features.

6. Prior to any development taking place a tree protection plan showing root protection areas for retained trees; routes of protective tree fencing; specification of protective fencing; construction exclusion zones in accordance with 'BS 5837:2005 Trees in relation to construction-recommendations' shall be submitted and approved in writing by the Local Planning Authority. The agreed methodology shall be implemented during the duration of the proposed construction phase of the development permitted.

REASON: To protect retained trees during construction.

7. Prior to any development taking place an arboricultural method statement shall be submitted to and approved in writing by the local planning authority for the excavation within the root protection area of Poplar Trees T1 and T2 as identified within 'Quaife Woodland Arboricultural Survey AR/2299/ci-amended 31st January 2011' and for the proposed route for the outflow pipe from the surface water cellular storage tank. The development shall be carried out in accordance with the approved methodology.

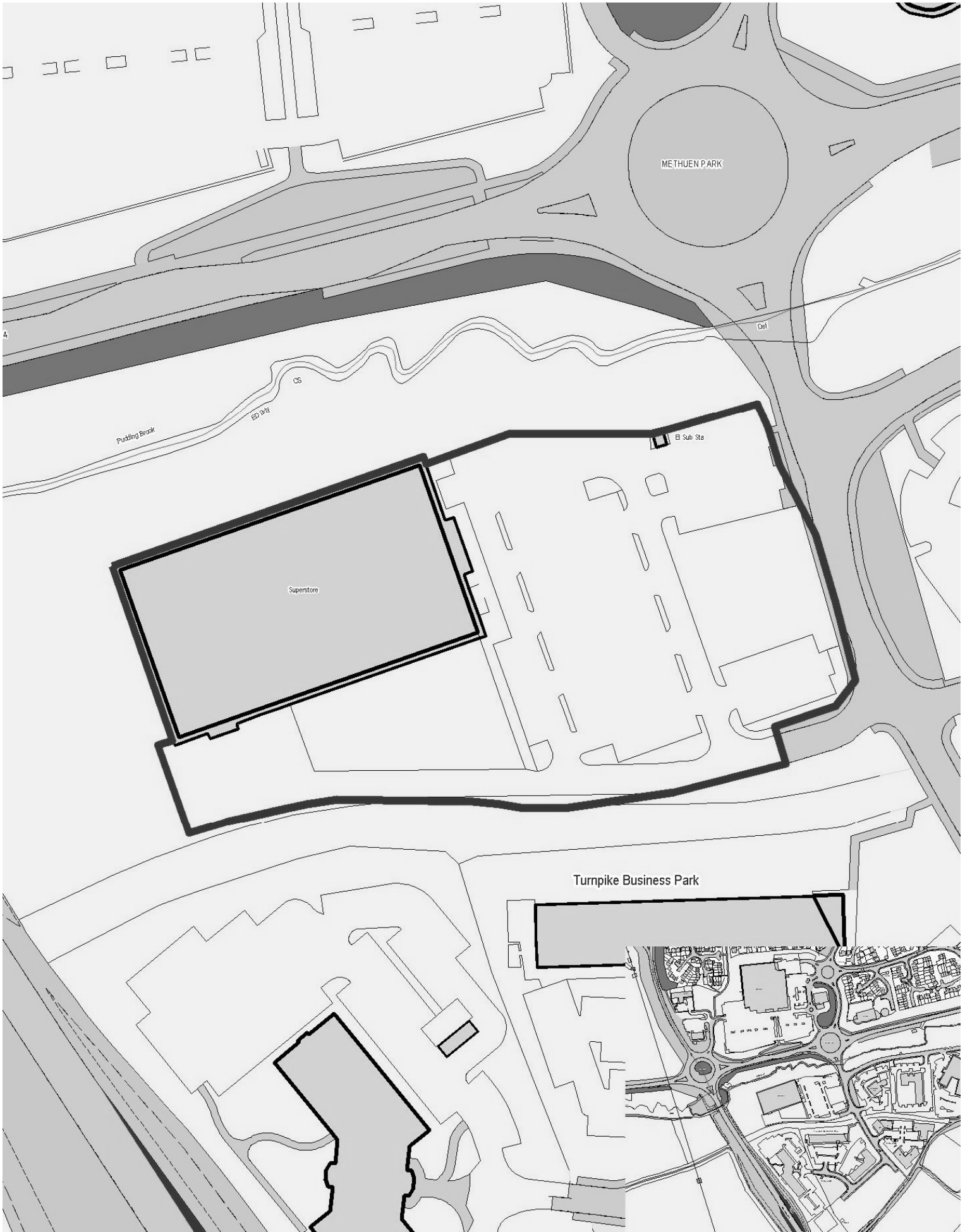
REASON: To safeguard the trees identified for retention for public visual amenity.

8. The total retail sales space (including any mezzanines the development hereby permitted shall not exceed 3,375 sqm.

REASON: To define the permission.

9. The development hereby permitted shall not be sub-divided to create more than 3 separate units and no individual unit shall be less than 850sqm. in floor area.

REASON: To protect the vitality and viability of the town centre



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	20 April 2011		
Application Number	N.10.01968.FUL & N.10.01969.LBC		
Site Address	The Old Vicarage, Church Walk, Ashton Keynes		
Proposal	External alterations and extensions to the house (FUL) Internal & external alterations and extension to house (LBC)		
Applicant	Mr R Laws		
Town/Parish Council	Ashton Keynes		
Electoral Division	Minety	Unitary Member	Carole Soden
Grid Ref	404461 194182		
Type of application	Full and Listed Building Consent		
Case Officer	Caroline Ridgwell	01249 706 639	Caroline.ridgwell @wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been referred to the Northern Area Planning Committee at the request of Councillor Soden so the Members can consider the scale and design of the development and whether there would be any environmental or highway impact.

1. Purpose of report

To consider the above applications and to recommend that planning permission and listed building consent be REFUSED.

2. Report summary

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

- Principle of development
- Impact on the listed building, visual amenity and landscape character
- Impact on archaeology
- Impact on flood zone 3

The application has generated:

- Ashton Keynes parish council support this application
- Comments and conditions from the County Archaeologist.

3. Site Description

The Old Vicarage (formerly known as The Old Rectory), which is Grade II listed and dates from c1584, is a detached building set behind a wall on Church Walk, just off the High Road, Ashton Keynes. The main block is of 3 bays, with a later forward wing dating from the late C18 or early C19. Perpendicular to, and set slightly to the left of the main block is the single storey stable range which dates from the C18. The vehicular entrance to the site is more or less opposite the bridge that connects the two sides of Church Walk. There is a substantial garden surrounding the property and a large area of agricultural land beyond. The coach house, garage and store, which are each also detached buildings, are located at the south west corner of the domestic curtilage

against a boundary with the playing fields. The area is known to be of archaeological interest and it is also in Flood Zone 3.

4. Relevant Planning History		
Application Number	Proposal	Decision
09/01507/LBC	Extensions to house, coach house & garage, plus internal alterations	Permitted
09/01508/FUL	Extensions to house, coach house & garage	Permitted
09/01314/LBC	Extension to main house, coach house & garages	Withdrawn
09/01142/FUL	Extension to main house, coach house & garages	Withdrawn
N83/0903/LB	Alterations to grade II listed building	Permitted
N75/0925/F	Alterations and extension to dwelling	Permitted

5. Proposal

The proposal is to make internal and external alterations to the house, including the linked former stables which are listed in their own right and extend the link joining the house and former stables/outbuildings. External alterations to the house include extending the link between the house and outbuildings by 3000mm which will bring the built connection forward of the front elevation of the building, a new lantern light added over the dining area (in the link), new concertina doors added on the garden side of the dining area, a chimney removed from the kitchen, new timber door to one of the store rooms and two kitchen windows replaced. Internal alterations include reopening a door between the hall and drawing room and fixing shut the existing door, opening up the partition between the kitchen and dining area and removing the ground floor cloakroom, removing the entire wall and replacing the roof truss between the kitchen and utility, replacing the doors from the utility to the boot room, making a double door width opening through the solid wall at the end of the stable building to link in to the low outbuildings adjacent to the road in order to a shower room utility and plant room and opening up the area between the buildings by removing part of a stone wall which has currently has a door in it. The door into the utility (former stable building) will be removed, as will the ceiling from the former stables (currently the utility and kitchen). On the first floor there will be alterations to modern partitions in the master bedroom and main bathroom and on the attic floor there will be alterations to doors and partitions between the landing and rooms either side, plus the creation of a bathroom in the inner room that is currently a dressing room.

6. Planning Policy

North Wiltshire Local Plan: policies C3; HE1 & HE4
The site is a grade II listed building and lies within a conservation area.

Central government planning policy PPS5

7. Consultations

Parish Council – No objections in principle, but if a flat roof to the extension is deemed acceptable the finish should be of traditional materials, e.g. lead.

Archaeology – The proposal is situated within the medieval settlement of Ashton Keynes and any development here is likely to encounter archaeological deposits. During an archaeological investigation in 2003 in the adjoining property, rare remains of a possible Saxon hut were revealed. A suggested condition is therefore to be added should any consent be granted.

The Environment Agency – They refer to their standard advice for a residential extension in flood zone 3.

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

No letters of objection or support received.

9. Planning Considerations

Principle of the development

The house is detached and set well inside the plot, giving a sense of space and clear views when looking at the front of the house through the entrance on Church Walk. The house has been linked to the stables since around 1900 and the link was slightly enlarged in the late C20. Nevertheless, the front elevation of the link does not currently project forward of the front elevation to the principal building, whereas the scheme that is the subject of this application brings the link 3000mm forward of the front elevation and nearly 2000mm forward of the front porch. This detracts from the significance of historical footprint and alters the relationship between the principal building and former stables by creating a disproportionate extension, rather than a link to subservient buildings.

Impact on the listed building, visual amenity and landscape character

The proposal to extend the front wall of the link, remove the wall between the kitchen and utility/bootroom and the coal/log store, remove existing and create new door openings in the outbuildings and incorporate virtually all the outbuildings into the living accommodation. It was suggested when this scheme was submitted in 2009, that the proposals remove the partitions in the link for the cloakroom and possibly the area of wall with the recess between the kitchen and cloakroom, to open up the area and create a large kitchen/dining room. Also suggested was that the door and window into the courtyard on the existing north elevation for the link could be altered to form a four panel concertina door to match the proposed replacement on the garden elevation, that an opening between the kitchen and utility/bootroom of no more than 1400mm be created, which is the width of the other doorways into that room. A cloakroom could be added in this area within this utility/bootroom area but alterations to the flagstone floor or boarding out of the painted stone walls would result in a loss of historic fabric and damage to the stone walls. The pool plant room should remain in its existing location (not marked on any plans) and the storage, including the hayloft, should remain for the large house.

The proposal of adding a bathroom on the second floor is supported. However, more details are needed about service routes and extracts as the dressing room which is proposed, as the bathroom would be in an area of the house which does not currently have any services. There are exposed timbers in this room so a shower would need to be enclosed.

These amendments mentioned above were made in the previous submission and consent granted for the work, but have not been forthcoming this time.

The central door to the stables which is to be removed in these proposals is cited in the list description for this C18 building, as are the barrel vaults in the area proposed as a bootroom. There is extensive building archaeology which is visible on the west and east walls of these buildings which will be lost through the proposed enclosure and internal treatments.

These alterations will not only mask the relationship between the principal building and subservient outbuildings by attaching two thirds of the stable elevation to the house, but will result in an extremely large quantity of walling being removed from inside the listed stables which will alter the historic floor plan. This would be contrary to guidance in PPS5 chapter 6.3, which also discusses the detrimental impact of the cumulative addition of services on a heritage asset.

Impact on archaeology

The proposal site is located within the area of medieval settlement of Ashton Keynes and therefore any development here is likely to encounter archaeological deposits. Rare remains of a possible Saxon hut were found during an archaeological investigation in the adjoining property in 2003, so there is a strong possibility that the proposal site also contains these very important remains. Should this be the case, any development would necessitate the disturbance and removal of archaeological remains, which would be contrary to PPS 5 policy HE9 and policy HE6 of the North Wiltshire local plan 2011.

Impact on Flood Zone 3

Although the location of the proposed development is in Flood zone 3, the Flood Risk Assessment submitted with the application states that according to local anecdotal evidence the site has never been flooded. However, any development would be designed and built according to the latest appropriate flood proof building criteria at the time of construction. This would comply with the Environment Agency's standing advice.

10. Conclusion

Factors included in making this judgement were the historic importance of the former stables, outbuildings and house – their floor plans and the relationship between these structures, windows and roofs to be altered, the design and materials for the roof lantern and link extension and the impact of the development on the character, appearance and setting of the listed buildings and amenity of the surrounding conservation area. Also considered was the proximity of the site to the medieval settlement of Ashton Keynes and the need for an archaeological watching brief, plus the flood zone rating of the site. The area where the link extension is proposed may be of archaeological interest and it is not flood zone 3. A watching and recording condition has therefore been added to this permission. The submitted details show that the new floor levels comply with the Environment Agency standing advice.

The scale and design of the proposed extension will have a detrimental impact on the historic fabric of the building, the setting, character and appearance of the listed building and the amenity of the Ashton Keynes conservation area. The floor plan of the listed stables will be destroyed, resulting in the loss of historic fabric, and new services will be introduced to sections of the building that are currently unaffected. No details have been supplied about the works or machinery required for the pump room, ground floor shower room or attic bathroom, so the impact on the historic fabric, character and appearance of the building can only be assumed. These proposals result in an almost total loss of storage for this very substantial former rectory, and as consent has just been granted to create an extended dwelling in the coach house, there are no further existing structures on this site that could serve as storage areas.

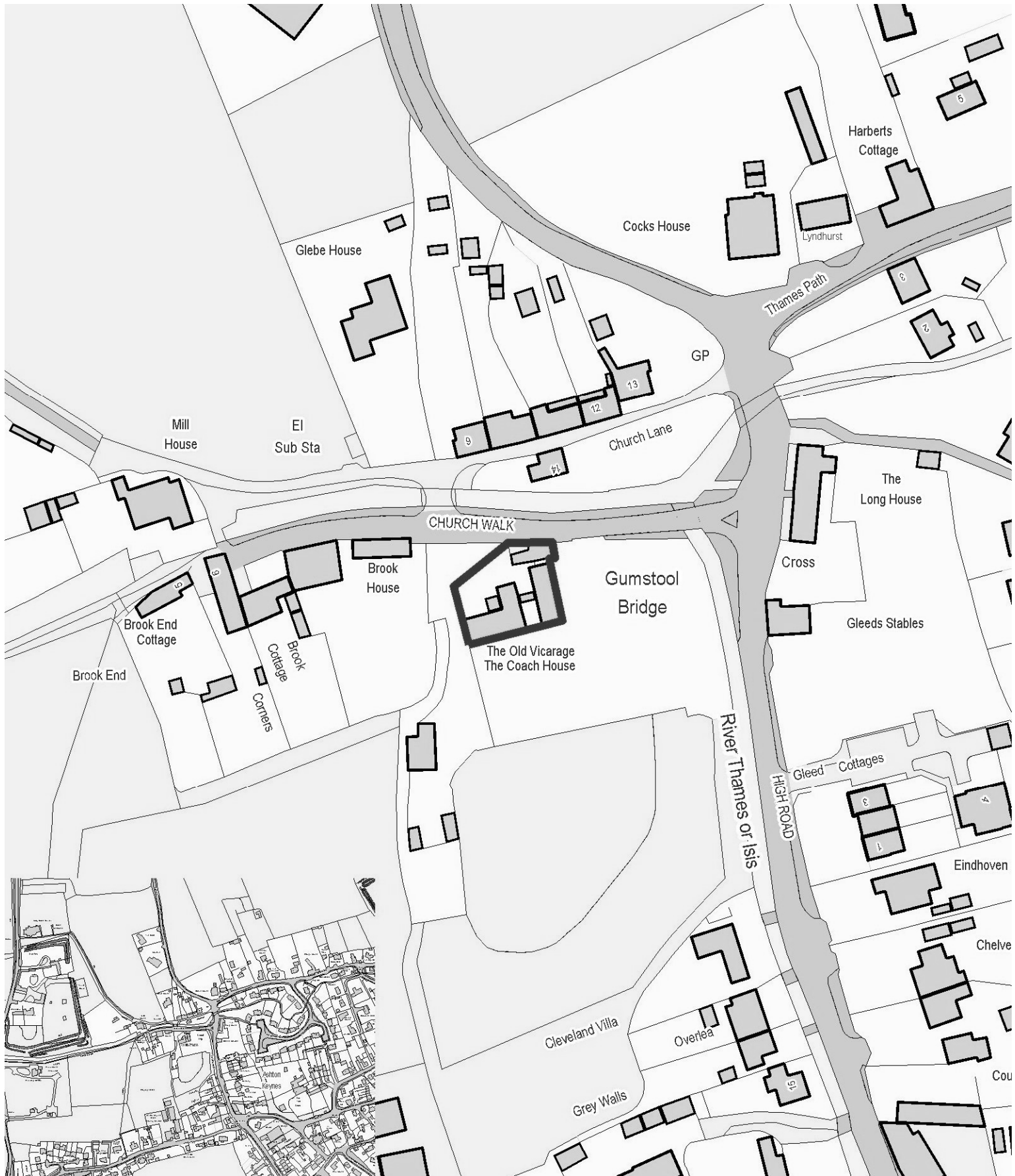
11. Recommendation

Planning Permission be REFUSED for the following reason:

1. Due to the scale, design, materials of the extension and loss of historic and archaeological fabric and material, the proposals would be exceedingly harmful the character, appearance and setting of the listed building and amenity of the conservation area. These proposals would be contrary to advice contained within the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPS 5 and contrary to policies C3, HE1, HE4 and HE6 of the North Wiltshire Local Plan 2011.

Listed Building Consent be REFUSED for the following reason:

1. Due to the scale, design, materials of the extension, loss of historic fabric, alteration to the relationship between ancillary buildings and loss of historic floor plans, the proposals would be exceedingly harmful the character, appearance and setting of the listed building. These proposals would be contrary to advice contained within the Planning (Listed Buildings and Conservation Areas) Act 1990 and PPS 5 and contrary to policies C3, HE1 and HE4 of the North Wiltshire Local Plan 2011.



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	20th April 2011		
Application Number	10/04414/FUL		
Site Address	55 Pavenhill, Dogeridge, Purton, SN5 4BZ		
Proposal	Redevelopment involving demolition of existing dwellinghouse and erection of 7 dwellinghouses and associated works		
Applicant	News Homes Ltd		
Town/Parish Council	Purton		
Electoral Division	Purton	Unitary Member	Councillor Jacqui Lay
Grid Ref	407887 187554		
Type of application	Full		
Case Officer	Simon T Smith	01249 706633	simon.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Lay requests that this application is considered by the Development Control Committee so that the scale of development, the visual impact of development upon the surrounding area, its environmental/highway impact and car parking may be considered.

1. Purpose of report

To consider the above application and to recommend that planning permission be DELEGATED to Officers to GRANT Planning Permission subject to all parties entering into a legal agreement under Section 106 of The Act and subject to conditions.

2. Report summary

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

- Principle of development
- Access and impact upon highway safety
- Number of units, layout and appearance
- Impact upon neighbour amenity

The application has generated an objection from the parish council; and six (6) letters of objection received from the public with one (1) letter of support.

3. Site Description

A 0.16Ha site consisting of a singular detached dwellinghouse and its curtilage. The land is elevated above Pavenhill via a retaining wall with a shared vehicular access (with two other residential properties) via Restrop View.

The site is situated and surrounded by residential properties. Restrop View is a relatively modern housing estate and Pavenhill itself being a more historic route through the village and consists of a mix of dwelling, in both age and appearance.

4. Relevant Planning History		
Application Number	Proposal	Decision
None of relevance		

5. Proposal

The application seeks to redevelop the site for 7 new two and three bedroom dwellinghouses, together with the creation of a new vehicular access via Pavenhill and closure of the existing access. The proposal includes details of 12 parking spaces, manoeuvring space, landscaping and boundary treatments.

6. Planning Policy

North Wiltshire Local Plan: policies C3, H3 and CF3

Central government planning policy guidance PPS3 - Housing

7. Consultations

Highway Officer – No objections subject to planning conditions

County Ecologist – The submitted information provides a clear account of the ecological value of the site. No objections subject to planning condition to ensure implementation of the submitted Biodiversity Supporting Statement.

County Archaeologist – Recommends that planning conditions be imposed to ensure a written programme of archaeological investigation is submitted for approval and implemented.

Public Open Space (adoptions and Inspections Officer) – Requirement for a financial contribution towards the provision of public open space is delivered as a result of development. (Note: the level of contribution has been agreed with the applicant and will be the subject of a legal agreement under s106 of The Act in the event of Members of the DC Committee resolving to grant planning permission).

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

Six (6) letters of letters of objection received. One (1) letter of support. Summary of key relevant points raised:

- Highway safety compromised because of new access onto busy Pavenhill
- Access should be from Restrop View
- New pedestrian footpath along site frontage would lead nowhere
- Too many units proposed
- Parking insufficient
- Overlooking
- Noise and disturbance during construction

9. Planning Considerations

Principle of development

The entire application site is located within the Settlement Framework Boundary of Purton, as identified by Policy H3 of the adopted North Wiltshire Local Plan 2011. Inside of the Settlement Framework Boundary, the principle of new residential development is established as acceptable by this policy. Criterion (ii) to Policy H3 states that such sites in Purton are suitable for development that is beyond “small” or “limited” in scale.

The acceptability of a proposal must therefore be considered against the more detailed development control criteria contained in policy C3 of the Local Plan and guidance in PPS3 at the national level. Those issues are considered below.

Access and impact upon highway safety

Considerable debate has occurred locally regarding the suitability of the proposed new access to the development site from Pavenhill. Concerns have been raised that by reason of the narrowness of road, the number and speed of existing vehicles and the limited visibility of Pavenhill would render the new access unsafe.

As an alternative, it has been suggested locally that access could be gained from the rear of the site via Restrop View. However, this would necessitate crossing land outside of the application site and which is also outside of the control of the applicant. It is not known who owns that land, although it has been suggested that it may be part of the Crown Estate.

Despite exploring the possibility of making use of an access via Restrop View, the developer has been unable to conclude upon this as a realistic alternative and is therefore unwilling to amend the scheme.

In this situation, and notwithstanding the local desire for access to the development site to be via Restrop View, the application can only be considered and determined upon the acceptability of the scheme as submitted. In this particular instance, the Council’s Highway Officer has firmly concluded that adequate visibility can be achieved at the point of the proposed access onto Pavenhill and that the additional traffic movements associated with the new development would not render the situation on Pavenhill significantly different than at present. The Highway Officer also confirms that the proposed layout does demonstrate suitable parking, turning and servicing space (although it is not expected that the internal drive would be adopted).

The conclusions of the Council’s highway Officer are all important on this particular issue. In the absence of an expert view to the contrary, it is not reasonable to refuse planning permission on the grounds of highway safety when the proposed access has been judged acceptable. The fact that there may be a preference for an alternative access via Restrop View is not a reason to refuse planning permission on this context.

Number of units, layout and appearance

The erection of 7 new dwellings on a 0.16Ha site results in a density of 43dph (dwellings per Hectare). As of June 2010, guidance in PPS3 no longer requires new development to have regard to an indicative minimum (previously 30dph) it continues to advocate the efficient use of land and the need to not automatically conclude that the intensification of development as unacceptable (paras. 45-51). Rather, PPS3 requires a judgement to be made over whether a proposed development is well designed, laid out and built in the right location: would the proposal successfully integrate into the locality.

In this particular instance whilst a density of 43Ha may be a little above surrounding development in Pavenhill and Restrop View, it is not inappropriately so. Indeed, in conjunction with existing

properties 56, 57 and 57a, the sites location at the junction of Pavenhill/Restrop View, the site would successfully accept such a density.

The proposed layout is typical of small scale housing development, being arranged as three groupings of units around a centralised access and manoeuvring/parking space with a single detached garage block (serving plots 6 and 7). A degree of built presence to Pavenhill has been introduced, rather than retaining the “set-back” of the existing dwelling, but this is considered acceptable when coupled with the repositioned stone retaining wall (complete with new railings) and necessary new pedestrian footway across the frontage of the site. The submitted revised plans under consideration acknowledge land ownership/access issues at the Eastern boundary.

The dwellings themselves are considered to be of better than average appearance. The occasional deep span gables seen on plot 6 and 7 (and some of the side elevations of the other plots) is outweighed by the generally steeper pitched roofs and narrower gable proportions across front and rear elevations of the development. Other features such as low and open eaves, simple porch canopies, well proportioned windows of an (apparently) sliding sash design and the use of feature materials for header and cill definition are also welcome. A materials mix of facing brick, reconstituted stone and concrete tiles is considered appropriate in this location.

Impact upon neighbour amenity

The site has direct shared boundaries to the East and West. To the East, 5 of the 7 plots are sited in a right-angle against the common boundary with No.54 Pavenhill. Although relatively constrained in terms of distance, the proposed plots are positioned so as to avoid facing No.54 private garden space (which is positioned between the house and elevated above Pavenhill). In the case of plots 4 and 5, which have an oblique view toward No.54 itself, windows at first floor have been restricted to bathroom windows only. The “blind” in the rear elevation of plots 4 and 5 may often be seen as a symptom of inappropriately positioned development, but in this case, their existence is not critical to the visual acceptability of the scheme given their presence in elevations that are not prominent in the public realm. An existing highly landscaped boundary between the site and No.54 does help to provide a strong defence against inappropriate impact upon amenity and living conditions.

To the West, plots 6 and 7 are orientated at a right angle direct to the flank wall of No.56 Pavenhill, with a consequently more oblique relationship with its rear garden. The approximate 11.0m distance is mitigated by the restriction of first floor windows in the facing elevation to bathroom only, which may be reasonably conditioned to be fitted with obscure glazing only. The presence of a blind in both plots is considered to be acceptable for the same reasons described above.

The creation of the new access to Pavenhill will clearly result in vehicles turning into and out of the site where currently there is not. During those turning manoeuvres, there is the potential for car headlights to create a disturbance to residents on the opposite side of Pavenhill. In this instance, however, Pavenhill is already a relatively busy road with several turns and driveway accesses and therefore the situation is not unprecedented. In any event, the distance of those properties directly opposite the application is likely to be sufficient to ameliorate any potential impact.

10. Conclusion

The proposal is considered to be of a form and scale that is reasonable in the context of surrounding development along Pavenhill and Restrop View. The concerns raised locally regarding the proposed means of access are acknowledged, however the ability to refuse planning permission on the grounds that they may be a preferred alternative means of access is effectively removed if the proposed access is considered to be acceptable. In this case the Council's Highway Officer is entirely satisfied with the proposal.

11. Recommendation

Subject to all parties entering into a legal agreement under s106 of The Act in respect of the provision of a financial contribution towards public open space, as required by Policy CF3 of the adopted North Wiltshire Local Plan 2011; then

Planning Permission be GRANTED for the following reason:

Subject to the imposition of appropriate planning conditions, the proposed development of even new dwellings on this site is considered to be acceptable in terms of its scale, layout, appearance and means of access in the context of the surrounding locality. In addition, the proposal is not considered to result in an unacceptable impact upon residential amenity of surrounding occupiers. In this way the proposed development is considered to comply with the provisions of policies C3 and H3 of the adopted North Wiltshire Local Plan 2011 and guidance contained within PPS3 Housing.

Subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The development hereby permitted shall be implemented in accordance with the submitted plans and documents listed below. No variation from the approved plans should be made without the prior approval of the local planning authority. Amendments may require the submission of a further application.

Plans

Site location plan – dated 26th November 2010
Site layout (55/PD/001A) – dated 4th February 2011
Site layout existing (55/PD/010) – dated 26th November 2010
Landscape proposals (PN/LP/070) - dated 4th February 2011
Visibility splay drawing (55/PD/012) – dated 26th November 2010
Street scenes (55/PD/009A) – dated 4th February 2011
Site sections (55/PD/008A) – dated 4th February 2011
Plots 1 & 2 plans and elevations (55/PD/002A) - dated 4th February 2011
Plots 3 plans and elevations (55/PD/003A) - dated 4th February 2011
Plots 4 & 5 plans and elevations (55/PD/004A) - dated 4th February 2011
Plot 6 plans and elevations (55/PD/005A) - dated 4th February 2011
Plot 7 plans and elevations (55/PD/006A) - dated 4th February 2011
Garage plans and elevations (55/PD/007) – dated 26th November 2010

REASON: To ensure that the development is implemented as approved.

3. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. 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 and the protection of existing important landscape features.

4. No part of the development hereby permitted shall be first brought into use/occupied until the access, 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.

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 or external alterations to any building forming part of the development hereby permitted.

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

6. Before the development hereby permitted is first occupied all windows shown as such on the approved plans, shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing at all times thereafter.

REASON: In the interests of residential amenity and privacy.

7. 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), the garage(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety.

8. Unless otherwise agreed in writing with the Local Planning Authority prior to its construction, the proposed rebuilt and repositioned retaining wall to the frontage of the site with Pavenhill shall be constructed using the stone reclaimed from the existing wall.

REASON: In the interests of securing a boundary treatment that respects the existing character of the locality.

9. All development shall be carried out in full accordance with the recommendations in Section 4 of the approved Biodiversity Supporting Statement (John's Associates, 2011), unless otherwise agreed in writing by the Local Planning Authority. In the event that protected species are discovered onsite during the development, all works shall be suspended until such time as an appropriately qualified ecologist has advised how to proceed.

REASON: In the interests of securing development that takes account of the ecological value of the site.

10. No development shall commence within the area indicated 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.



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	20th April 2011		
Application Number	N/11/00515/FUL		
Site Address	Brook Hill House, Brook Hill, Sherston SN16 0NQ		
Proposal	Two storey side extension with basement & single storey rear extension		
Applicant	Mr & Mrs Hayes		
Town/Parish Council	Sherston		
Electoral Division	Sherston	Unitary Member	John Thomson
Grid Ref	385244 185650		
Type of application	Full		
Case Officer	Christine Moorfield	01249 706 686	Christine.moorfield@wiltshire.gov.uk

Reason for the application being considered by Committee

The Application has been called in by Cllr John Thompson if recommended for refusal so Committee members may consider the design, bulk, height and general appearance of the proposal.

1. Purpose of report

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

2. Report summary

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

- Principle of development
- Impact upon the character and appearance of the Sherston Conservation Area.

The application has generated one letter of support from a neighbour.

3. Site Description

Brook House is a detached two storey dwelling built some 30 years ago sitting in a large plot which slopes extremely steeply towards the R.Avon to the south. It has a large 'L' shaped garden that wraps around 5 dwellings to the east. The dwelling is built of coursed rubble Cotswold stone with a reconstructed stone tiled roof and is sited on the south side of Brook Hill between the former mill and Taymore House.

The dwelling is characterised by a succession of various sized gables facing towards the highway. At the rear are more gables which face onto a terrace and beyond the ground drops away. The lower part of the garden is in Flood Zone 2/3, but not the dwelling.

4. Relevant Planning History		
Application Number	Proposal	Decision
10.01339.FUL	Erection of two storey side extension.	Permitted
10.02434.FUL	Erection of two storey side extension (revision of 10.01339FUL)	Permitted

5. Proposal

This proposal is for a side extension to the existing house to form an extended kitchen dining room utility room at ground floor level, an additional bedroom and ensuite at first floor level with a garden room WC at lower ground level. Due to the topography of the site the basement garden room will be at garden level at the rear of the house and results in the extension to the house becoming three storeys.

6. Planning Policy

North Wiltshire Local Plan: policies H8; C3; HE1
The site lies within a conservation area etc

7. Consultations

Sherston Parish Council – No objection. The maintained roof line makes the property appear as if it has not been extended at all creating a balanced facade.

8. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

1 letter of support received the neighbour who considers the proposal to be a desirable improvement.

9. Planning Considerations

Principle of the development

In principle the extension of this dwelling with a two storey side extension has already been established. The previous permissions were for side extensions with a similar floor area to that now proposed although the proportions of the footprint now proposed mimic the scale of the existing building and lack subservience in any form. Plan no. 1042/2a indicates the outline of the footprint of the previously approved extension.

Impact upon the character and appearance of the Sherston Conservation Area

Prior to the submission of this revised application the applicants have discussed amending the approved scheme. Officers have informed the applicant's agent of their concerns in respect of the proposal. However the agent has commented that they refute officer comments that the *site is in a prominent position on entering Sherston...*. The agent argues that the entrance to Sherston is dominated by the commercial buildings at the former mill site on this river valley side of Brook Hill, as confirmed by the Conservation Appraisal statement. It is further argued that Brookhill House is set back from the highway within a well-treed and soft landscaped setting, which is perhaps what it

is more appreciated for the positive contribution it makes to what would otherwise be a conservation area dominated in this part by hard built forms and surfacing.

In addition the agent claims that to be very dominant the proposal must yield a measurable power/presence over other elements that contribute to the character and appearance of the conservation area. The style and plan form of the existing dwelling and existing gradients of the site means that a gable end already exists at a point in the grounds that can be partially seen from public vantage points. The mature trees and hedgerows located within the site are to remain and will also serve to mask much of the proposed gable end. The combined screening from these areas of trees and planting ensures that the proposed extension would in the view of the applicants' agent not be very dominant within the conservation area.

However, the Officer's view is that the scheme as shown would result in an over-dominant extension and gable elevation to this substantial two storey house. The distinction between the original house and extension would be lost as the ridge line and width would follow through on the extension and the details of the openings copy those seen on the existing building. Due to the land dropping away from the west elevation, the two storeys plus basement (i.e. three storeys) will result in a far greater expanse of stone in the form of a flat elevation being seen when approaching the site from the west. This will increase the visual impact of this elevation and result in the extension having an oppressive dominance, alienating this building from the scale and detail of vernacular domestic buildings in this area. The agent acknowledges that the existing and proposed elements will be visible from vantage points within the Conservation Area.

10. Conclusion

Whilst in principle a two storey extension to this house is acceptable. The details of this scheme are not considered acceptable as the previous proposals were. The detailing of windows and openings fails to respect the main house by being visually subservient. The topography and position of this site on entering Sherston from the East results in this end gable wall being highly visible and the continuation of the ridgeline rather than setting the extension down will create a large built mass which will not serve to enhance and or preserve the character and or appearance of the Conservation Area. Therefore, this is not considered to be an acceptable form of development in this location and is one that fails to comply with policies C3, H8 and HE1 of the Local plan 2011.

11. Recommendation

Planning Permission be REFUSED for the following reason:

1. The scale and detailing of the proposed extension, windows and openings fails to respect the main house as it is not visually subservient. The proposed gable end will be highly visible and will result in the creation of a large built mass which will not serve to enhance and/or preserve the character and/or appearance of the Conservation Area. Therefore, this is not considered to be an acceptable form of development in this location and is one that fails to comply with policies C3, H8 and HE1 of the Local plan 2011.

