

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham
Date: Wednesday 5 October 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 Christine Crisp
Cllr Peter Davis
Cllr Peter Doyle
Cllr Alan Hill

Cllr Peter Hutton
Cllr Simon Killane
Cllr Howard Marshall
Cllr Toby Sturgis
Cllr Anthony Trotman

Substitutes:

Cllr Desna Allen
Cllr Chuck Berry
Cllr Bill Douglas

Cllr Mollie Groom
Cllr Mark Packard
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 - 20*)

To approve and sign as a correct record the minutes of the meeting held on 3 August 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 which excludes, in particular, questions on non-determined planning applications. Those wishing to

ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda (acting on behalf of the Director of Resources) no later than 5pm on **Wednesday 28 September 2011**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6. **Planning Appeals** (*Pages 21 - 24*)

An appeals update report is attached for information.

7. **Planning Applications** (*Pages 25 - 26*)

To consider and determine planning applications in the attached schedule.

- 7.a **11/01495/FUL - The Turnpike Site, Heddington Wick, Heddington - Change of Use from Stock Barn to Generator Shed** (*Pages 27 - 42*)
- 7.b **11/02318/REM - Coach House, Church Road, Heddington, SN11 0PQ - Demolition of Industrial Buildings and Erection of 9 Dwellings (Resubmission of 10/04628/REM)** (*Pages 43 - 52*)
- 7.c **11/01769/S73A - The Dairy, Sodom Lane, Dauntsey, SN15 4JA - Use of Ancillary Residential Accommodation as Self Contained Independent Residential Class C3 Unit (Retrospective)** (*Pages 53 - 60*)
- 7.d **11/02354/FUL - The Stables, Notton, Lacock, Chippenham, SN15 2NF - Expansion of Existing B1 Use into Adjoining Land** (*Pages 61 - 68*)

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

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NORTHERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 3 AUGUST 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Chuck Berry (Substitute), Cllr Peter Colmer, Cllr Peter Davis, Cllr Bill Douglas (Substitute), Cllr Peter Doyle, Cllr Alan Hill (Vice Chairman), Cllr Peter Hutton, Cllr Howard Marshall, Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr Howard Greenman, Cllr Sheila Parker, Cllr Jane Scott, Cllr John Thomson and Cllr Dick Tonge.

74. Apologies for Absence

Apologies for absence were received from Cllr Christine Crisp (who was substituted by Cllr Chuck Berry) and Cllr Simon Killane (who was substituted by Cllr Bill Douglas).

75. Minutes

Resolved:

To confirm and sign the Minutes of the meeting held on 13 July 2011.

76. Declarations of Interest

Cllr Peter Doyle declared a personal interest in the following applications because he was a member of the Cotswolds Conservation Board. He stated that he would take part in the debates and vote with an open mind:-

Minute No 80(c) - 11/01416/FUL - The Retreat, Longsplatt, Henley, Box, Corsham, SN13 8DE - Extension & Alterations

Minute No 80(d) - 11/01210/FUL - Land at Noble Street, Sherston, Malmesbury, SN16 0AA - Erection of Dwelling

77. **Chairman's Announcements**

There were no Chairman's announcements.

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

Members of the public addressed the Committee as set out in Minute No 80 below.

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

79. **Planning Appeals**

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

- (i) Forthcoming hearings and public inquiries between 13 July and 30 November 2011, it being noted that there were none confirmed.
- (ii) Planning appeals received between 30 June and 21 July 2011.
- (iii) Planning appeals decided between 30 June and 21 July 2011.

80. **Planning Applications**

1a **10/01962/FUL & 10/01963/LBC - Burton Hill House, Burton Hill, Malmesbury, SN16 0EL - Conversion of Burton Hill School to Seven Residential Units; Conversion of Outbuilding to Residential (One Unit) and Erection of New Dwelling & Associated Works**

The following people spoke in favour of the proposal:

Mr Andrew Macpherson, the agent
Cllr Bill Blake, Deputy Chair, Planning & Environmental Issues Committee,
Malmesbury Town Council

The following person spoke against the proposal:

Cllr Roger Budgen, St Paul Malmesbury Without 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 the planning application and listed building consent be refused. She also reminded the Committee that the applications had been the subject of several deferrals for further information to be obtained which had now been received and incorporated into the report.

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.

The Committee then heard the views of Cllr John Thomson, the local Member, who supported the applications but did recognise the need to address the concerns that had been expressed concerning any increased use of Archers Lane to the site by construction traffic.

Resolved:

To delegate the Area Development Manager to issue:-

- (1) Planning permission, subject to the completion of a Section 106 agreement to secure the provision of an affordable housing unit together with contributions to affordable housing, education and public open space and the formulation of appropriate conditions.**

REASON

The benefits of the proposed development and/or works in the removal of unsympathetic modern additions and the public benefits associated with the redevelopment of the site on balance outweighs the limited damage to the significant parts of the Listed Building. The proposal is thus considered to accord with Policies C3, H3 and HE4 of the adopted North Wiltshire Local Plan 2011 and guidance contained in PPS5.

- (2) Listed building consent, subject to suitable conditions.**

- 1b 10/03664/FUL - Methuen Park, Bath Road, Chippenham, SN14 0UL - Reconfiguration and Refurbishment of Existing Retail Warehouse to Create Three Retail Warehouse Units Together with Improvements to Car Parking , Landscaping and Servicing**

The following people spoke against the proposal:

Mr Ian Storey, representing Corsham Chamber of Commerce
Mr Alan Williams, ING Real Estate
Mr John Clark, Chairman of Chippenham Vision Board

The following person spoke in favour of the proposal:

Mr Craig Blatchford, the agent

The Committee received a presentation by the Case Officer which set out

the main issues in respect of the application. She introduced the report from which it was noted that the application had been deferred from the meeting of the Committee held on 20 April 2011 to allow Officers to consider recent retail decisions at Peterborough and Gateshead and was subsequently deferred again at the Committee meeting on 1 June 2011 to allow the Council to seek Counsel's advice on particular issues raised by third party objectors. She also drew Members' attention to the late items. In the light of all the advice and information received, the report continued to recommend that the application 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,

Resolved:

To grant planning permission 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, 200 sqm mezzanine with 1,320sqm of external retail space = 4835 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 considered reasonable 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.

POLICY-C3

- 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.

POLICY-C3

- 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.

POLICY-C3

- 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.

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

POLICY-C3

- 7) 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.

8) 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.

POLICY-C3

9) 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.

POLICY-C3

- 10) 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.

- 11) Prior to any development taking place in 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.

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

Reason: To define the permission.

- 13) 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.

- 14) The entrance gates to the development will be kept closed outside the hours of operation of the units.

Reason: In the interests of the amenity of the area and to minimise the potential for anti-social behaviour in relation to the site and its surroundings.

1c 11/01416/FUL - The Retreat, Longsplatt, Henley, Box, Corsham, SN13
8DE - Extension & Alterations

The following people spoke in favour of the proposal:

Mr William Phillips, applicant
Mr Richard Wiltshire, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. It was noted that the application had been deferred at the last meeting to allow consideration of further information relating to the quantum of the development proposed and previously permitted at the site. He introduced the report which recommended that the planning application be refused. 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 a statements from members of the public as detailed above, expressing their views regarding the planning application.

Members then heard the views of Cllr Sheila Parker, the local member in support of the application.

After discussion

Resolved:

To grant planning permission for the following reason:-

The proposed development is in keeping with the host dwelling and the character and appearance of the area. The extensions will not materially have a greater impact on the Green Belt and AONB than that already existing. The development thus accords with Policies C3, NE1, NE4 and H8 of the adopted North Wiltshire Local Plan 2011.

Subject to the following conditions:

(1) 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.

POLICY- C3

(2) 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;**

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

POLICY- C3 NE1 H8

- i. No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars, without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).**
- ii. If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.**
- iii. No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.**

In this condition “retained tree” means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the local planning authority to ensure the retention of trees on the site in the interests of visual amenity.

POLICY- C3 NE1 H8

(3) 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 further 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- NE1

1d 11/01210/FUL - Land at Noble Street, Sherston, Malmesbury, SN16 0AA - Erection of Dwelling

The following person spoke against the proposal:

Mr R Kilner, a local resident

The following person spoke in favour of the proposal:

Mr Tony Doyle, the agent

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. It was noted that the application had been deferred from the last meeting to allow for the consideration of amended plans with a revised consultation expiry date of 21 July 2011. She introduced the report which recommended that the planning application be refused.

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 then heard the views of Cllr John Thomson, the local member who supported the application.

After discussion

Resolved:

To refuse planning permission for the following reasons:

1. The design, scale and mass of the proposed building would be out of character with the surrounding area and would fail to preserve the character and appearance of this part of the Sherston Conservation Area. As such, the proposed development would be contrary to policies C3 and HE1 of the North Wiltshire Local Plan 2011.
2. The proposed development would, by reason of its siting be overbearing, resulting in an unacceptable and oppressive outlook for the occupiers of No. 1 Noble Mews which would be detrimental to the amenities of the occupiers of this property. As such, the proposal would be contrary to policy C3 of the adopted North Wiltshire Local Plan 2011.
3. No Section 106 Agreement has been secured therefore the proposed development does not include or bring forward adequate provision for affordable housing or public open space as is required by Policies C2, H6 and CF3 of the adopted North Wiltshire Local Plan 2011 and supporting guidance contained within the Revised Affordable Housing Supplementary Planning Document 2008 and North Wiltshire Open Space Study 2004.

Informative

1. This decision relates to documents/plans submitted with the application, listed below.
 - LPC/2698/SD2/1D – Ground and first floor plans. Elevation and section, date stamped 7th July 2011
 - LPC/2698/SD2/2D – Elevations, date stamped 7th July 2011
 - LPC/2698/SD2/3A – Elevation to Noble Street and section, date stamped 7th July 2011
 - Site location plan, date stamped 7th July 2011
 - Topographical survey, date stamped 24th March 2011

1e **11/01456/FUL - Loreley, Newlands Green, Kington Langley, SN15 5NZ - Extension to Provide First Floor to Part of Property**

The following people spoke against the proposal:

Mr M Bain, a local resident
Mr S Munden, a local resident
Cllr Dr M Dixon, Chairman of Kington Langley Parish Council

The following people spoke in favour of the proposal:

Mr Nick Elkins, the architect

The Committee received a presentation by the Case Officer which set out the main issues in respect of the application. The application was deferred from the previous meeting on 13 July 2011 in order that Members of the Committee could undertake a site visit. A site visit had taken place earlier that afternoon in respect of this application, which had been attended by Cllr Peter Davis, Cllr Peter Hutton, Cllr Howard Marshall, Cllr Toby Sturgis and Cllr Tony Trotman. Cllr Howard Greenman, the local Member, also attended.

He introduced the report which recommended that the planning application 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.

Members then heard the views of Cllr Howard Greenman, the local member who expressed some concern at the scale of the development and its likely effect on the residents of Wayside Close.

After discussion

Resolved:

To refuse planning permission for the following reason:

The proposed development fails to respect the character and appearance of the host dwelling, the surrounding area in particular Wayside Close and would have an overbearing impact on the residential amenity of adjacent properties in that location contrary to Policies C3 and H8 of the adopted North Wiltshire Local Plan 2011.

- 1f **11/01580/FUL - Stanton St Quintin Garage, Lower Stanton St Quintin, Chippenham, SN14 6BN - Proposed Development of 12 Dwellings complete with Associated Parking & Landscaping (following Previous Permissions 05/02230/OUT & 07/01431/REM)**

The following person spoke in favour of the proposal:

Mr Charles Mannings, the agent

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 the planning application 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 then heard the views of Cllr Howard Greenman, the local member in support of the application.

After discussion

Resolved:

To delegate the Area Development Manager to issue planning permission, subject to the completion of a Section 106 agreement securing two affordable dwellings and subject to the relevant conditions applied in respect of applications 05/02230/OUT and 07/01431/REM.

REASON

The proposed development is considered to be acceptable based on previous permissions for residential development on the site and this represents the best solution for this brownfield site.

- 1g **11/02094/FUL & 11/02095/LBC - Cuckoo Bush Farm, Reybridge, Lacock, SN15 2JX - Construction of Single Storey Breakfast Room and Porch, and Installation of Window all at Rear of House; Internal Alterations to Form Additional Bathrooms; and Construction of Gate Piers and Installation of Gates to Front of House**

The following person spoke in favour of the proposal:

Mr Scott Cutler, 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 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 then heard the views of Cllr Dick Tonge, the local member, in support of the application.

After discussion,

Resolved:

(1) To grant planning permission for the following reason:

The proposed development by virtue of its scale, mass, bulk, design character and positioning respects the scale, proportions and character of the property and accords with policies C3 & HE8 of the North Wiltshire Local Plan (2011); and preserves a Grade II Listed Building in accordance with Policy HE4 of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

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.

No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on window joinery 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 first brought into use.

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

No works shall commence on site until details of all new external window, roof and door joinery and/or wood framed glazing and roof structure have been submitted to and approved in writing by the local planning authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

Reason: in the interests of preserving the character and appearance of the listed building and its setting.

Policy-HE4

11/02095/LBC

The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

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

No development shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

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

No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on the window joinery 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 first brought into use.

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

No works shall commence on site until details of all new external window, roof and door joinery and/or wood framed glazing and roof structure have been submitted to and approved in writing by the local planning authority. The submitted details shall include depth of reveal, details of heads, sills and lintels, elevations at a scale of not less than 1:10 and horizontal/vertical frame sections (including sections through glazing bars) at not less than 1:2. The works shall be carried out in accordance with the approved details.

Reason: in the interests of preserving the character and appearance of the listed building and its setting.

Policy-HE4

(2) To grant listed building consent for the following reason:

The proposed development by virtue of its scale, mass, bulk, design character and positioning respects the scale, proportions and character of the property. It accords with policies C3 & HE8 of the

North Wiltshire Local Plan (2011); and preserves a Grade II Listed Building in accordance with Policy HE4 of the North Wiltshire Local Plan 2011.

Subject to the following conditions:

The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

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

Notwithstanding the approved drawings (and details submitted in drawing 500/10/20A), no works shall commence until details of the following matters have been submitted to and approved in writing by the Local Planning Authority:

- i. Large scale details of all external joinery including metal-framed glazing (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels, opening and non-opening lights to be identical;**
- ii. Large scale details of all new or replacement internal joinery (1:5 elevation, 1:2 section);**
- iii. Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;**
- iv. Full details of proposed internal service routes;**
- v. A full schedule and specification of repairs including:**
- vi. proposed timber and damp proof treatment**
- vii. proposed method of cleaning/paint removal from historic fabric**
- viii. a full schedule of internal finishes to walls, ceilings and floors; and**
- ix. Full details and samples of external materials.**

The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

No works shall commence on site until details of all new or replacement external chimneys, flues, extract ducts, vents, grilles and meter housings have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

POLICY-HE4

No works shall commence on site until details of all new or replacement rainwater goods (which shall be of cast metal construction) and their means of fixing to the building have been submitted to and approved in writing by the Local Planning Authority. The works shall be carried out in accordance with the approved details.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

POLICY-HE4

Within 6 month(s) of the works being carried out, all adjoining surfaces which have been disturbed by the works (including brickwork, plaster and floor tiles) shall be made good with materials and finishes to match those of existing undisturbed areas surrounding the new opening.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

POLICY-HE4

No works shall commence on site until a sample panel of stonework, not less than 1 metre square, has been constructed on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the works are carried out. Works shall be carried out in accordance with the approved sample.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

No development shall commence on site until details of the finish to external timber, including any paint or stain to be used on the window joinery 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 first brought into use.

REASON: In the interests of preserving the character and appearance of the listed building and its setting.

81. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 9.05 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

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Wiltshire Council
Northern Area Planning Committee
5th October 2011

Forthcoming Hearings and Public Inquiries between 19/09/2011 and 31/12/2011

Application No	Location	Parish	Proposal	Appeal Type	Date
08/00016/ENF	(Manor Barn) Barn at, East Sevington Farm , Sevington, SN14 7LD	Grittleton	(Enforcement Notice) Unauthorised works to the Building consisting of the removal of a rear window and section of wall and insertion of a pair of external doors and erection of a conservatory	Hearing	15/11/2011
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	06/12/2011

Planning Appeals Received between 21/07/2011 and 19/09/2011

Application No	Location	Parish	Proposal	DEL or COM	Appeal Procedure	Officer Recommendation
10/03993/FUL	ROUNDHOUSE FARM OUTBUILDINGS, MARSTON MEYSEY, WILTSHIRE, SN6 6LL	Marston Meysey	Change of Use to Storage and Distribution	COMM	Written Representations	Permission
10/04360/FUL	48 & 49 MORSTONE ROAD, WOOTTON BASSETT, WILTSHIRE, SN4 7DH	Wootton Bassett	Erection of Detached Dwelling & Garage with Associated Vehicular Access & Landscaping	DEL	Written Representations	Refusal
11/01017/FUL	102 LIME KILN, WOOTTON BASSETT, SN4 7HQ	Wootton Bassett	Proposed Side Extension and Enclosure of Amenity Land with 2m Boundary Fence to Form Additional Garden	DEL	Written Representations	Refusal
11/01456/FUL	Loreley, Newlands Green, Kington Langley, Wilts. SN15 5NZ	Kington Langley	Extension to Provide First Floor to Part of Property.	COMM	Written Representations	Permission
11/01464/LBC	Restrop Farmhouse, Restrop, Purton, Wiltshire, SN5 4LW	Purton	Erection of Single Storey Extension	DEL	Written Representations	Refusal

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Agenda Item 6

11/01465/FUL	Restrop Farmhouse, Restrop, Purton, Wiltshire, SN5 4LW	Purton	Erection of Single Storey Extension	DEL	Written Representations	Refusal
11/01796/FUL	Land at Cherry Tree Cottage, 2 Thingley Cottages, Thingley, Corsham, Wilts. SN13 9QQ	Corsham	Erection of Replacement Stable Building with Hayloft Over and Attached Tractor Store (Revision to 09/00059/FUL)	DEL	Informal Hearing	Refusal
11/01919/FUL	The Laurels, 1 The Old Dairy Drive, Upper Castle Combe, Chippenham, Wiltshire SN14 7AY	Castle Combe	Rear Single Storey Extension	DEL	Written Representations	Refusal
11/02078/S73A	Warwick Farm, Ballards Ash, Wootton Bassett, Wilts. SN4 8DY	Lydiard Tregoz	Extension and Alteration to Building for Change of Use from Chicken Housing to Cattery	DEL	Written Representations	Refusal

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Planning Appeals Decided between 21/07/2011 and 19/09/2011

Application No	Location	Parish	Appeal Type	DEL or COM	Appeal Decision	Decision	Appeal Type
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	Allowed with Conditions	Refusal	Informal Hearing
10/04645/FUL	2 Portal Close, Malmesbury Road, Chippenham, Wiltshire, SN15 1QJ	Chippenham	Alterations, Relocation of Garage and Replacement Extension.	COMM	Allowed with Conditions	Refusal (<i>Officer recommendation Permit</i>)	Written Representations
11/00964/FUL	SCOTTS SMITH FARMYARD, SODOM LANE, DAUNTSEY, WILTSHIRE, SN15 4JA	Dauntsey	Single Storey Rear Extension to Converted Farm Building	DEL	Allowed with Conditions * see comments below	Refusal	Written Representations
10/03034/FUL	Hillcrest Farm, Upper Wraxall, Chippenham, Wiltshire, SN14 7AG	North Wraxall	Change of Use of Buildings from Agricultural to Equestrian	DEL	Appeal Dismissed	Refusal	Written Representations

10/04562/FUL	Land at the end of Tern Close, Calne, Wiltshire	Calne	Erection of 2 no Semi-Detached Dwellings	DEL	Appeal Dismissed	Refusal	Written Representations
11/01338/FUL	74 BRISTOL ROAD, CHIPPENHAM, SN15 1NS	Chippenham	Two Storey Side Extensions	DEL	Appeal Dismissed	Refusal	Written Representations
11/01377/FUL	35 New Road, Purton, Wiltshire, SN5 4HF	Purton	Proposed Garage with Playroom Over	DEL	Appeal Dismissed	Refusal	Written Representations
11/00916/FUL	THE COTTAGE, UPPER CASTLE COMBE, CHIPPENHAM, SN14 7HD	Castle Combe	Extension to Side/Rear with Detached Garage (Resubmission of Application N/10/03802/FUL)	DEL	Split Decision - Garage allowed/ extension dismissed	Refusal	Written Representations

* 11/00964/FUL: SCOTTS SMITH FARMYARD, SODOM LANE, DAUNTSEY, WILTSHIRE, SN15 4JA

Commentary on Inspectors Decision

Relating to a proposal for a single storey extension to a barn previously converted into a dwelling, the planning application was refused permission for the following reason:

Policy BD6 of the North Wiltshire Local Plan 2011 allows for the re-use of rural buildings providing the conversion does not require extensive alterations or extension. The property has been converted into residential use but to permit the significant extension that has been proposed would be contrary to the requirements of Policy BD6. The proposed extension by virtue of its size and scale considered to be an unjustified addition to a converted rural building and does not accord with Policy BD6. The extension also does not respect the host building in terms of scale and form and would have a significant adverse impact upon the original appearance of the building contrary to polices C3 and H8 of the North Wiltshire Local Plan 2011.

In effect, the Council considered that the original application for the barn conversion would have been refused permission if it had included this extension because it was so significant in size in the context of the overall conversion (ie. Policy BD6 of the adopted Local Plan relating to barn conversions, specifically warns that proposals for conversions requiring extensive alterations, re-building and/or extensions will be refused planning permission).

Considering the appeal, the Inspector concluded that Policy BD6 is not directly relevant to the consideration of a domestic extension (ie. a proposal for an extension to a converted barn, is not the same as a proposal to convert a barn) and that instead, Policy H8 should be used since it relates to residential extensions.

In allowing the appeal, the Inspector considered whether the proposed extension would, in effect, be in-keeping with the character or appearance of the dwelling, precisely defined by its origins as a converted barn. He concluded that the proposed extension would cause no harm to the character or appearance of the dwelling as a converted barn.

It is considered that the decision of the Inspector to apply Policy H8 instead of Policy BD6 is entirely correct. It is clear that once a barn is converted into a dwelling, the building indeed becomes a dwelling and subsequent applications to extend that dwelling must be determined by the specific policy relating to residential extensions.

Whilst the actual decision of the Inspector to allow the appeal may be disagreed with, the method used to reach that decision is sound. His decision letter makes it clear that there continues to be a need to consider whether a proposed extension to a converted barn would indeed respect the character or appearance which that converted barn displays.

This appeal decision is not considered to dilute the ability of the Council to refuse permission for extensions that are thought not to be in-keeping with the host dwelling or fail to respect the character, setting and local building style of the dwelling

Agenda Item 7

INDEX OF APPLICATIONS ON 05/10/2011

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
7a	11/01495/FUL	The Turnpike Site, Heddington Wick, Heddington, Wilts.	Change of Use from Stock Barn to Generator Shed	Permission
7b	11/02318/REM	Coach House, Church Road, Heddington, Wiltshire, SN11 0PQ	Demolition of Industrial Buildings and Erection of 9 Dwellings (Resubmission of 10/04628/REM)	Permission
7c	11/01769/S73A	The Dairy, Sodom Lane, Dauntsey, Wilts, SN15 4JA	Use of Ancillary Residential Accommodation as Self Contained Independent Residential Class C3 Unit (Retrospective).	Permission
7d	11/02354/FUL	The Stables, Notton, Lacock, Chippenham, Wiltshire, SN15 2NF	Expansion of Existing B1 Use into Adjoining Land.	Permission

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	05 October 2011		
Application Number	N/11/01495/FUL		
Site Address	The Turnpike Site, Heddington Wick, Heddington		
Proposal	Change of Use of From Stock Barn to Generator Shed (Including Installation of Cable Connection to the National Grid)		
Applicant	Mr A Brown		
Town/Parish Council	Heddington Parish Council		
Electoral Division	Calne Rural	Unitary Member	Councillor Crisp
Grid Ref	398461 166515		
Type of application	Full Planning Application		
Case Officer	Lee Burman	01249 706 668	Lee.burman@wiltshire.gov.uk

Reason for the application being considered by Committee: The application was deferred from the 13th July Committee so that additional technical specifications for the proposed generators and additional noise survey information and assessment could be submitted and so that the Committee might fully consider the Environmental (Noise) Impact of the proposal.

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 visual amenity and landscape character
- Impact upon neighbour amenity
- Impact on Protected Species
- Impact on Highway Safety

The application has generated no objection from Heddington Parish Council; and 4 letters of objection from the public.

3. Site Description

The development site is located in open countryside between the village of Heddington and the Hamlet of Heddington Wick. The application site is a part of a working farm featuring large scale modern agricultural barns that are in part open sided. Adjacent the application site some bunding has been undertaken.

4. Relevant Planning History		
Application Number	Proposal	Decision
N/09/01018/FUL	General Purpose Agricultural Building	Permitted

5. Proposal

The proposal is for the change of use of the smaller barn from agricultural use to an electricity generator shed. The applicant has submitted additional plans to specify the location and detailed proposals in respect of the cable connection to the National Grid. The applicant is proposing that additional bunding be introduced to the south west of the site. A full technical specification of the proposed generator and related equipment has been submitted and this is reproduced at Appendix 1. In summary the proposals are for:-

The installation of two containerised diesel fuelled electricity generators;

- Installation of Ancillary equipment including a single 17,000 litre diesel tank (fully bunded) and a transformer to increase generator voltage.
- All equipment will be located within the existing agricultural building.
- The containerised generators will incorporate noise attenuation equipment including a heavy duty steel base frame with anti-vibration mounts.
- Maximum noise output is put at 85dba at 1 metre from the generator i.e. within the agricultural building.

The electricity generated is provided to the national grid under the Standing Transmission Operating Reserve contractual framework. This is one mechanism by which the National Grid ensures sufficient electricity supply due to periods of stress in the system through high demand or plant breakdowns. The typical applications for back-up/emergency electricity supply are to critical facilities such as Hospitals, Data Centres, MOD Bases etc.

The contractual agreement with the National Grid secures payment for maintaining the plant in an operational state, with the facility held in stand-by mode for most of the year awaiting instruction from the National Grid to switch on and supply power. Within the National Grid tendering process typical periods of operation are identified as 07:00-09:00 and 16:00-19:00 in mid winter, with operation of a plant of this nature being infrequent during these periods. The applicant has stated the National Grid historical data suggests an operational period for around 2% (175 hours) of each year. Clearly given that the intention is to supply electricity during periods of emergency demand operational times and duration cannot be guaranteed or specifically restricted, however, potentially the plant may not become operational at all during some years.

6. Planning Policy

North Wiltshire Local Plan Policies:

C3 Development Control Policy

BD6 Re-Use of Rural Buildings

BD7 Farm Diversification

NE18 Noise and Pollution

Central Government Planning Policy:

Planning Policy Statement 1 Delivering Sustainable Development

Planning Policy Statement 24 Planning and Noise

7. Consultations

Highways Officers raised no objections to the proposed development.

Environmental Officers raised no objection to the proposals subject to the future installation of the noise bund. Officers have reviewed the additional information (Specification and Noise Assessment) and remain of the same view. Officers state explicitly that the survey report assesses

the “worst case noise impact of the proposed development in accordance with the appropriate UK noise guidance”. A full report of the Environmental Officers’ response is incorporated below.

The Council’s Ecologist raised no objections to the proposals.

Heddington Parish Council raised no objection to the proposals.

8. Publicity

The application was advertised by site notice and neighbour consultation.

4 letters of objection received

Summary of key relevant points raised:

- Noise pollution;
- Security (risk of theft);
- Light pollution and animal welfare;
- Inappropriate use of an agricultural building;
- Unsustainable energy source;
- Smell contamination;
- Animal Welfare;
- Health and Safety; and
- Visual impact.

9. Planning Considerations

The Principle of Development

The proposal involves the change of use of an existing agricultural building through the location of two containerised diesel fuelled electricity generators. Whilst constructed relatively recently this is in effect use of an existing structure and does not involve new build development. Proposals for the diversification of activities at existing farms to support the principle farming operation and for the re-use of rural buildings are supported by national planning policy contained in PPS7 and policies BD6 and BD7 of the North Wiltshire Local Plan 2011. The proposals do not involve any works to the exterior of the building involving only the siting of diesel generators within shipping containers located within the barn. There is no national or local policy restriction on the development of small scale energy generation from traditional energy sources and indeed successive governments have identified that traditional sources of power will continue to form an essential part of the nation’s energy supply. The Government has also recently proposed reducing feed in tariff support for solar energy proposals on the basis that these are being taken up by large scale operators.

Impact on Visual Amenity

As noted above the proposal involves the re-use of an existing building with no works to the exterior of the structure. Works to create a level floor and bury the cable connection to the national grid will be required but these will have at most temporary visual impacts. It is therefore considered that there will not be any significant impact on the character and visual amenity of the locality. In addition the site is relatively well screened by existing mature boundary planting, hedgerows and other agricultural buildings on the site.

Impact Upon Neighbour Amenity

Four letters of objection have been received from local residents raising concerns about the impact on residential amenities, particularly regarding noise. In this context it is important to note that the Council’s Public Protection Team (Environmental Health) raised no objection to the initial proposals, taking into account proposals for additional bunding and limitations on night time operation. At the Committee meeting of the 13th July to which the application was originally reported members deferred determination of the application to receive technical specifications as to the generators and for the submission of a noise survey to be assessed by the Public Protection

Team (Environmental Health Officers) and to receive additional comment from Environmental Officers in this regard. The additional information has now been prepared, submitted and assessed. In summary officers are satisfied that there will be no harm to residential amenity through noise pollution as a result of the development subject to provision of the proposed earth bunding.

The nearest residential property to the site is over 90 metres distant and physically separated by the existing bunding, mature boundary hedgerows and trees and the adjacent road. The generators will be contained within shipping containers. The applicant has submitted information to state that the generators will rarely if ever run through the night or in late hours typically providing energy to the National Grid when there is pressure on the system – usually between the hours of 07:00 – 09:00 or 16:00 – 19:00. The applicant has assessed that the cumulative noise levels will be around 85 decibels at one metre from the generator itself i.e. within the agricultural building. Additional bunding is proposed that will reduce this noise output by 11dba. The additional noise assessment information demonstrates that in combination with the noise barrier the existing noise levels and the noise generated by the electricity generators will result in noise levels of 35.8db at the nearest property. In the vicinity of this property daytime ambient noise levels were up to 36.6db. The proposal would therefore not result in significant harmful noise impact during daytime operation.

The noise report also assessed the worst case scenario of an exceptional night time operation. It identified ambient noise levels at 21dba. The operation of the generators would raise noise levels above this assessed current position. However the operation is typically likely to be during winter months, a time when residential properties have windows closed. Closing windows reduces noise by between 10 – 15 dba. This would result in noise levels of between 23dba and 28dba at the nearest property. This is substantially below the World Health Organisations' Guidelines 1999 of recommended noise levels for undisturbed sleep – 30dba. It is important to note here that this is the worst case scenario of the generators being required during an exceptional period of demand to operate during nighttime hours and supply electricity. This is likely to be an exceptional circumstance and given the noise levels involved it is not considered that the level of impact on residential amenity is sufficient to warrant refusal of the application.

The Council's Public Protection Team (Environmental Health) have assessed the proposals and raise no objections on noise grounds based on the submitted information and additional bunding of the site. In particular Officers identify that the noise report assesses the worst case scenario in accordance with UK noise guidance. The report demonstrates that there will be no adverse impact on any nearby noise receptor during the intended hours of operation and crucially that officers "are satisfied that even if the generators had to be used in "emergency" situations through the night, any impact would also not be unacceptable". Officers identify that the impact has been assessed on the basis of the introduction of additional earth bunding and therefore recommended that this element of the overall scheme proposals is completed first. Conditions will be required in this regard.

Further objections were also raised regarding smell impact arising from potential storage of diesel on site. The applicant has identified that fuel will be stored in an oil tank and subject to bunding. These matters will need to be the subject of appropriate conditions requiring agreement of details.

The nearest residential property to the site is over 90 metres distant and physically separated by the existing bunding, mature boundary hedgerows and trees and the adjacent road. The proposals are contained within the existing agricultural building which is solid sided at the end between itself and the nearest neighbouring property. As such there is no impact in respect of daylighting or visual amenity.

Impact on Protected Species

Anecdotal evidence indicated that the existing agricultural buildings were being used by bats. The Council's Ecologist was consulted in respect of the proposals and potential impact on Bats and any potential requirements in respect of survey, assessment and mitigation measures. It was identified that the given the nature the barn it was almost certainly not used for roosting purposes

but instead for feeding. No works to the barn itself are proposed and the generators are contained and not operational during hours of darkness. It was therefore assessed that there would be no significant impact on bats and therefore no further survey and assessment work would be required. No objections were raised.

Impact on Highways Safety

Highways Officers have raised no objections to the proposed development. The traffic generated by the proposal will be relatively limited and indeed not wholly out of character with the operation of a modern farm.

Other Matters

The proposals do not seek approval for illumination or CCTV or other potentially ancillary works other than the undergrounding of the cable. As noted above the application is for change of use and the decision notice will reflect this.

There is no indication from the applicant (farmer) that the proposals will be detrimental to the cattle herd or other livestock and Environmental Health Officers have raised no concerns in this regard. Potential for theft from the site in the future is not reasonable grounds for refusing an otherwise acceptable development; this could be used in respect of a wide range of development proposals and there is no guarantee that theft will occur. Whilst there is government support for alternative energy sources it is recognised that a significant part of the County's requirements will need to be met from traditional sources. It is also not considered that the proposed development is of such a scale as to warrant refusal based on sustainability grounds.

10. Conclusion

The proposal is for a change of use principally and involves little operational development and is of a limited scale. The proposals have been assessed and considered by the Council's Public Protection Team, The Council's Ecologist and Highways Officers and no objections have been identified. With appropriate conditions and subject to approval of additional details regarding bunding and storage of fuel it is considered that the proposed development would not have significant harmful impact on interests of acknowledged importance.

11. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development is considered to be acceptable based on its scale, form and location which is in keeping with the character of the property and locality. The proposal is in accordance with policies C3, BD6 & BD7 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. Notwithstanding the information submitted with this application no development hereby permitted shall commence on site until the applicant has submitted full details of the proposed bunding to the Local Planning Authority and before the expiration of three years from the date of this permission and received the written approval of the Local Planning Authority for the detailed bunding proposals. No development or operation of the generators shall take place until the permitted scheme of earth bunding has been implemented in accordance with the approved details.

REASON: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990.

3. 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.

POLICY-C3

4. 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.

POLICY-C3

5. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions / extensions / external alterations to any building forming part of the development hereby permitted and no plant or machinery shall be installed outside any such building on the site on the approved plans.

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, or the installation of any outdoor plant/machinery.

POLICY-C3

6. The site shall be used for a generator shed only.

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

POLICY-C3

7. The delivery of fuel to the site shall be limited to the hours of 8:00am – 18:00pm on Mondays to Saturdays and not on Sundays or 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

8. The use hereby permitted shall only take place between the hours of 07:00am and 19:00pm. In exceptional circumstances of peak demand from the national grid for supply operation may extend outside these hours.

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

9. The level of noise emitted from the site shall not exceed 85db LA eq at 1m as measured from the generator at any time during operation.

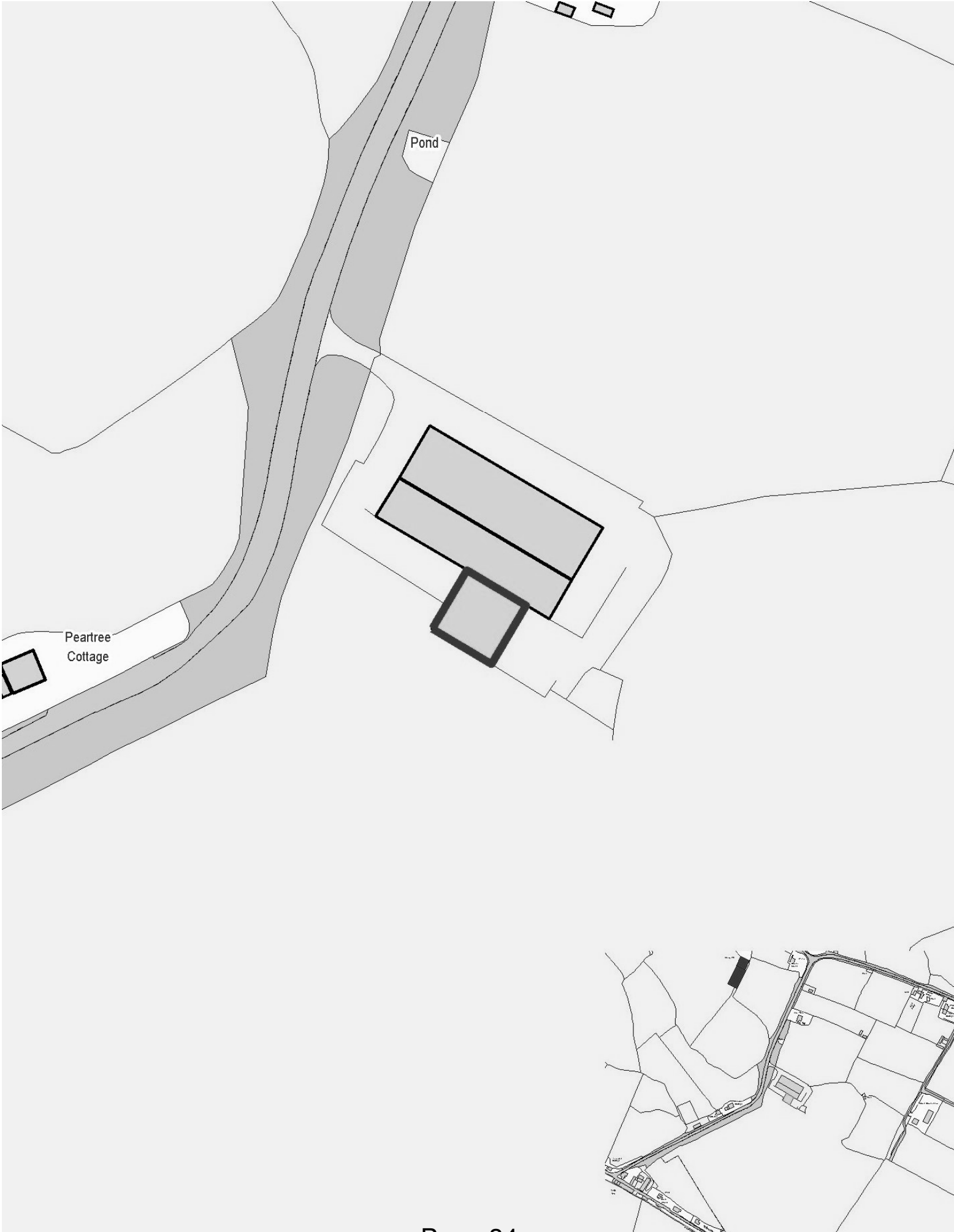
REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY-C3

10. No development shall commence on site until details for the proposed storage of fuel has been submitted to and approved in writing by the Local Planning Authority.

REASON: To prevent pollution of the water environment

POLICY-C3

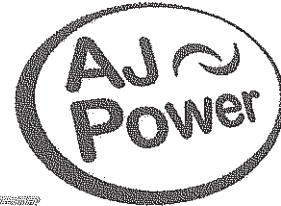


APPENDIX 1 TECHNICAL SPECIFICATION

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Quote Ref: Q6995

ADDITIONAL



Further to your recent enquiry, we are pleased to offer the following:

Item 1) 1600kVA / 1280kW Prime – 3 Phase, 400/230kVA, 50Hz, 1500rpm, 0.8 pf

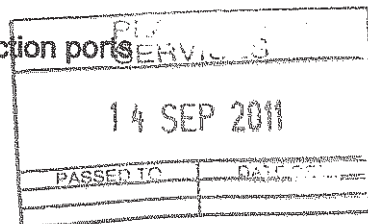
To supply 2 (Two) Nos. brand new and complete AJ Power model AJ1760S (DC3-AJ1760S-5P1) containerised digital diesel generating set, rated at 1600kVA Standby power, 400/230V, 3 phase, 0.8 power factor, 50Hz, 1500rpm powered by MTU engine 12V 4000 G23

Engine Specification

12V 4000 G23 Liquid-cooled, four-stroke diesel engine, with direct fuel injection, exhaust gas turbo-charging, charge air cooling and the following basic equipment:

Basic engine

Grey cast-iron crankcase with inspection ports
 Flywheel housing SAE 00
 Flywheel 21 "
 Oil pan
 Forged crankshaft
 Forged connecting rods
 Four-valve, individual cylinder heads with exhaust valve rotators "Rotocap"
 Aluminium solid-skirt pistons
 Piston cooling via oil spray nozzle
 Gear train for accessory drives
 Dry exhaust manifolds
 Vibration damper
 All necessary on-engine air, exhaust, coolant, fuel and oil pipework



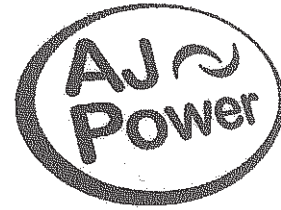
Starting system

2 electric starters (24 VDC / 2-pole)
 Battery charging alternator, 28 VDC / 100 A

Fuel system

"Common-Rail" fuel injection system, with low and high pressure fuel pumps, fuel pressure accumulator, high pressure fuel lines and electronically controlled injection
 Fuel main filter (duplex filter)
 Fuel priming pump for initial system filling and venting (low-pressure system)

Quote Ref: Q6995



Engine standard version for fuel consumption-optimized operation

Lube oil system

- Forced-feed lubrication system with piston cooling
- Lube oil circulation pump with safety valve
- Lube oil multi-stage filter
- Lube oil heat exchanger
- Oil filler neck and oil dipstick for measurement on non-running engine
- Closed crankcase venting system

Combustion air system

- Exhaust turbochargers
- Intercooler
- Set of dry-type air filters with contamination indicator

Exhaust system

- 2 exhaust bellows 90°, 2 axial compensators with gaskets and companion flanges

Cooling system

- Coolant circulation pump and coolant thermostat for jacket water cooling circuit
- Coolant circulation pump and coolant thermostat for charge air cooling circuit
- Coolant Heater

Engine mounting

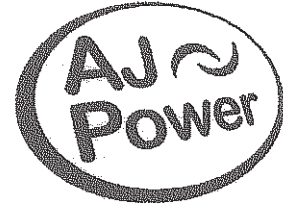
- Set of engine mounting brackets at engine free end for resilient mounting with flange-mounted alternator
- Set of engine mounting brackets at engine driving end for resilient mounting with flange-mounted alternator

Engine management system

- Integrated electronic engine control and monitoring system ADEC for
 - Engine speed control
 - Engine monitoring and display of engine operating parameters and alarms
 - Engine protection against exceeding critical operating parameters
 - Automatic start sequence control
 - Acquisition and display of plant-related measured data
 - Communication with an external system

Paintwork

Quote Ref: Q6995



Standard paintwork, single-coat, water-based paint, brilliant blue, RAL 5007

Alternator (4 Pole)

Newage Stamford, brushless self exciting, self regulating screen protection and drip proof

- Class H insulation with severe environmental protection
- 2/3 pitch winding
- IP 23 enclosure protection
- Tropical protected with impregnated windings
- Single bearing and close coupled
- Permanent Magnet Generator (PMG) & 2 Phase Sensing
- Automatic voltage regulator incorporating voltage adjustment potentiometer

Newage Stamford alternator meet the requirements of BS EN 60034, and the relevant section of other international standards, BS 5000, VDE 0530, NEMA MG1-32, IEC 34, CSA C22.2.100, AS 1359.

Baseframe

Heavy-duty steel baseframe with constricted anti-vibration mounts supplied between baseframe and container floor. 4 lifting eyes are fitted to the base frame.

Radiator

Tropicalized air blast radiator manufactured by Bearward.

Sound Attenuated Container – 85dBA @ 1m

Container, having 8 single leaf doors with restraining straps. Lockable slam fasteners complete with internal panic release push buttons.

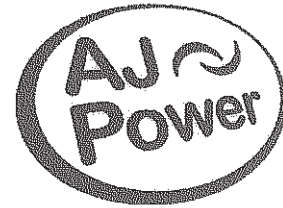
Generators positioned back to back

Dimensions: 14,200mm long x 2600mm wide x 3100mm high

Common air inlet attenuator: 4900mmL x 2600mmW x 2100mmH

Air outlet attenuators (2 off): 1500mmL x 2100mmW x 2550mmH

Quote Ref: Q6995



External Bulk fuel tank – 17,000 litres - optional

17,000 litre capacity rectangular mild steel environmental oil storage tank measuring 1920mm wide x 1990mm high x 4500mm long and manufactured from 6mm m.s. plate and complete with a fully enclosed bund measuring 2000mm wide x 2000mm high x 5100mm long, made from 3mm m.s. plate and having a common roof with the tank.

The bund is designed to hold 110% of the calculated capacity in case of a leak. Tank and bund pressure tested separately during construction.

The tank is stayed in accordance with BS799.

The tank would be shotblasted and painted B&T standard epoxy finished (120 micron dft) and is complete with 4" x 2" channel supports.

The following fittings are included:

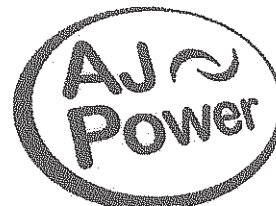
- Raised neck manhole to tank
- Inspection hatch to bund area
- 2" fill pipe with valve, cap and chain and 2 no. 2" bosses from fillpoint cabinet to tank
- Vent and overflow will be piped (3" dia) from tank to bund
- 2" vent from bund to atmosphere
- 1 ½" supply pipe complete with valve
- 1 ½" boss contents gauge
- ½" boss for contents gauge cable 2 no.
- ¾" boss for sump drain fill point cabinet
- 1" boss for sludge drain
- 1 ½" boss for spill alarm
- 2" boss dip
- Internal ladder in bund area
- 2" spare
- C-series normond contents gauge
- 3" overfill prevention valve
- Mains operated bund alarm
- Brass calibrated dipstick

Control Panel

Comap intelisys automatic synchronising panel.

Wiring

Quote Ref: Q6995



DC wiring looms utilising multi-pin connectors, thus permitting fast fault finding diagnosis.

Circuit Breaker

2500 Amp 3 pole motorised circuit breaker mounted in a sheet steel box with adequate access for outgoing cables.

Manuals

One complete set of operation manuals (English)

Testing

Each set is individually load tested, and all protection device and control functions are simulated and checked prior to despatch.

Applicable standards

BS 4999, BS 5000, IEC 34, VDE 0530, NEMA MG 1-22, ISO 3046, BS 5514. CE Certification provided.

Rating Definitions;

Prime Power

These ratings are applicable for supplying continuous electrical power (at variable load) in the lieu of commercially purchased power. There is no limitation to the annual hours of operation and this model can supply 10% overload power for 1 hour in any 12 hour period

Standby Power

These ratings are applicable for supplying continuous electrical power (at variable load) in the event of a utility power failure. No overload is permitted on these ratings.

Reference Conditions

40 degC Air inlet temperature, 400 metres ASL and a relative humidity of 60%

Warranty

All equipment is guaranteed for a period of 12 months form the date of commissioning or 18 months from shipment whichever occurs first.

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	5 th October 2011		
Application Number	11/02318/FUL		
Site Address	Coach House, Church Road, Heddington, Wiltshire, SN11 0PQ		
Proposal	Demolition of industrial buildings and erection of 9 dwellings (resubmission of 10/04628/REM)		
Applicant	A Fenwick		
Town/Parish Council	Heddington		
Electoral Division	Calne Rural	Unitary Member	Councillor Christine Crisp
Grid Ref	399702 166496		
Type of application	Reserved Matters		
Case Officer	Simon T Smith	01249 706 633	Simon.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Crisp requests that this application is considered by the Development Control Committee so that the relationship of the proposal to adjoining properties, its environmental/highway impact and car parking may be considered.

1. Purpose of report

To consider the above application and to recommend that Reserved Matters be GRANTED subject to conditions.

2. Report summary

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

- The outline permission
- Access and public footpath
- Visibility splay and
- Parking provision
- Scale, layout and appearance
- Impact upon neighbour amenity

The application has generated an objection from the parish council; thirty four (34) 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
10/04628/REM	Demolition of industrial buildings and erection of 9 dwellings	Refused 14/02/11
08/00341/OUT	Demolition of industrial buildings and erection of 9 dwellings	Refused 08/04/08 Appeal allowed 24/03/09

5. Proposal

This is a Reserved Matters application seeking consent for the detailed matters pursuant to the grant of outline planning permission to redevelop the site for 9 no. three bedroom dwellinghouses in place of the existing commercial garage, now no longer in operation (08/00341/OUT refers).

Under that outline planning permission, all matters were reserved for later consideration with the exception of means of access.

A previous Reserved Matters application was submitted under reference 10/04628/REM. That application was refused consent. This application is submitted in an attempt to overcome that refusal.

Application 10/04628/REM was refused for the following reasons:

- 1 The proposed layout of the proposal is considered to result in a unacceptable form of development in terms of parking arrangement, inadequate manoeuvring space and internal access road. As such the proposal is considered to fail the requirements of Policy C3 of the adopted North Wiltshire Local Plan 2011.
- 2 The proposed scale of the dwellings proposed is considered to result in an inappropriate form of development that would not respect the local character and distinctiveness of the area, and would give rise to perception of overdevelopment of the site and an unacceptable impact upon the amenities of neighbouring residential properties. As such the proposal is considered to be contrary to the requirements of Policy C3 of the adopted North Wiltshire Local Plan 2011.

6. Planning Policy

North Wiltshire Local Plan: policies C3 and H3
Central government planning policy guidance PPS3 - Housing

7. Consultations

Highway Officer – *“The internal layout is now satisfactory with turning facilities available for all the parking spaces.*

Whilst the parallel spaces at the front are not ideal, I accept that there is no alternative way to provide the required spaces. Enforcement of the use of these spaces will be a matter for the residents but should not be a problem in this small community.

The issue of visibility at the access has been raised by objectors. The visibility splay to the east passes over land which has previously been assumed as highway. That position has been challenged and the status will probably require further investigation. However the access arrangements were approved as part of the outline permission and this issue is not a matter for consideration as part of this application.

The visibility splay to the west passes over a small area of one of the passing bays. The encroachment is minimal and such that I do not consider it would have an adverse effect on highway safety.

In view of the above there is no highway objection to this application subject to conditions...”

County Ecologist – No objections.

Public Rights of Way Officer – *“It is noted that currently the public are entitled to the use and enjoyment of the full width between boundaries of this public footpath and this should be retained.”*

8. Publicity

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

Thirty four (34) letters of objection received. One (1) letter of support. Summary of key relevant points raised:

- Access over footpath 5 would cause danger to users of footpath
- Access not possible as footpath 5 is a public right of way not under ownership of applicant
- Available visibility splay onto Church Road is inadequate, obscured and involves land not under the control of the applicant
- Lack of parking space proposed – potential for parked cars to spill out on to highway
- Scale and appearance of dwellings not appropriate or in-keeping with locality
- Too many units proposed
- Inadequate bin storage proposed
- Overlooking and height of proposed dwellings
- Frontage properties do not relate to any existing building line on Church Road

9. Planning Considerations

The outline planning permission

This application is a Reserved Matters application, submitted pursuant to the grant of outline planning permission, at appeal, under 08/00341/OUT. Under the terms of that outline permission, all matters were reserved for later consideration with the exception of means of access.

In light of extant outline consent, the principle of development cannot be legitimately debated as part of this Reserved Matters application. Only matters relating to the appearance of development, its landscaping, the layout and scale are relevant considerations.

Although not the subject of a planning condition, the description of the outline application and all details submitted and considered by the appeal Inspector make it clear that the principle of 9 dwellings on this site is established as acceptable.

Access and public footpath

Considerable concern has been raised locally over the adequacy of the proposed access, and in particular, the ability of the applicant to achieve the required visibility splays (dealt with separately below).

However, as noted above, the previous 08//00341/OUT permission already grants outline planning permission for the means of access. Indeed, in paragraph 18 of his decision letter, the previous appeal inspector debates the acceptability of the proposed access and, in effect, he later concludes in paragraph 20 that the access is acceptable. The outline planning permission, therefore, clearly grants planning permission for the means of the access (ie. the point at which the site would gain access to Church Road).

The practical effect of the above situation is that, provided the proposed development makes use of the means of access approved under the outline planning permission, this aspect of the proposal has already been established and can no longer be legitimately debated.

It has been suggested that the plans approved at outline stage differ from those now submitted at Reserved Matters stage, in that the position of the point of access changes, with a consequent effect on the visibility splay (debated below). Officers are not convinced of the significance of any differential beyond that normally associated with any comparison between different plans drawn to a different scale.

Continued concern has also been raised about the potential for conflict between users of the public footpath, running along the south-Eastern boundary of the site to the field behind, and the proposed routing of the access road. This issue was debated by the Inspector in paragraphs 18 – 20 and there is no reason to conclude otherwise.

Visibility splay

Expected visibility from the point of access has been specified by the outline planning permission. The Inspector imposed condition 06 to that condition, worded thus:

“Before the access hereby permitted is first brought into use by occupiers of the dwellings hereby permitted, the area between a point 2.0 metres back from the carriageway edge along the centre line of the access and a pint on the carriageway edge 43.0m from and on both sides of the centre line of the access shall be cleared of obstruction at and above a height of 900mm above the nearside carriageway level and thereafter kept free of obstruction at all times.”

Nevertheless, residual concerns do remain locally over the ability of the applicant to actually comply with the outline permission in respect of the means of access or the visibility splay. It is clear that there is considerably dispute over land ownership, which if proven to be correct, would in fact prohibit the required visibility being achieved to the south-east of the site access (thereby failing the requirements of condition 06) and also prohibit the proposed positioning of the access (thereby failing the requirements of the outline planning permission itself).

The above land ownership dispute may indeed prove to have a very real effect upon the ability of the applicant to implement their planning permission. In contrast, however, the dispute is not effectual upon the decision as to whether to grant consent for the now submitted Reserved Matters. The Inspector makes a similar point at the end of paragraph 18 to his decision letter.

Although ordinarily, land ownership is a private matter which the Council can play no role in resolving or adjudicating, in this particular case the Council as a land owner themselves do, to a certain extent, retain an interest since the disputed land at the visibility splay has up until this point assumed to be public highway by the Council, the appeal Inspector and the applicant. However, the neighbour now claims to retain ownership of that land, which would indeed impede meeting the requirements of condition 06 to the outline planning permission. The Highway Officer has confirmed that the question as to whether the land is public highway or not will require further investigation by the Council. Critically, however, that further investigation can only be in the Council's capacity as a land owner and Highway Authority, and not as the Local Planning Authority. There is no reason to delay determination of this Reserved Matters application, since whatever the outcome of those investigations, there should be no bearing on how this application is determined.

Parking provision

Parking provision for the development is also a matter controlled by the outline planning permission. The appeal Inspector imposes condition 04 under 08/00341/OUT, which requires two parking spaces to be created for each dwelling prior to occupation of any of the dwellings. The submitted Reserved Matters do indeed demonstrate two parking spaces for each dwelling, to the apparent satisfaction of the Council's Highway Officer. The minor infraction of the visibility splay caused by space 08 at the frontage of the site is considered to be minor, and not a reason to object to the proposal.

Scale, layout and appearance

The outline planning permission establishes the erection of 9 units on this site as acceptable. This renders the ability to debate the appropriateness of the proposed density impossible beyond how such a density translates into the proposed scale, layout and appearance of the development. For information, the erection of 9 new dwellings on a 0.19Ha site results in a density of 47dph (dwellings per Hectare).

The proposed layout is typical of many small scale housing developments, being arranged as two terraces of units set either side of a centralised manoeuvring/parking space. Previously refused iterations of the layout have included centrally positioned garages and outbuildings, though these have now been removed to increase manoeuvring space and reduce the perception of overdevelopment. Landscaping is, as would be expected on such a development, restricted to incidental/deterrent planting.

Although in itself the subject of local objection the proposed development would provide a strong presence to the road frontage. Set forward of both the properties either side of the site (Cromwell House, Coach House and Gainsborough House), the relationship with Church Road is indeed analogous to other properties only a little further up and down Church Road. Contextually, therefore, the proposed layout and street frontage is not considered to so incongruous so as to justify a reason to refuse planning permission.

The dwellings themselves are of an appearance typical of modern residential development, albeit with a degree of architectural simplicity that is welcome in this village context (porch canopy, narrow module windows, heads and cills being examples). Materials are to be facing brickwork with reconstituted stone detailing together with clay pantiles, largely reflective of the mix seen locally.

All dwellings are of a three floor internal layout, with accommodation being created in the roofspace. Proportionately the front four units are, visually, more comfortable than the rear, displaying a narrower gable depth and steeper roof pitch. Nevertheless, all units remain relatively tall at over 9.0m to ridge and 5.0m to eaves, and it is this particular aspect of the details that causes concern locally – and indeed formed part of the basis for refusing the previous reserved matters application.

Clearly requiring a judgement, which can of course be subjective, the scale of the proposed dwellings cannot reasonably be described as exceptional. Equally, it is also evident that Heddington is already made up of dwellings of a wide variety of size, scale, appearance and vintage and such a variety of existing development would inevitably dilute the ability to defend a refusal reason based on visual appearance and scale alone.

For the above reasons, and in light of the removal of built form in the central portion of the site (as proposed under the refused 10/004628/REM application, the scale, layout and appearance of the development is now considered to be acceptable.

Impact upon neighbour amenity

The site shares boundaries with existing residential properties to the South-East and North-West. Although a constrained site, the proposed plots are positioned and orientated so as to avoid direct facing windows or an immediate impact upon amenity through the proximity of development. An obvious exception is the proximity of development to the applicants own property, “Coach House”, which perhaps is not as critical an impact to consider, since it would not be an imposed situation.

The proposal has been altered to address previously expressed concerns about the relationship of unit 1 to existing property Cromwell House. A modest, but distinct, 2.0m stand off from the north-western boundary with Cromwell House has been introduced which together with an off-set relationship and obscure glazing, is considered sufficient to avoid an unacceptable impact upon the amenities of Cromwell House from overlooking and a perception of “oppressiveness”. The common boundary is to remain as existing (dense conifer hedge and 1.85m high timber fence).

10. Conclusion

The submitted Reserved Matters are considered to be acceptable in the context of surrounding development in Heddington. The concerns raised locally regarding the proposed means of access, visibility splay and land ownership are acknowledged as a potential bar to development actually taking place. However, they are issues that should not prevent the issue of Reserved Matters consent since they are, respectively, matters that have already been concluded upon under the outline planning permission or matters pertaining to civil law and therefore not material planning considerations.

11. Recommendation

Planning Permission be GRANTED for the following reason:

Subject to the imposition of appropriate planning conditions, this revised submission of reserved matters of: appearance, landscaping, layout and scale, is considered to be acceptable. The proposed development is without unacceptable impact upon amenity and highway safety, and would be in-keeping with the character and appearance of the locality. As such the proposal is considered to meet with the requirements of Policies C3 and H3 of the adopted North Wiltshire Local Plan 2011.

Subject to the following conditions:

1. 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.

Location plan 001
Existing site plan 002
Proposed site plan 003
Proposed plans plots 1 – 5 (R5) 004
Proposed elevations plots 1-5 (R5) 005
Proposed plans and elevations plots 6-9 (F4) 006
Proposed garden room plans and elevations 007
Existing context plan 009
Proposed context plan 010
Proposed vis-splay 011
Proposed site sections A-A & B-B 012
Proposed site sections C-C 013
Proposed landscaping plan 014
Proposed drainage strategy plan 015

All date stamped 4th July 2011.

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

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.

POLICY-C3

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.

POLICY-C3

4. (a) No retained tree shall be cut down, uprooted or destroyed, nor shall any retained tree be topped or lopped other than in accordance with the approved plans and particulars,

without the prior written approval of the Local Planning Authority. Any topping or lopping approved shall be carried out in accordance with British Standard 3998 (Tree Work).

(b) If any retained tree is removed, uprooted or destroyed or dies, another tree shall be planted at the same place and that tree shall be of such size and species and shall be planted at such time, as may be specified in writing by the Local Planning Authority.

(c) No equipment, machinery or materials shall be brought on to the site for the purpose of the development, until a scheme showing the exact position of protective fencing to enclose all retained trees beyond the outer edge of the overhang of their branches in accordance with British Standard 5837 (2005): Trees in Relation to Construction, has been submitted to and approved in writing by the Local Planning Authority, and; the protective fencing has been erected in accordance with the approved details. This fencing shall be maintained until all equipment, machinery and surplus materials have been removed from the site. Nothing shall be stored or placed in any area fenced in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavation be made, without the prior written consent of the Local Planning Authority.

In this condition "retained tree" means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs (a) and (b) above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later.

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

POLICY-C3

5. No part of the development hereby permitted shall be first 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.

POLICY-C3

6. 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

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), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

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

POLICY-C3

8. The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

9. No dwelling shall be occupied until the parking space(s) together with the access thereto, have been provided in accordance with the approved plans.

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

10. Prior to the commencement of development, full details of the proposed cycle store/sheds shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with those details so agreed.

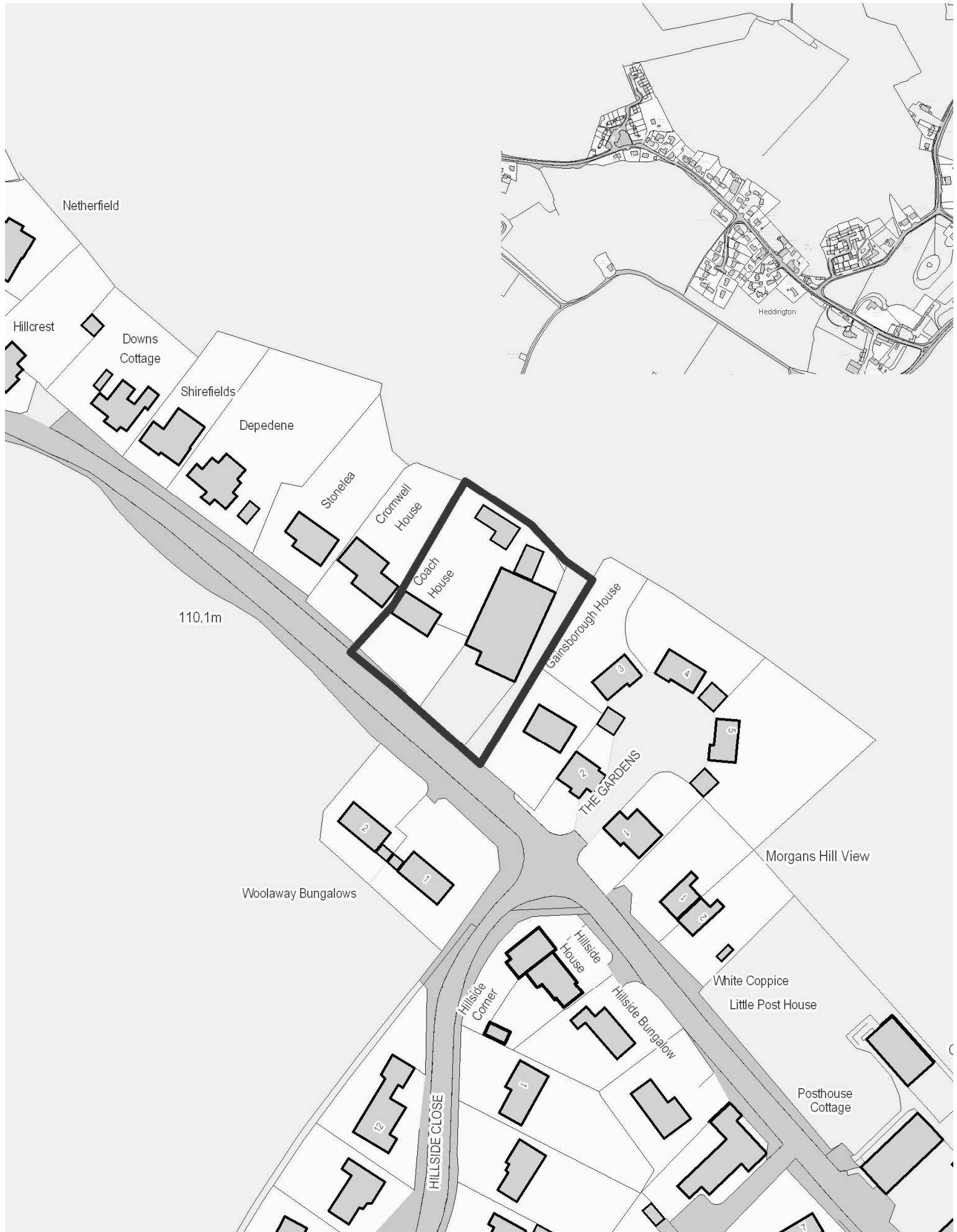
Reason: In the interests of securing a harmonious form of development without an adverse impact upon visual amenity.

11. Prior to the first occupation of any of the dwellings hereby granted permission, all windows in the side elevation of unit 1 shall be fitted with obscure glazing and be of a fixed shut design and shall remain in that condition thereafter unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

Reason: In the interests of residential amenity.

12. Prior to the occupation of any of the dwellings hereby granted permission, the first floor landing window to the front elevation of plot 1 shall be fitted with obscure glass, as specified on the submitted plan (Proposed plans plots 1-5 (R5 drawing no.004), and shall remain in that condition thereafter unless otherwise agreed in writing with the Local Planning Authority in the form of a separate planning permission in that regard.

Reason: In the interests of residential amenity.



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	5 th October 2011		
Application Number	11/01769/S73A		
Site Address	The Dairy, Sodom Lane, Dauntsey, Wiltshire, SN15 4JA		
Proposal	Use of ancillary residential accommodation as self contained independent residential class C3 unit (retrospective)		
Applicant	Mr J Garlick		
Town/Parish Council	Dauntsey		
Electoral Division	Brinkworth	Unitary Member	Cllr Toby Sturgis
Grid Ref	400216 181409		
Type of application	Retrospective		
Case Officer	Lydia Lewis	01249 706 643	Lydia.lewis@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Sturgis has submitted a request for the planning application to be considered by the committee to consider the Parish Council comments and the structural state of the original building, considering the amount of new build required to put the building into its present state (Policy BD6).

1. Report Summary

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

2. Main Issues

The main issues in the consideration of this application are the acceptability of:

- The principle of development; and
- Parking and Access

The application has generated objection from Dauntsey Parish Council and 4 letters of objection from 2 different properties.

3. Site Description

The site is situated on the south west side of Sodom Lane in Dauntsey, outside of the Settlement Framework Boundary as defined on the Proposals Map. The building previously formed a domestic outbuilding associated with the bungalow.

4. Relevant Planning History		
Application Number	Proposal	Decision
08/02157/FUL	Erection of replacement dwelling and garage	Permitted

5. Proposal

The applicant seeks retrospective consent for the use of the outbuilding as a self contained, independent residential unit. The work was undertaken in December 2010. The property has one bedroom. Four car parking spaces exist to the front of the site shared between this property and the main bungalow. A shed has also been erected on site.

The 2008 planning permission has not been implemented, rather the existing bungalow (shown as being replaced under that 2008 permission) was renovated.

6. Planning Policy

North Wiltshire Local Plan 2011

C3 – Development Control Policy

BD6 – Re-Use of Rural Buildings

CF3 – Provision of Open Space

7. Consultations

Dauntsey Parish Council – Recommend refusal. Consider that this is a new dwelling within the countryside and does not comply with policy H4 of the local Plan. In addition, the proposal does not meet the criteria of policy BD6 as the existing building had no architectural merit and was of poor construction being single skin blockwork with a corrugated asbestos roof. It is not considered that the ‘Uttlesford decision’ applies in this case as claimed by the applicant.

Wish to draw attention to the fact that conversion does not comply with Building Regulations for residential use and connects to an existing structurally unsound septic tank of insufficient capacity for two households and that should permission be allowed needs replacing by an approved bio-system. The existing septic tank contaminates the surrounding ground and the Council believes that the site is contaminated as a considerable quantity of asbestos materials has been buried within the curtilage.

Principal Ecologist – No objection in relation to ecology.

Thames Water – With regard to sewerage and water infrastructure they would not have an objection.

Environment Agency - No comments on the application.

Wessex Water – The developer has indicated that the disposal of foul drainage will be to ‘mains sewer’ please note that there are no sewers close to the vicinity of the site. The developer has proposed to dispose of surface water to ‘soakaways’. It is advised that the Council should be satisfied with any arrangement for the disposal of foul and surface water flows generated by the development. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory supply of water for the proposal. This can be agreed at the detail design stage. The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be uncharted sewers or water mains within (or very near to) the site.

If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications.

Environmental Health – Have recently been dealing with a complaint regarding foul drainage from the property which has now been satisfactorily resolved with building control. Environmental health therefore have no comments to make regarding the planning application.

County Highways – Subject to the fence line being set behind the visibility demonstrated, no highway objection is raised in this respect. However, the proposal represents the creation of a dwelling in the open countryside and it is recommended that the proposal be refused on the following highway grounds:

'The proposal, located remote from services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of Planning Policy Guidance Note 13 which seeks to reduce growth in the length and number of motorised journeys.'

Should the committee be minded to approve the application, conditions relating to visibility and the laying out of parking spaces are recommended.

8. Publicity

The application was advertised by site notice and neighbour consultation.

4 letters of objection received in response to the application publicity from 2 different properties. In summary, the following concerns have been raised:

- There is no mains sewer available in Sodom Lane;
- The property has been connected to an existing septic tank which has caused environmental problems and polluting the ditch to the rear of the properties;
- Would not wish to see this site overdeveloped with two larger residential buildings;
- In the survey (08/02157/FUL) it will be noted that the property is incapable of inhabitation with some of the reasons being blocked drains. The survey notes that the outbuilding was not inspected in any detail, but were noted as being generally dilapidated;
- The actual start date of the work to change the outbuilding was in May 2010 and the building was occupied in November 2010;
- The original materials are not listed;
- The schedule of works makes no mention of the 3 large wooden doors or what was done to fill them and the materials used to do so, what materials were used to create the 2 window openings, only the front face of the building has been painted. There is no mention of damp proofing;
- The electrics and plumbing come from the main bungalow;
- There is an absence of information regarding how the heating and cooking is fuelled;
- There is an added bathroom which is not on the schedule;
- The photographs show that the existing building had no architectural merit;
- There is nothing to say the building is safe or complies with any current building requirements, or is finished to a satisfactory standard;
- Uttlesford decision does not apply;
- Increase in noise from loud music and cars;
- Smell from pollution of ditch; and
- Question whether there is sufficient space for 4 cars.

9. Planning Considerations

Principle of development

Policy BD6 of the Local Plan states that in the countryside, the re-use of buildings will be permitted provided that:

- i) The proposed use will be contained within the building and does not require extensive alterations, re-building and or extension; and
- ii) The proposed use respects both the character and setting of the subject building and any distinctive local building styles and materials; and
- iii) Consideration is given to whether a building by reason of its design and or location would be more appropriately retained in or converted to, in order of preference, employment, community, or residential use; and
- iv) There being no abuse of the concession given to buildings erected within the benefit of permitted development rights; and
- v) The proposal will not have an adverse impact upon the surrounding road network.

Policy BD6 does not specify precisely what constitutes extensive alteration or re-building. It needs to be judged as a matter of fact and degree.

A schedule of works has been submitted in support of the application. The works effectively involved the removal of the sheet roofing and the strengthening of the roof structure to take the new concrete tiles, together with blocking up some of the openings to insert new windows. The existing walls were retained with a new render coat applied externally and internally and the building has been insulated and drylined. It has also been wired and plumbed as necessary.

In addition, photographs of the building prior to its conversion have been submitted. The applicants' agent has drawn attention to the details of the construction of the buildings corners and specifically that overlapping of the blockwork is clearly still present, as is the pillar evident on the rear elevation.

From the information submitted, it is clear that the proposed use has been contained within the building and the building has not been rebuilt in order to facilitate the residential use. Furthermore, given the sites location within a predominantly residential area with residential properties on either side, it is not considered that an employment or community use would be appropriate in this context. Given the normally restrictive policies relating to residential development in this location it is considered appropriate to remove permitted development rights relating to extensions and outbuildings.

Parking and Access

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.

The proposal will not have an adverse impact on the surrounding road network and whilst the highways authority have objected in respect of PPG 13 advice on reduction of length and number of motorised journeys they are happy that the access is acceptable. In response to concerns raised by County Highways, an amended plan has been received which indicates the available visibility from 2.5 metres back. The agent has further confirmed that the open post and rail fence in front of the existing property will be removed. No gates are proposed.

10. Recommendation

Planning Permission be GRANTED for the following reason:

From the information submitted, it is clear that the proposed use has been contained within the existing building and the building has not been rebuilt. The proposal is therefore considered to be a suitable reuse of an existing building, which would comply with the provisions of Policies BD6 and C3 of the adopted 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. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

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

POLICIES – C3 and BD6 of the North Wiltshire Local Plan 2011.

3. 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 garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

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

POLICIES – C3 and BD6 of the North Wiltshire Local Plan 2011.

4. Within two months of this decision visibility splays shall be provided between the edge of the carriageway and a line extending from a point 2.5 metres back from the edge of the carriageway, measured along the centre line of the access, to the points on the edge of the carriageway approximately 21 metres in the north-west direction from the centre of the access in accordance with the approved plans. The existing fence line shall be set behind the fence line. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1 metre above the level of the adjacent carriageway.

REASON: In the interests of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

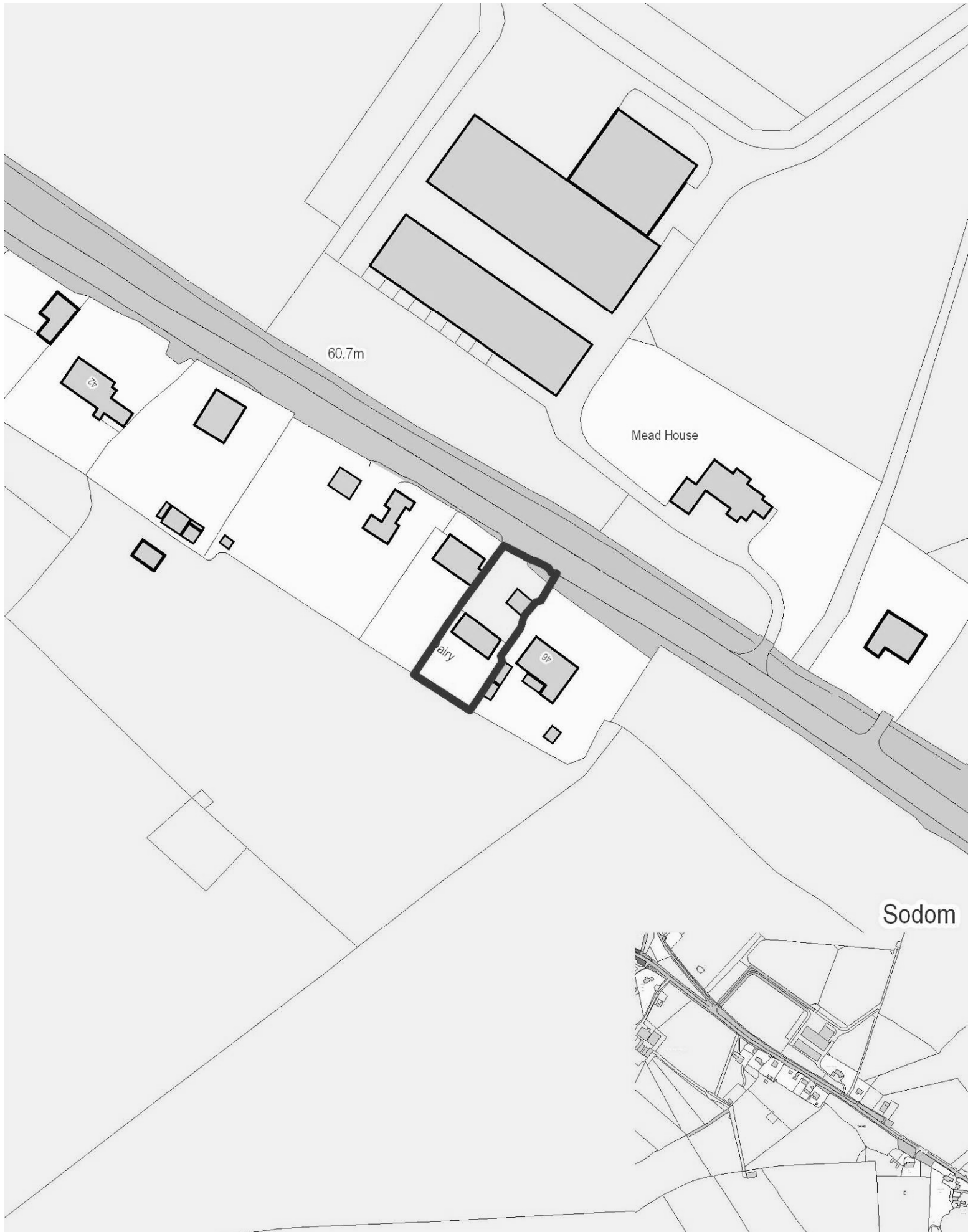
5. Within two months of this decision the parking area shown on the approved plans shall be consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety in accordance with policy C3 of the North Wiltshire Local Plan 2011.

6. 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.

- Site location plan
- LPC/2625/2A – Existing ground floor plans
- LPC/2625/4A – Existing elevations
- LPC/2625/5A – Site layout plan

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



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	5th October 2011		
Application Number	11/02354/FUL		
Site Address	The Stables, Notton, Lacock		
Proposal	Expansion of existing B1 use into adjoining land		
Applicant	Mr Healey		
Town/Parish Council	Lacock		
Electoral Division	Corsham Without & Box Hill	Unitary Member	Cllr Dick Tonge
Grid Ref	391165 169630		
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 Tonge has requested that this application be considered by the Development Control Committee so that the scale of development together with its relationship to adjoining properties may be considered.

1. Purpose of Report

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

Lacock Parish Council objects to the application. 20 letters of objection have been received.

2. Main Issues

The application is for the development of a single 262m² B1 office building with associated parking and landscaping. The key points to consider are as follows:

- Implications on DC Core Policies C3, C4, NE15, BD5 and national policy within PPS4
- Principle of development
- Visual impact of proposal vs. local employment
- Impact upon residential amenity
- Highway safety

3. Site Description

The application site is positioned between the A350 and Old Road running through Notton, to the North-East of Lacock. An existing office has been created on the site formed from the conversion of a stable building. A formal parking area has been provided together with dedicated vehicular access track leading to the Old Road through Notton. A hinterland of semi-improved grassland forms the application site and is referred to by the applicant as "paddock land", which is screened from the A350 by a boundary of mature planting.

In planning policy terms, the application site is located in open countryside, with Notton not having Settlement Framework Boundary, as defined within the adopted North Wiltshire Local Plan 2011.

4. Relevant Planning History		
Application Number	Proposal	Decision
11/00035/FUL	Expansion of existing B1 use into adjoining land	Withdrawn

5. Proposal

The proposal is for the construction of a new B1 office unit of 262m² floorspace, together with parking and improvements to existing vehicular access. The unit is to be of single storey design and, from the submitted "Business Overview" document, is understood to be used as expansion floorspace from the company operating from the existing office on the site (also the applicant).

6. Consultations

Lacock Parish Council

"The Parish Council objects to this application. The site is in a rural residential area which is not designated as an employment area in the local plan and is not suitable for the development proposed. The increase in traffic which will be generated is totally unacceptable in what essentially is a country lane. The pavement is very narrow and pedestrians, pushchairs and wheelchair users have to step off the path in order to negotiate their way safely. The proposed enlarged entrance to the site is opposite a listed building and would affect the setting of this property. The Parish Council objected to the original application for this site and its view is now strengthened in view of the proposed further encroachment into green land. With all the business parks available in the area there is no need to use additional land in Notton for further business expansion."

Highways

No objection subject to the imposition of planning conditions relating to access improvements.

Council Ecologist

Following submission of a habitat survey, raise no objections to the proposal.

7. Publicity

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

A total 20 letters of letters of objection have been received. Main issues raised:

- Large new office building inappropriate in Notton
- Scale of development is not small and is out of proportion to Notton
- Notton is a residential area, not designated for employment development
- Impact upon residential amenity – noise/disturbance from deliveries and employees etc.

- Highway safety compromised as a result of additional traffic
- Old Road too narrow to accommodate additional traffic
- Additional strain on foul drainage system
- Development will take place on Greenfield site

8. Planning Considerations

Principle of development

The application site is positioned on a grassed field (described by the applicant as paddock land) outside of any Settlement Framework Boundary, as defined within the adopted North Wiltshire Local Plan 2011. As such, in planning policy terms the site is regarded as open countryside, despite being part the grouping of houses that is Notton. In this context, Policy BD5 of the adopted North Wiltshire Local Plan 2011 is applicable.

Criterion (ii) to Policy BD5 does envisage that the principle of new business development to be acceptable where it :

“Involves limited new building located within or well related to an existing group of buildings which respects local building styles and materials, and is in keeping with its surroundings;”

Clearly there is an existing business building on the site and accordingly, the purpose of this part of the policy is precisely to allow flexibility for rural business to grow on their existing site by allowing for limited expansion and, by extension, increased employment opportunities for local residents and the local rural economy to the benefit of all.

In light of Policy BD5, it is indisputable that the principle of the expansion of the existing business on this site is established. The relative success or failure of the scheme must therefore rest upon more detailed considerations such as the appropriateness of its form, scale, highway safety, impact upon residential amenity, as well as any potential impact upon vitality and viability of nearby town and village centres. Such matters are considered below.

Visual impact of proposal vs. local employment

Although factually a green field, it is considered that the application site is nonetheless defined by the converted office building, the associated car park and access track leading to Old Road. It cannot be said to take the appearance of expansive agricultural land unfettered by boundaries or other residential properties that can be clearly seen from the site. Equally, at the risk of attracting an accusation that the proposal is merely a first phase of development, the chosen siting of the new building is closer to the existing office building, together with a central parking area between them, is better related to existing development than would be possible. Indeed, a greater proportion of the land under the control of the applicant has been excluded from the development site. In this context it is considered that the proposal would indeed be “well related” to the existing development on the site, as is required by Policy BD5.

Locally raised concerns over the future of the land also under the control of the application (in particular to the South and West of the site), but excluded from the application site must, of course, be assessed in the context of a central tenet of planning law and policy: that is every planning application be determined on its own merits. A future proposal for development on that remaining land would necessitate a further planning application, and that application must also stand or fall on its own. Clearly, therefore, a fear of future proposals for development cannot be used as a legitimate reason to refuse planning permission for the application now under consideration. It should be noted, however, that in the event of a resolution to grant planning permission, it would be entirely reasonable for the Development Control Committee to impose planning conditions that would secure a strong southern boundary to the site.

Amongst other requirements, Policy BD5 also requires new business development to be in itself “limited”. For the purposes of assessing the visual impact of the proposal, this requirement is considered to have broadly the same aim as the requirement to be “well related” to existing buildings, but perhaps with the added component of an assessment of the appropriateness of the scale of development to the settlement in which it sits. In the absence of any real definition within the Local Plan, it is left to individual interpretation as to what “limited” is, and whether a proposed development is “in keeping with its surroundings”.

Indeed, objectively, the proposal might still be considered to result in a dramatic visual change from present green field to built development. However, this is a situation that would, to one degree or another, result from most proposals for development being considered against Policy BD5, which of course is a policy worded precisely to at least allow consideration of proposals to expand existing businesses in the countryside. In this particular instance the proposal results in a close to doubling of the office accommodation on the site, but that the overall amount of floorspace that would be in existence is still relatively small and as such is not immediately thought to be inappropriate to the context of Notton – which, whilst not an identified settlement in the Local Plan, does nonetheless consist of a number of buildings, in depth and spreading either side of the site.

The design of the new building, approximating and alluding to accommodation created from converting a rubble stone barn, is reflective of the existing building on the site and is thought to aid consideration of the proposal as an appropriate form of development.

Echoing adopted Local Plan policy C4, National planning policy advice in PPS4: Planning for Sustainable Economic Growth (2009), whilst acknowledging the need to take account of the quality and character of the area within which a development would sit, does state (at EC10.1):

Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.

Clearly, there is very little development that is more sustainable (in the broadest sense of the word), than development that would provide opportunities for local employment and growth in the local rural economy, in a location where there is currently very little. For this same reason, and given the nature of the business operating from the site, there is not considered to be any likelihood of the proposal adversely effecting the vitality and viability of any nearby town or village centre.

Impact upon residential amenity

The application is submitted on the basis that the new accommodation would be used for (B1) office purposes only. The B1 Office use class is often defined as only encompassing activity that could be undertaken in a residential area without an unacceptable impact upon amenities. In the event of planning permission being granted, suitably worded planning conditions can provide adequate control over those uses permitted.

The concerns of the nearest neighbours in terms of the potential for noise and disturbance from increased use of the access track are acknowledged. However, what also must also be acknowledged is the proposed widening of the access, repositioning of the track and strengthening of boundary treatments. Taken together, the proposed improvements to the access are considered likely to successfully mitigate against any potential impact upon residential amenity.

Highway safety

Subject to the provision of necessary on site parking being made available prior to the first use of the accommodation, the Highway Officer does not raise objections to the proposal on the grounds of highway safety. In this context, and notwithstanding the concerns raised by local residents and

the Parish Council, it is not considered to be reasonable to refuse planning permission on these grounds alone.

9. Conclusion

An assessment has been made that, while acknowledging the visual shift from the present condition of the site as a green field to built form, an existing business would be reasonably expanded to the benefit of the rural economy. The proposal is considered to be of a scale and appearance that would not be so incompatible the pattern and form of Notton or result in an unacceptable impact upon the amenities of nearby residential occupiers.

10. Recommendation:

Planning Permission to be GRANTED for the following reason:

Whilst acknowledging the shift from the present condition of the site as a green field to built form, it is considered that the proposal would involve limited new building that would be well related to an existing building. As such the proposal is of an appropriate form, scale and appearance and would comply with the requirements of Policies C3, C4, BD5 and NE15 of the adopted North Wiltshire Local Plan 2011 and national planning guidance in PPS4.

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. 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;

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

4. 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.

5. Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

6. 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.

7. The site shall be used for offices only and for no other purpose (including any other purpose in Class B1 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 revoking or re-enacting that Order with or without modification).

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

8. 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.

9. 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 be maintained in accordance with the approved details.

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

10. No part of the development hereby approved shall be first occupied until the access, turning area and parking spaces shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

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

11. The development hereby approved shall not be first brought into use/ occupied until the recycling facilities shown on the approved plans have been provided and made available for use. These facilities shall be maintained in accordance with the approved details thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

12. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained.

13. No development shall commence on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage.

14. Prior to the commencement of development, full and complete details for the treatment of the southern boundary of the site shall have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in complete accordance with those details so agreed and shall remain in that condition thereafter.

Reason: To define the extent of the development site and so as to ensure a strong boundary treatment to the south of the application site.

