

AGENDA

Meeting: Northern Area Planning Committee

Place: Council Chamber - Council Offices, Monkton Park, Chippenham, SN15 1ER

Date: Wednesday 22 February 2012

Time: 6.00 pm

Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line (01225) 718504 or email kieran.elliott@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 (Vice-Chairman)

Cllr Peter Hutton
Cllr Simon Killane
Cllr Howard Marshall
Cllr Toby Sturgis
Cllr Anthony Trotman (Chairman)

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**

To receive any apologies for absence.

2. **Minutes (Pages 1 - 10)**

To approve and sign as a correct record the minutes of the meeting held on **14th December 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**

To receive any 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 no later than 5pm on **Wednesday 15th February**. 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 11 - 14)**

An appeals update report is attached for information.

7. **Planning Applications**

To consider and determine planning applications in the attached schedule.

7.a **N/11/02441/FUL - 36 Gloucester Street, Malmesbury (Pages 15 - 20)**

7.b **N/11/03755/FUL & N/11/03756/LBC - Brook Farm, West Kington, Wiltshire, SN14 7JG (Pages 21 - 30)**

7.c **N/11/03905/FUL - Garabrecan, Brinkworth Road, Wootton Bassett, Wiltshire, SN4 8DS (Pages 31 - 36)**

7.d **N/11/04006/FUL - Peterborough Farm, Dauntsey Lock, Wiltshire, SN15 4HD (Pages 37 - 40)**

7.e **N/11/03375/FUL - Coach Style, Horsdown, Nettleton, Wiltshire, SN14 7LN (Pages 41 - 46)**

7.f **N/11/04098/FUL - The Coach House, Leafy Lane, Box, Wiltshire, SN13 0LE (Pages 47 - 52)**

7.g **N/11/04112/FUL - The Barn, Sodom Lane, Dauntsey, Wiltshire, SN15 4JA (Pages 53 - 58)**

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 14 DECEMBER 2011 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM, SN15 1ER.

Present:

Cllr Chuck Berry (Substitute), Cllr Christine Crisp, Cllr Peter Davis, Cllr Bill Douglas (Substitute), Cllr Alan Hill (Vice Chairman), Cllr Peter Hutton, Cllr Simon Killane, Cllr Mark Packard (Substitute), Cllr Toby Sturgis and Cllr Anthony Trotman (Chairman)

Also Present:

Cllr John Thomson

106. Apologies for Absence

Apologies were received from Cllrs Peter Colmer, Peter Doyle and Howard Marshall. Cllr Mark Packard substituted for Cllr Colmer, Cllr Chuck Berry for Cllr Doyle and Cllr Bill Douglas for Cllr Cllr Marshall

107. Minutes

The minutes of the meeting held on 23 November 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes.

108. Declarations of Interest

There were no declarations of interest

109. Chairman's Announcements

There were no announcements

110. Public Participation and Councillors' Questions

The committee noted the rules on public participation.

111. **Planning Appeals**

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

- (i) Forthcoming hearings and public inquiries between 14 December 2011 and 14 May 2012
- (ii) Planning appeals received between 10 November 2011 and 1 December 2011

112. **Planning Applications**

112a **N/10/04602/FUL - Sainsbury's Supermarket, Bath Rd, Chippenham, SN14 0BJ**

Public participation:

Ms Ann Lock spoke in objection to the application.
Mrs Lendon spoke in objection to the application.
Mr John Clark spoke in objection to the application.
Mr Peter Grubb, agent, spoke in support of the application.
Mr Simon Coles spoke in support of the application.
Mr David Lazenby spoke in support of the application.

The Planning Officer introduced the report which had been deferred from the last meeting. He explained that since the last meeting the applicants had modified the appearance of the car deck and that although they did not accept the environmental impact that has been suggested they have offered that monies will be available for Chippenham Town Centre enhancement.

A debate ensued during which concerns were raised regarding litter and noise from the application site and the impact on Chippenham and Corsham Town Centres.

On being put to the vote, the motion was CARRIED and a recorded vote having been requested by the requisite number of Councillors, the voting was recorded as follows;

For (6)

Cllrs Chuck Berry, Christine Crisp, Alan Hill, Peter Hutton, Toby Sturgis and Anthony Trotman

Against (3)

Cllrs Bill Douglas, Simon Killane, Mark Packard

Abstentions (1)
Cllr Peter Davis

Resolved:

Planning Permission be DELEGATED to the Head of Development Control to allow completion of a legal agreement to control landscaping, management of the service yard (including control of refrigeration mechanisms), site security (to include a 6 monthly anti-social behaviour review), litter management (to include additional bins) and traffic management.

And subject to the following conditions:

1. 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;

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

POLICY-C3

2. 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

3. (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

4. No development shall commence on site until details of all earthworks have been submitted to and approved in writing by the Local Planning Authority. These details shall include the proposed grading and mounding of land areas including the levels and contours to be formed, and the nature of the material, showing the relationship of proposed mounding to existing vegetation and surrounding landform. Development shall be carried out in accordance with the approved details.

Reason: To ensure a satisfactory landscaped setting for the development.

POLICY-C3

5. Construction works in association with this development shall only take place at the site between the hours of 07:00 and 22:00 Monday to Saturday inclusive and between 09:00 and 20:00 on Sunday and at no other time.

Reason: In the interests of the amenity of local residents in accordance with policy C3 of the North Wiltshire Local Plan 2011.

6. The improved pedestrian linkages shown on approved plan 31216-40_P005 RevF shall be implemented concurrently with the first use or occupation of the extension hereby permitted.

Reason: To ensure that the store is accessible by a range of means in addition to the private car.

7. There shall be no subdivision of the development hereby approved.

Reason: To protect the vitality and viability of the town centres of Corsham and Chippenham.

8. Prior to the first use or occupation of the development hereby permitted the acoustic barrier shown on approved plan 31216-40_P005 RevF shall be constructed in accordance with details to be submitted prior to development hereby permitted and shall be permanently maintained thereafter unless otherwise approved in writing by the local planning authority.

Reason: To protect residential amenity.

9. Prior to the commencement of the development hereby approved details of the method of restricting access to the whole site outside the hours of opening of the superstore, shall be submitted to and approved in writing, by the local planning authority. The approved method shall be implemented prior to the first use of the development hereby permitted and permanently maintained thereafter.

Reason: In the interests of residential amenity.

10. 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.

31216-40_P005revF, 31216-40 P010RevA, 31215-40_P011RevC, 31216-40_P015, 31216-40_P013RevC, 31216-40_P009 RevJ, 31216-40_P008RevB, 31216-40_P007, P007 RevB, P012RevB, P015 (1st July 2011), 803-03 (1/09/11), 001A, 002A, 003A, 004A (16/12/10)

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

11. 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.

12. No development shall commence on site until details of the method of entry control to the staff car park has been submitted to and approved in writing by the local planning authority. The agreed methodology shall be implemented concurrently with the first use of the car park and permanently maintained thereafter.

Reason: To protect the amenity of local residents.

13. The staff car park hereby permitted shall only be used between the hours of 07:30 and 22:30 on weekdays and Saturdays and between 09:00 and 18:00 on Sundays.

Reason: To protect the residential amenity of nearby residents.

14. Prior to the commencement of the development hereby permitted, details of all lighting to be used externally on the site shall be submitted to and approved in writing by the local planning authority. The details shall include times when the lights may be in use. The development shall be carried out in accordance with the details which shall be permanently maintained thereafter unless otherwise approved in writing by the local planning authority.

Reason: In the interests of visual and residential amenity.

In addition, a condition that restricts the percentage of floorspace for comparison goods and convenience goods will be applied. The total retail floorspace created by this permission shall not exceed 7,600sqm, of which no more than 4790sqm should be used for the display and sale of convenience goods and no more than 2810sqm for the display and sale of comparison goods.

112b **N/11/02637/FUL - 38 Stone Lane, Lydiard Millicent, Swindon, SN5 3LD**

The Committee received a presentation by the Planning Officer detailing the main issues in respect of the application which was recommended for approval. The late observations to the report were also noted.

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

Following a debate it was

Resolved:

That Planning Permission be GRANTED subject to:

- **the receipt of revised plans addressing the highway verge and boundary treatments;**
- **no further substantive issues being raised in respect of the revised plans reducing the size of the proposed dwelling;**

then, for the following reason:

The proposed dwelling by reason of its scale, siting, massing, bulk and design (including the use of materials) is considered acceptable for this locality and will not detract from the character and appearance of this rural area or affect the residential amenity of adjacent residents. the proposed development thus accords with Policies C3, NE15 and H4 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. Prior to the commencement of the development hereby approved details of the existing levels across the site and the finished floor levels of the proposed development shall be submitted to and

approved by the Local Planning Authority. Thereafter, the development shall be constructed in accordance with the approved details.

Reason: In the interests of visual and residential amenity.

3. Notwithstanding the plans submitted 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

- 4.No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, bollards and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

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

POLICY-C3

5. The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

Reason: In the interests of highway safety.

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. Before the development hereby permitted is first occupied the window(s) in the first floor ensembles east and west elevations shall be glazed with obscure glass only and the windows shall be permanently maintained with obscure glazing at all times thereafter.

Reason: In the interests of residential amenity and privacy.

POLICY—C3

8. 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.

WM13 A3/A11876/101A, Site Plan, 103 A, 104 B Dated 22nd November 2011.

105 D, 106 B Dated 13th November 2011.

Design and Access Statement dated 3rd August 2011.

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

Informative

You are advised that this planning permission does not override any interests that third parties may have regarding civil matters such as ownership, covenants or private rights of way. Before any works are carried out which affect land outside your ownership you should ensure the necessary consents have been obtained from all persons having an interest in the land.

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

112c **N/11/03223/FUL - 15A Court Street, Sherston, Malmesbury, SN16 0LL**

Public participation:

Mr John Pearson spoke in objection to the application
Mrs Verard spoke in objection to the application
Mrs Campbell-Johnston spoke in objection to the application
Mr Paul Cordier spoke in support of the application
Mr Nigel Lindrea spoke in support of the application

The Planning Officer introduced the report and drew attention to the issue of the rear windows and the potential impact on the property to the rear. He also drew attention to the late correspondence.

Members of the Committee then had the opportunity to ask technical questions to the Planning Officer

Following a debate during which concerns regarding the raised roof level and the impact on neighbouring properties were discussed it was

Resolved:

To refuse the application

Due to the design and massing the proposed alterations and extensions fail to respect the character of the area and will result in loss of privacy and amenity to adjacent dwellings. The proposed extensions and alterations are therefore considered to fail to comply with Policy C3 (specifically criteria (i) and (iii) and Policy HE1 of the North Wiltshire Local plan 2011.

113. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 7.40 pm)

The Officer who has produced these minutes is Pam Denton, of Democratic Services, direct line (01225) 718504, e-mail pam.denton@wiltshire.gov.uk

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

Wiltshire Council
Northern Area Planning Committee
22nd February 2012

Forthcoming Hearings and Public Inquiries between 08/02/2012 and 31/07/2012

Application No	Location	Parish	Proposal	Appeal Type	Date
10/04575/OUT	Ridgeway Farm, Common Platt, Purton, Swindon, Wiltshire SN5 9JT	Purton	Residential Development (Up to 700 Dwellings), 10.6 Hectares of Green Infrastructure Including Public Open Space, Associated Works, Up to 560 Square Metres of D1 (Non-Residential) Floorspace, Primary School and Demolition of Existing Buildings.	Public Inquiry	09/05/2012
11/01382/OUT	Land off Park Road, Malmesbury, Wiltshire, SN16 0QW	Malmesbury	Outline Planning Consent for Residential Development (77 Dwellings); Community Building (Use Class D1); Public Open Space; and Associated Works including Construction of New Access	Public Inquiry	16/02/2012
11/02318/REM	Coach House, Church Road, Heddington, Wiltshire, SN11 0PQ	Heddington	Demolition of Industrial Buildings and Erection of 9 Dwellings (Resubmission of 10/04628/REM)	Informal Hearing	21/02/2012
11/02574/OUT	Land at Widham Farm/Widham Grove, Station Road, Purton, SN5	Purton	Outline Planning Application for up to 50 Dwellings, Access and Associated Works Following Demolition of Two Dwellings	Public Inquiry	11/04/2012

Page 1

Planning Appeals Received between 11/11/2011 and 08/02/2012

Application No	Location	Parish	Proposal	DEL or COM	Officer Recommendation	Appeal Procedure
11/00935/FUL	109 Gloucester Road, Malmesbury, Wiltshire, SN16 0BT	Malmesbury	Demolition of Existing Bungalow and Erection of Residential Development Consisting of Five 2 Bedroom Flats, Two 2 Bedroom Dwellings and One 1 Bedroom Dwelling.	DEL	Permission	Written Representations
11/01021/CAC	109 Gloucester Road, Malmesbury, Wiltshire, SN16 0BT	Malmesbury	Demolition of Existing Bungalow	DEL	Permission	Written Representations
11/01278/FUL	Land Adjacent to Kintyre, Sutton Benger, Wiltshire, SN15 4RR	Sutton Benger	Erection of Agricultural Building for the Housing of Alpacas (Resubmission of 10/03556/FUL)	DEL	Permission	Written Representations
11/01852/FUL	Land of B4040 at Stonehill, Charlton, Malmesbury, Wiltshire, SN16 9DY	Charlton	Use of Land for Stationing of a Mobile Home for Essential Workers for 3 Years	DEL	Refusal	Informal Hearing

Agenda Item 6

11/01853/FUL	Land of B4040 at Stonehill, Charlton, Malmesbury, Wiltshire, SN16 9DY	Charlton	Change of Use of Agricultural Building to Mixed Use Agricultural and Equine Dentistry and Veterinary Facility, Construction of Menage, Horsewalker and Change of Use of Land to Mixed Use Agricultural and Equestrian.	DEL	Refusal	Informal Hearing
11/02209/FUL	4 Pool Gastons Road, Malmesbury, Wiltshire, SN16 0NG	Malmesbury	Demolish 4 Pool Gastons Road and Erect 3 Dwellings	DEL	Permission	Written Representations
11/02318/REM	Coach House, Church Road, Heddington, Wiltshire, SN11 0PQ	Heddington	Demolition of Industrial Buildings and Erection of 9 Dwellings (Resubmission of 10/04628/REM)	DEL	Permission	Informal Hearing
11/02574/OUT	Land at Widham Farm/Widham Grove, Station Road, Purton, SN5	Purton	Outline Planning Application for up to 50 Dwellings, Access and Associated Works Following Demolition of Two Dwellings	DEL	Non Favourable Observations forwarded	Public Inquiry
11/02697/FUL	3 Langley Road, Chippenham, Wiltshire, SN15 1BP	Chippenham	First Floor Rear Extension (Resubmission of 10/04653/FUL)	DEL	Refusal	Written Representations
11/02851/FUL	Fox Fire Lodge, Rudloe, Corsham, Wiltshire SN13 0PG	Box	Erection of Single Storey Oak Framed Link Extension	DEL	Refusal	Written Representations
11/02852/LBC	Fox Fire Lodge, Rudloe, Corsham, Wiltshire SN13 0PG	Box	Alterations and Erection of Single Storey Oak Framed Link Extension	DEL	Refusal	Written Representations
11/02950/FUL	1 Barns Piece, Box, Wiltshire, SN13 8LE	Box	Extension, Alteration and Conversion of Detached Garage to Provide Self Contained Dwelling.	DEL	Refusal	Written Representations
11/02979/FUL	Cleeves Wood, Lower Kingsdown Road, Kingsdown, Wiltshire, SN13 8BA	Box	First Floor and Ground Floor Extension and Alterations to Dwelling (Resubmission of 10/04679/FUL)	DEL	Refusal	Written Representations
11/03157/FUL	Swinley Paddocks, Stanton St Quintin, Wiltshire, SN14 6DG	Kington St Michael	Installation of 10 Solar Panels to Roof	DEL	Refusal	Written Representations
11/03158/LBC	Swinley Paddocks, Stanton St Quintin, Wiltshire, SN14 6DG	Kington St Michael	Installation of 10 Solar Panels to Roof	DEL	Refusal	Written Representations
11/03336/FUL	10 NORTH END, CALNE, WILTSHIRE, SN11 9DQ	Calne	Two Storey Extension and Porch	DEL	Refusal	Written Representations
11/02740/FUL	80 WATERHAY, LEIGH, SN6 6QY	Leigh	Erection of Garage/Workshop	DEL	Refusal	Written Representations

Planning Appeals Decided between 11/11/2011 and 08/02/2012

Application No	Location	Parish	Proposal	DEL or COM	Appeal Decision	Officer Recommendation	Appeal Type
11/01464/LBC	Restrop Farmhouse, Restrop, Purton, Wiltshire, SN5 4LW	Purton	Erection of Single Storey Extension	DEL	Allowed with Conditions	Refusal	Written Representations
11/01465/FUL	Restrop Farmhouse, Restrop, Purton, Wiltshire, SN5 4LW	Purton	Erection of Single Storey Extension	DEL	Allowed with Conditions	Refusal	Written Representations
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	Allowed with Conditions	Refusal	Informal Hearing
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	Allowed with Conditions	Refusal	Written Representations
11/00422/FUL	Clay Street Stables, Little Somerford, Chippenham, Wiltshire, SN15 5JR	Little Somerford	Conversion of Existing Stables into Dwelling	DEL	Appeal Dismissed	Refusal	Written Representations
11/02740/FUL	80 WATERHAY, LEIGH, SN6 6QY	Leigh	Erection of Garage/Workshop	DEL	Appeal Dismissed	Refusal	Written Representations
11/00078/ADV	Station Yard, Union Road, Chippenham, Wiltshire, SN15 1HW	Chippenham	Three Internally Illuminated Fascia Signs	DEL	Out of Time	Refusal	Written Representations

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22nd February 2011		
Application Number	11/02441/FUL		
Site Address	36 Gloucester Street, Malmesbury		
Proposal	Conversion of Existing Shop to Two 2 Bedroom Flats and Associated Works		
Applicant	Mr Herbert		
Town/Parish Council	Malmesbury		
Electoral Division	Malmesbury	Unitary Member	Cllr Simon Killane
Grid Ref	393225 187260		
Type of application	FUL		
Case Officer	Sue Hillier	01249 706685	Sue.hillier@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Killane has submitted a request for the planning application to be considered by the committee to assess the visual impact upon the surrounding area, the relationship to adjoining properties and car parking.

1. Purpose of Report

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:

- Principle of Development
- Impact on Highways
- Loss of Retail Unit

The application has generated objection from Malmesbury & St Paul Without Residents' Association, Malmesbury Town Council and 4 letters of objection.

3. Site Description

The site is situated on the Gloucester Road in Malmesbury, which is also located within the Malmesbury conservation area. There is an ironmongery shop and a haberdashery either side of the property and the site is also within the town centre secondary frontage area. The retail unit is currently vacant and for sale.

4. Relevant Planning History		
Application Number	Proposal	Decision
02/02047	Change of Use from Office (A2) to (A1) Retail and Beauty Salon	Permitted Development
97/00563	Change of Use Ground Floor and Basement from Retail to Office	Permission
96/02050	Change of Use from A1 (Retail) to A3 (Pizza Restaurant)	Withdrawn
94/02430	Change of Use of Basement from Shop/Office to Residential Use	Permission

5. Proposal

The applicant seeks permission for the conversion of the existing shop into two, two bedroom flats and associated works.

6. Planning Policy

C3 - Development Control Policy

R2- Town Centre Secondary Frontage Area

H3 – Residential Development within Framework Boundaries

BD2 – Safeguarding Existing Business Uses

HE1 – Development in Conservation Areas

CF3 – Provision of Open Space

7. Consultations

Malmesbury & St Paul Without Residents' Association – Objects to the application. In order for the town centre of Malmesbury to continue to flourish and grow there needs to be a strong and vibrant commercial/retail activity at its heart – the High Street. Permitting properties such as this to be re-designated for residential use eats away at the attempts of the town to keep its commercial and retail centre alive.

Malmesbury Town Council – Oppose the planning application and are concerned that the applicant is seeking to remove a retail unit surrounded by other shops contrary to BD2 of the North Wiltshire Local Plan.

Malmesbury Chamber of Commerce – strongly opposes this change of use. The integrity of the town as a business/retail centre will be irreparably damaged if shop premises area allowed to convert to residential use.

The Senior Conservation Officer has no comments regarding the planning application.

8. Publicity

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

4 letters of letters of objection have been received, in summary the following concerns have been raised:-

- Not in keeping with local environs
- Would be detrimental to existing shops
- Existing shops should be maintained to preserve character of town
- Lack of car parking

8. Planning Considerations

Principle of Development

The planning application site lies within the defined framework boundary of Malmesbury and the Malmesbury conservation area thus any development should satisfy the policies outlined in C3, H3 and HE1 of the North Wiltshire Local Plan 2011. A pre-application submission took place, prior to this application being submitted.

The application site is situated just off the centre of the town. The site is part of a terrace of different designs of properties. The rear of the building consists of dense shrubbery and trees, on a steep sloping garden, with steps going down. The boundaries consist of a mixture of stone walling, hedging and shrubbery. The building is situated within the Malmesbury conservation area and has had several alterations and changes of use over the years.

The first and second floors of the building are already a two bedroom maisonette, with access from the ground floor. The maisonette does not have a garden; however, it does have a balcony on the second floor.

These proposals are to convert the ground floor and lower floors into two, two bedroom flats. The basement has already been a two bedroom flat previously, (planning ref: 94/02430), however, the ground floor area was to remain as retail. The adjacent ironmongery 'The Kit Box' has permission (planning ref: 97/1313/FUL) to alter the premises to two living units, which is also ancillary to the shop (ie. The retail use was to be retained).

The agent has provided evidence that the marketing of the premises has been pursued over a two year period, with a number of viewings, however, without anyone expressing any further interest on a retail unit of this size.

It is proposed to remove the existing front door on the front elevation and replace with a window; this is the only change on the front elevation of the building. The application also includes the addition of a balcony, for each flat at the rear. There are numerous balconies within the terrace of varying designs and the proposed balconies will not cause any additional overlooking. The site lies outside any defined shopping area and thus the retail use does not need to be retained.

Policy R2 (Town Centre Secondary Frontage Areas) seeks to permit Uses within Class A, D1 and D2. It does not specifically protect existing retail uses as Policy R1 (Town Centre Primary Frontage Areas) does. Policy R2's purpose is to allow for some retail or town centre uses in those areas which will not adversely affect the viability of the town centre (the area defined by Policy R1).

As stated previously, the applicant has submitted details of the marketing of the property for sale/let since April 2010, with Estate Agents Graham Singer. Although some interest was shown, the property still remains empty. It is considered therefore, that the application complies with Policy BD2 and R2 of the North Wiltshire Local Plan 2011.

A Public Open Space contribution of £8,400 which would be directed towards improvement of existing facilities at Reeds Farm and an education contribution of £12,598. These have been accepted by the applicant.

Impact on Highways

The property is located within the central area of Malmesbury where parking availability is limited. It is not possible to provide off street parking. The proposal will enable the property to remain in beneficial use and occupants will be aware of the lack of parking and make alternative arrangements if they chose to own a vehicle. For this reason there is no highway objection.

9. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed conversion is considered to be acceptable in the context of the surrounding area and would preserve the character and appearance of this part of the Malmesbury Conservation Area. The property has been marketed for a period of 18 months and therefore the change of use is considered to be acceptable in this instance and is in accord with policies C3, H3, R2, HE1, CF3 and BD2 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. No works shall commence on site until details of all new external door joinery 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. The works shall be carried out in accordance with the approved details.

Reason: in the interests of preserving the character and appearance of the conservation area.

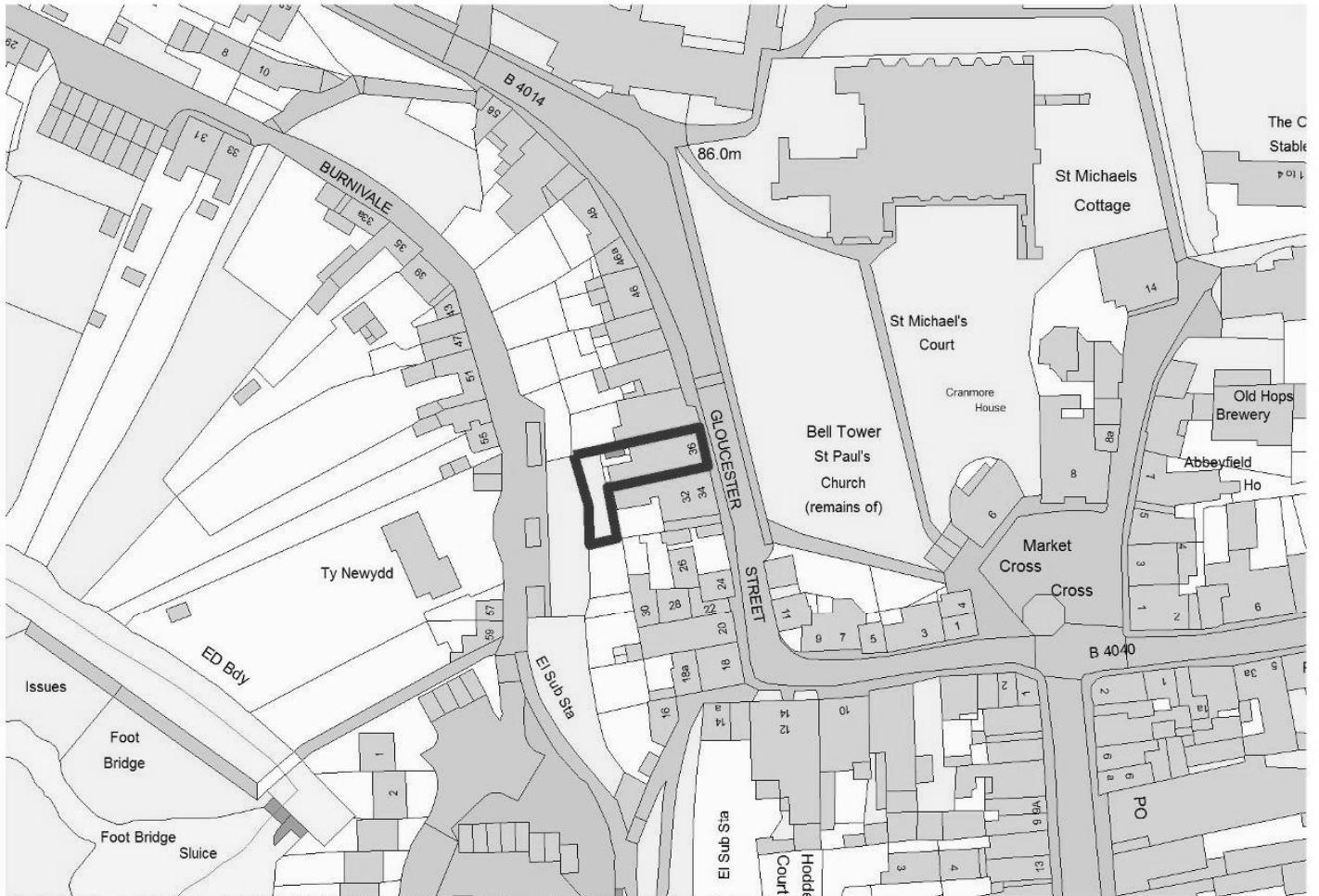
Policy- C3 & HE1

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

Plans: 1124/02A & 1124/03.

Dated: 15th July 2011.

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



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22 February 2012		
Application Number	N/11/03755/FUL & N/11/03756/LBC		
Site Address	Brook Farm, West Kington, Wiltshire, SN14 7JQ		
Proposal	Formation of Tennis Court		
Applicant	Mr & Mrs Graves		
Town/Parish Council	Nettleton Parish Council		
Electoral Division	By Brook	Unitary Member	Cllr Jane Scott OBE
Grid Ref	380759 177271		
Type of application	Full & Listed Building Consent		
Case Officer	Chris Marsh	01249 706 657	Chris.marsh@wiltshire.gov.uk

Reason for the application being considered by Committee

The applications have been called by Committee by the Unitary Member, in order to consider the impact of the proposed development on the surrounding area.

1. Purpose of Report

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

2. Main Issues

The main issues for consideration are the potential impact of the proposed development on the historic fabric of the listed building and the West Kington Conservation Area, the ecological impact and the general effect on the rural character of the landscape.

3. Site Description

The site is located within a steep valley in the centre of the village of West Kington, partially within the curtilage of the Grade II-listed Brook Farmhouse, which dates from the 17th Century. To the North of the farmhouse is an array of historic and more modern outbuildings associated with the working farm and otherwise for general storage purposes.

The residential curtilage of the dwelling itself extends to the Northeast of the property and is clearly defined by a mixture of paving, lawn and vegetable garden use. It is bounded from the highway by a low wall with sparse trees and planting behind and visible from the public highway and adjacent pedestrian right of way. The site lies within the West Kington Conservation Area and wider Area of Outstanding Natural Beauty and adjacent to a County Wildlife Site.

4. Relevant Planning History		
Application Number	Proposal	Decision
N/07/02841/FUL	Construction of Entrance Hall/Link	PERMIT
N/07/02842/LBC	Construction of Entrance Hall/Link	PERMIT
N/05/02531/LBC	Construct New Staircase to Attic	PERMIT
N/05/02721/LBC	Repairs and Replace Workshop	PERMIT

5. Proposal

Planning Permission and Listed Building Consent are sought for the construction of a new tennis court at the Easternmost extent of the domestic garden, overlapping with the land immediately East, beyond the established domestic curtilage. The court is to measure 35x18m and will be surfaced using a standard hard playing material. 3m-high netting is to be used to enclose the court. In order to achieve a flat surface, the foundation is to be laid into the South slope of the site adjacent to the highway and the remaining strip of land terraced steeply away from the Highway to accommodate the works.

6. Consultations

Nettleton Parish Council – supports

Principal County Ecologist – objects as the proposal contains insufficient information to fully assess the proposal's impact in relation to National Policies (PPS9, PPS7), Local Plan Policy (NE11) and the Council's Statutory duties under the Wildlife and Countryside Act (1981), Circular 06/2005 and CRoW Act (2000)

7. Publicity

The applications were advertised by site notice, press advert and neighbour consultation.

One letter of support received in respect of each application, citing that the development would be a positive contribution to the village community.

8. Planning Considerations

- Impact on the listed building and its setting
- Impact on the Conservation Area and AONB
- Impact on the rural character of the landscape
- Impact on ecology

The proposed site for the tennis court and surrounding fencing lies on steeply sloping land, in part domestic curtilage to Brook Farm and in part open agricultural land. Brook Farm is a Grade II listed building, dating from 17thC with its garden, bounded by stone walls, to the east. The property lies in the centre of the West Kington conservation area, adjacent to a County Wildlife Site and the settlement is within the Cotswold Area of Outstanding Natural Beauty.

Two public rights of way run close to the property, both with clear views of the proposed site for the tennis court.

The existing complex at Brook Farm is set in the bottom of the valley with its land stretching north and east along both sides of the brook. This land forms not only the setting of the listed building but also an essential component of the conservation area defining a substantial part of its appearance and character. Beyond the domestic garden immediately to the east of the house the appearance and character is entirely rural, steeply sloping pasture on both sides of the brook, the pasture land bounded by trees and hedgerows on the southern side of the valley.

The distant and closer views, which may be clearly obtained from the north side of the valley, enable the setting of the listed group in the wider landscape to be readily appreciated. The relationship between the close-knit buildings, the domestic garden and the steep-sided pasture land is one of the defining characteristics of this listed group and of the conservation area at this point.

The photographs submitted with the application show that, without doubt, the tennis court and its netting will be clearly visible in the wider landscape.

In order to accommodate the court on the sloping valley side a very substantial amount of soil will have to be removed and the rock face at the upper level of the field steeply terraced. Even if planted this will produce an alien and incongruous feature in this rural valley, the landform of which remains essentially unchanged.

The combination of the court, its netting and the substantial alterations to the land form, together with its visibility, will result in a seriously damaging loss of significance to both the conservation area and the setting of the listed building, both of which the Council has a duty to protect, and I strongly recommend that permission be refused.

N/11/03755/FUL

It is considered that the proposed development represents an unwarranted and unacceptable intrusion upon the historic garden and landscape, and thereby upon the setting of the listed building. The proposed re-sculpting of the land would have a detrimental impact upon the site and the wider West Kington Conservation Area by reason of its dramatic re-profiling to accommodate such a substantial domestic structure. The proposed tennis court and associated works would fail to respect the character of the listed building, its curtilage or the wider Conservation Area. The proposal will also harm the rural character and, without suitable mitigation, potentially the ecological value of its setting.

The principal Ecologist is strongly of the view that due to the lack of ecological information (which was requested prior to the application being submitted) the application should be refused.

N/11/03756/LBC

It is considered that the proposed works would have an intrusive effect upon the historic garden landscape, and as such the setting of the listed building, and are therefore unacceptable in planning terms. The disruption to the landscape would detrimentally alter the character and appearance of the site and compromise its historic integrity within the wider West Kington Conservation Area.

9. Recommendation

N/11/03755/FUL

Planning Permission be REFUSED for the following reason:

1. The proposed development, by virtue of its scale and visual impact, and associated landscaping works will detrimentally affect the character and appearance of the Conservation Area and the setting of the listed building. The landscaping works will harm the rural character of the site and, as such, the wider Area of Outstanding Natural Beauty. The proposal therefore conflicts with Policies C3, NE4 and HE1 of the adopted North Wiltshire Local Plan 2011.
2. The application proposals contain insufficient information to address ecological issues and as such the proposal fails to comply with Planning Policy Statements PPS9 and PPS7;

Policy NE11 of the North Wiltshire Local Plan 20111 and the statutory duties imposed by the Wildlife and Countryside Act (1981) and the CRoW Act (2000).

N/11/03756/LBC

Listed Building Consent be REFUSED for the following reason:

1. The proposed works, by virtue of their scale, visibility and associated landscaping, will result in a damaging loss of significance to the setting of the listed building and therefore should be refused in accordance with Policies HE7.5, HE8.1 and HE9.4 of Planning Policy Statement 5 (Planning for the Historic Environment).

Appendices:	Appendix I – Conservation Officer Comments Appendix II – County Ecologist Comments
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COMMENTS OF CONSERVATION OFFICER
IN RESPECT OF BROOK FARM, WEST KINGTON
N.11/03755 FUL

The proposed site for the tennis court and surrounding fencing lies on steeply sloping land, in part domestic curtilage to Brook Farm and in part open agricultural land. Brook Farm is a Grade II listed building, dating from 17thC with its garden, bounded by stone walls, to the east. The property lies in the centre of the West Kington conservation area, adjacent to a County Wildlife Site and the settlement is within the Cotswold Area of Outstanding Natural Beauty.

Two public rights of way run close to the property, both with clear views of the proposed site for the tennis court.

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The distant and closer views, which may be clearly obtained from the north side of the valley, enable the setting of the listed group in the wider landscape to be readily appreciated. The relationship between the close-knit buildings, the domestic garden and the steep-sided pasture land is one of the defining characteristics of this listed group and of the conservation area at this point.

The photographs submitted with the application show that, without doubt, the tennis court and its netting will be clearly visible in the wider landscape.

In order to accommodate the court on the sloping valley side a very substantial amount of soil will have to be removed and the rock face at the upper level of the field steeply terraced. Even if planted this will produce an alien and incongruous feature in this rural valley, the landform of which remains essentially unchanged.

The combination of the court, its netting and the substantial alterations to the land form, together with its visibility, will result in a seriously damaging loss of significance to both the conservation area and the setting of the listed building, both of which the Council has a duty to protect, and I strongly recommend that permission be refused.

In response to a number of comments made in the Design and Access and Heritage statements I would make the following points:

- Tennis courts have indeed been associated with historic buildings, without perimeter netting until the latter part of 20thC. However the acceptability of modern courts in historic settings does depend on the capacity of that setting to accommodate the court and its modern accoutrements without damage.
- The setting of a listed building is not defined by its domestic, or other, curtilage and the impact upon a setting cannot be said to be a direct function of distance from the principle building. Nor is it a function of visibility from public viewpoints. Although the court might not be visible from the street it still affects the setting and, as it can be seen from public viewpoints to the north, it would have an impact upon the appearance and character of the conservation area which, along with the setting of the listed building, the Council has a duty to protect.
- The details of the listing citation are for the purposes of identification and they are not intended to be read as a definitive guide to all aspects of the significance of an historic asset.

To: Chris Marsh	Location: Monkton Park
From: Jon Taylor Principal Ecologist	Location: Shurnhold Extn No: 18276
Copied to:	
Date: 12/01/12	

Consultation Response for – N/11/03755/FUL Brook Farm, West Kington, Wiltshire

Application for: Formation of Tennis Court

Relevant Legislation, Policy and Guidance:

Wildlife and Countryside Act (1981), Natural Environment and Rural Communities Act (2006), Planning Policy Statement 9, ODPM Circular 06/2005, North Wiltshire Local Plan

Background:

The application is for formation of a private tennis court adjoining Brook Farm, including landscaping. The site is located at the top of in the southern slope of the Broadmead Brook, which forms part of the By Brook network of valleys. The area is rich in biodiversity, particularly associated with areas of calcareous grasslands and ancient woodlands which are strongly distributed along the valleys.

Pre-application advice was provided by Wiltshire Council in May 2011; this advised that any application should be supported by an ecological assessment and mitigation plan, given the sensitive location of the site. In particular the following issues were raised:

1. *Due to the underlying geology and historical land management practices, much of the grassland in the By Brook valley is unimproved calcareous grassland. This is a Biodiversity Action Plan (BAP) habitat, and as such is covered by PPS9 and local policy NE11. Loss of calcareous grassland will require compensation, potentially through a commitment to favourably manage other calcareous grassland areas within the land holding. Damage to any adjacent areas of calcareous during the construction phase should be avoided through sensitive construction methods.*
2. *The adjacent By Brook is a County Wildlife Site and an important wildlife corridor, and as such is covered under local policies NE7 and NE10. A no construction buffer will need to be established and maintained during the construction phase to avoid impacts upon this watercourse.*
3. *The mosaic of grassland and scattered scrub could support reptiles, invertebrates and badger - potential impacts on these protected / BAP species should be considered and mitigated.*
4. *The By Brook is very important for commuting / foraging bats. The application should include a commitment to have no external lighting associated with the development.*

No such information has been submitted with the application.

Each of these four issues are dealt with in turn below.

Key Issues:

Loss of Calcareous Grassland

The application site is located in a limestone valley, which forms part of the wider By Brook valley network. Calcareous grassland occurs relatively frequent as small patches within these valleys, despite it being a relatively scarce and declining habitat in a county and national context, with the By Brook area representing an important remaining resource conserved by local land management practices. Calcareous grasslands support a high diversity of flora and fauna including rare species, and its importance and declining distribution has been recognised through its inclusion on both the UK and Wiltshire Biodiversity Action Plans (BAPs).

UK and local BAP habitats are a material planning consideration in accordance with PPS9, Circular 06/2005 and local plan policy NE11:

'Development proposals should ensure that species and habitats set out in the UK and local biodiversity action plans will be protected, and where possible, enhanced to help deliver BAP targets.

Development which would adversely affect, directly or indirectly, the biodiversity of the district will only be permitted when mitigating measures can be provided to retain and reinstate the level of biodiversity value. In order to achieve this, conditions and/or planning obligations will be used.

Appropriate management will also be encouraged through use of conditions, planning obligations and/or by entering into management agreements with landowners and developers, where appropriate.'

The development proposals will require the loss of existing grassland within the site in order to accommodate the tennis court and necessary earth works to level the site. The remaining grassland habitats are likely to be affected by shading from the proposed landscape planting. Given the lack of information submitted with the application, it is not possible establish whether these grassland areas are indeed calcareous grassland or what the scale of such impacts would be; the application has therefore failed to demonstrate that it meets the requirements NE11 or PPS9 in this respect.

Further to this, the failure to provide any ecological information with the application does not meet the first key principle of PPS9:

Development plan policies and planning decisions should be based upon up-to-date information about the environmental characteristics of their areas. These characteristics should include the relevant biodiversity and geological resources of the area. In reviewing environmental characteristics local authorities should assess the potential to sustain and enhance those resources.

By Brook County Wildlife Site

The detailed proposals show that the development would be located to the top of the valley, sufficiently far from the adjacent Broadmead Brook as to avoid any impacts. As such, the required construction activities are considered unlikely to impact upon the By Brook wildlife corridor and County Wildlife Site, and would therefore comply with NE7 and NE10.

Protected Species

No information on protected and BAP species has been submitted with the application, as was requested at the pre-app stage. Given the degree of cut and fill required to accommodate the development within the steep topography it is likely that development would impact upon any protected species present, potentially resulting in a breach of the Wildlife and Countryside Act (1981). Circular 06/2005 establishes that protected species are a material planning consideration requires that relevant information is required prior to determination:

It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all relevant material considerations may not have been addressed in making the decision. (Para.99)

The current application therefore fails to meet this statutory requirement.

Lighting

The application does not confirm whether any external lighting would be associated with the tennis court, however no lighting is shown on the drawings and it is considered that this could be controlled through a suitably worded condition.

Landscape

While not my primary technical discipline, I will also make some broad observations on landscape as the lack of information on landscape impacts is rather conspicuous given that the application site is located in an AONB.

The site itself is located within the By Brook Valley Landscape Character Area¹. One of the strongest characteristics of this area is the steeply sided, narrow valleys which provide a strong sense of enclosure. Given that the development would include a fairly substantial area of cut and fill, this could considerably change the topography of the site, degrading the character of the valley and impacting upon local views. The character of the settlements including traditional buildings and materials also strengthen the landscape character of the area. The Conservation Officer has already made it clear that the development would impact upon the character of the West Kington conservation area, and it is considered that the large fences surrounding the tennis court would be out of character for the village and could be visually intrusive in the surrounding landscape, and could further impact upon local views.

Section 85 of the CRoW Act places a statutory duty upon local authorities to conserve and enhance the natural beauty of AONBs, while PPS7 also establishes that landscape protection must be given a substantial weighting in planning decisions in these areas:

The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.

In the local plan NE4 also places further restrictions on development in AONBs:

In Areas of Outstanding Natural Beauty (AONB), priority will be given to the conservation and enhancement of the natural beauty of the landscape. The environmental effects of all development will be a major consideration.

Development will be restricted to:

- i) The change of use of existing buildings; and/or*
- ii) That which is appropriate to the economic and social well-being of the area;*
- iii) That which is desirable for the understanding and enjoyment of its amenities;*

And provided the proposal:

- a) Conserves or enhances, the natural beauty of the landscape, including its open rural character, and any riverside or water features, wildlife sites, trees or woodland;*
- b) Is sited and designed so as to minimise its impact on the natural beauty of the area and, where possible, is located close to and in association with existing buildings; and*
- c) Uses appropriate building materials and landscaping*

I am not convinced that the information submitted is sufficient to fully evaluate the landscape impacts of the proposals in order to demonstrate compliance with PPS7 or NE4, or the council's statutory duty to protect AONBs. It is worth noting that other officers within the council may be better placed to make a judgement in respect of likely landscape impacts.

¹ North Wiltshire Landscape Character Assessment (2004)

Ecological Recommendation:

The development is likely to impact upon local ecology and landscape character. Given the lack of appropriate information submitted with the application despite pre-application advice provided to the applicant, I do not consider that all relevant material planning consideration may be taken into account in determining the application, particularly in relation to:

- National policy (PPS9, PPS7);
- Local policy (NE11); and
- Statutory duties (Wildlife and Countryside Act (1981), Circular 06/2005, CRoW Act (2000))

If appropriate information cannot be submitted to demonstrate compliance with these policies prior to determination I recommend that the application be withdrawn or refused.

However, In the event that Committee is minded to approve the application contrary to this recommendation, it is advised that suitably worded conditions be attached to any permission granted in order to minimise the ecological impacts of development. Suggested wording is provided below:

- 1. Prior to commencement of development an ecological assessment and mitigation strategy shall be submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in complete accordance with the approved ecological mitigation strategy.*
- 2. No external lighting shall be installed on site without written approval from the Local Planning Authority. Plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage must be 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.*

West Kingston



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22.02.2012		
Application Number	N.11.03905.FUL		
Site Address	Garabrecan, Brinkworth Road, Wootton Bassett, Wiltshire, SN4 8DS		
Proposal	Demolition of Existing Garage/Store/Stables and Erection of Replacement Garage Accommodation and 2no. Holiday Letting Units (Resubmission of 11/02414/FUL)		
Applicant	Mr A Butler & Mrs N Malik		
Town/Parish Council	Wootton Bassett		
Electoral Division	Wootton Bassett North	Unitary Member	Councillor William Roberts
Grid Ref	407093 183820		
Type of application	Full		
Case Officer	Christine Moorfield	01249 706 686	Christine.moorfield@wiltshire.gov.uk

Reason for the application being considered by Committee This application has been called to committee by Cllr Roberts to consider the impact on the locality and highway issues.

1. Purpose of report

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

2. Report summary

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

- Principle of development
- Impact upon highway safety
- Impact upon the existing property
- Impact upon visual amenity and landscape character

3. Site Description

The existing single storey building comprises stables, garage and storage within the curtilage of the main house. The garden or curtilage to this dwelling is in the form of a large grassed area beyond which is the existing, ancillary building.

To the south east of the building is a paddock in the applicant's ownership and to the north east is a children's nursery. To the south west is the play area associated with Jubilee Lake.

4. Relevant Planning History		
Application Number	Proposal	Decision
11/02414/FUL	Demolition of existing garage and erection of holiday lets. Note: The applicant was advised that this proposal was considered too large and would be unlikely to be recommended for approval. The application was withdrawn. The application now being considered is the same as the scheme previously withdrawn.	Withdrawn

5. Proposal

The proposal is for demolition of the existing building and its replacement with 2 double garages, a store and two one bed holiday lets. The accommodation is arranged in an 'L' shaped building. The building is one and a half storey high with the garage at ground floor level with the holiday lets above. The windows in the first floor are in the form of dormers. The foot print of the proposed unit is 160m² and the volume of the building approx. 790m³.

6. Planning Policy

TF9 Wiltshire Structure plan 2011
C3 T1 H8 NE15- North Wiltshire Local Plan 2011.

7. Consultations

Highway Agency- no objection TR110 attached.
Highways- objection as it is an unsustainable location.
Wootton Bassett Town Council- No objection

8. Publicity

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

No objections have been received from adjacent residents.

9. Planning Considerations

Principle of development

The proposed building comprises four garages 2 for the house two for the holiday lets. There are two one bed holiday lets at first floor level. There is a large store area at ground floor level. Whilst serviced holiday accommodation of this nature may be acceptable in this location it has to be judged against the relevant policies within the Structure Plan and Local plan.

Impact upon highway safety, access and parking

The access is good serving the house and the nursery. However the highway engineer has objected to this proposal on the grounds that this is an unsustainable location. The highway engineer has stated that their objection on the grounds that this is an unsustainable location still stands. They have also requested that should permission be granted conditions should ensure that adequate parking is provided for the use.

Impact upon the existing property

The site is set within its own grounds, a large site with a large industrial style nursery building to the north and a play area to the SW.

To the north and the south east is grazing land which is owned by the applicant.

The design of the proposed accommodation is as a detached dwelling; the design is in keeping with the main house, but does read as a small detached dwelling set away from the main house.

Impact upon visual amenity and landscape character

As an extension to the existing house this is large in terms of its volume. A rough guide indicates a building volume of 180m³ exists in this location on the site. The new development has a volume of more than 700m³. Therefore, the replacement building is well in excess of what exists on site at present.

The agent has argued that there was another out building on the site before the nursery was built. This building appears to have had a volume in the region of 300m³ (as measured from old plan) but this is not considered to have a bearing on the decision now being made as this building appears to have been demolished to facilitate the nursery building.

As an extension to the existing house this is a very large unit in relation to the main house which is relatively modest in its dimensions. Given the distance between the units however it could not be argued that this proposal detracts from the appearance of the host house, however the scale of the unit is large and therefore the building would not appear subservient to the host dwelling. Therefore, in part policy H8 has not been complied with.

The site is within the countryside. The unit is set well back from the road and is screened from the adjacent public open space by a large hedge. However the appearance of this unit will be that of a detached house within this open rural area and is therefore considered to have a detrimental impact on the rural character and appearance of the locality thereby failing to comply with this policy.

In terms of impact on the locality it is recognised that the site is not particularly prominent it is set back from the main road and is screened from the play area by a fairly substantial hedge.

The access to the site for vehicles is good as it shares a purpose made access for the nursery and existing house. The site whilst outside the framework boundary is on the periphery of the urban area and therefore results in isolated development.

Policy RLT9 in the Wiltshire Structure plan requires such proposals to be limited to the conversion of existing buildings or be related in scale character and style to appropriate existing buildings. This scheme is not a conversion of the existing buildings and due to its mass and bulk it is not seen to be related in scale to the adjacent residential unit. As stated its mass is that of a detached dwelling and it does not therefore appear as a subservient and or ancillary building for use in association with the host dwelling. The proposal is considered therefore to conflict with this policy and therefore refusal is recommended.

10. Conclusion

The proposed building is considered too large in terms of its footprint and mass and bulk and does not respect the character and appearance of the main house on the site and or the rural character and appearance of the locality. The proposal fails to comply with policies C3, NE15 of the North Wiltshire Local Plan 2011 and Policy RLT9 of the Wiltshire Structure Plan.

11. Recommendation

Planning Permission be REFUSED for the following reason:

1- The proposed building is too large in terms of its footprint and mass and bulk and does not respect the character and appearance of the main house on the site and or the rural character and appearance of the locality by the introduction of a large detached building. Therefore, proposal fails to comply with policies C3 NE15 of the Local Plan 2011 and policy RLT9 of the Wiltshire Structure Plan.

2- 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.



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22 nd February 2012		
Application Number	11/04006/FUL		
Site Address	Peterborough Farm, Dauntsey Lock, Wiltshire, SN15 4HD		
Proposal	Extension and alterations to existing dwelling conversion scheme		
Applicant	Mr & Mrs Bond		
Town/Parish Council	Dauntsey		
Electoral Division	Brinkworth	Unitary Member	Cllr Toby Sturgis
Grid Ref	3999660 180143		
Type of application	FULL		
Case Officer	Lydia Lewis	01249 706643	Lydia.lewis@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Sturgis requested that this application be considered by the Area Planning Committee to allow consideration of whether this conversion is acceptable.

1. Report Summary

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

2. Main Issues

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

- The principle of development.

The application has generated no objection from Dauntsey Parish Council and no letters of representation.

3. Site Description

The site is described as being 0.4 hectares in area and is part of a farm building complex that has apparently been severed from any extended farm land holding. The farm buildings are no longer used. The entire site is situated in the open countryside outside of any identified Settlement Framework Boundary.

4. Relevant Planning History

Application Number	Proposal	Decision
11/00250/FUL	Erection of Dwelling (Resubmission of 10/04280/FUL)	Refused by DC Committee 09/03/11

10/04280/FUL	Erection of new dwelling on footprint or original agricultural buildings	Withdrawn
09/02254/FUL	Erection of new dwelling on footprint or original agricultural buildings	Refused by DC Committee 17/03/10
07/03330/COU	Change of use of barn to form dwelling with associated external works. This permission has been partially implemented and is therefore extant.	Permitted

5. Proposal

The applicant seeks consent for the change of use of barn to form a 3 bedroom dwelling with associated extension and alterations.

6. Planning Policy

C3 – Development Control Policy
H4 – Residential Development in the Open Countryside
BD6 – Re-Use of Rural Buildings

7. Consultations

Highways –No objections.

Dauntsey Parish Council – No objections.

8. Publicity

The application was advertised by site notice and neighbour consultation.

No representations have been received in response to the application publicity.

9. Planning Considerations

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.

The principle of converting this barn to residential has already been established through the granting of the previous consent (ref: 07/03330/COU). The previously approved application proposed limited alterations, re-building and extension of the existing barn with only a small glazed link between the barn and store proposed. However, the proposed application differs to that previously approved in a number of ways which are summarised below:

- Rather than link the existing store to the barn with a glazed extension, it is now proposed to demolish the store and re-build it;
- The roof would be increased in height from the existing and approved 3.8 metres to 5.4 metres;
- A first floor would be added over part of the barn increasing the height further to 6.4 metres including velux roof lights in both the north east and south west elevations; and
- The footprint of the barn would be increased by approximately 2 metres further along the south east elevation and a further 0.5 metres on the north east elevation necessitating the re-building of these walls.

The proposal therefore comprises extensive alterations and there would be substantial re-building and extension. As such, the proposal would not preserve the simple, functional character of the existing barn and the resultant building would largely have the appearance of a dwelling, out of keeping with its existing character and contrary to policies C3 and BD6 of the Local Plan.

10. Recommendation

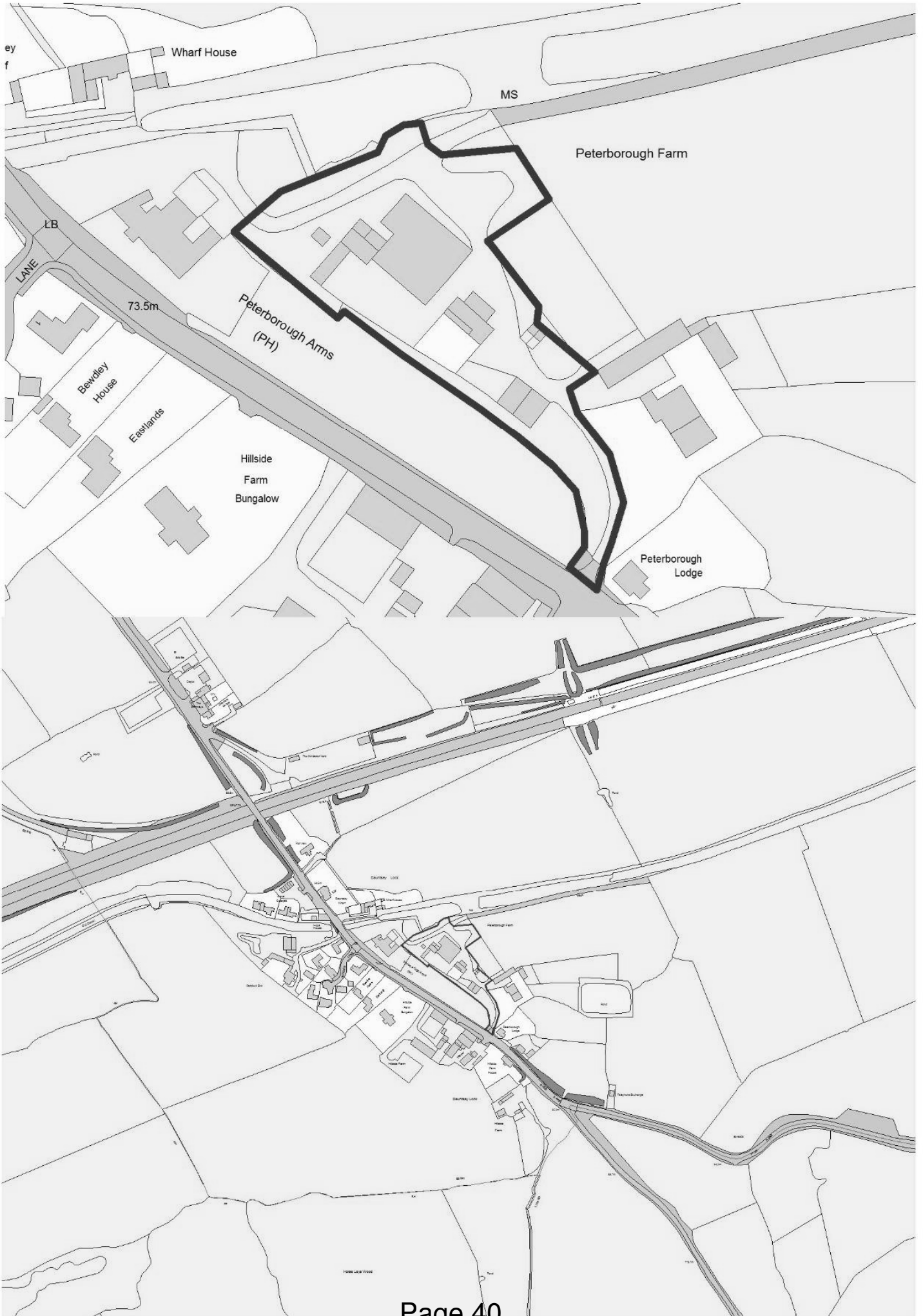
Planning Permission be REFUSED for the following reason:

The proposed conversion of this former agricultural building would involve extension, alteration and rebuild which cumulatively is considered to be significant and out of keeping with the existing building contrary to policies C3 and BD6 of the adopted North Wiltshire Local Plan 2011.

Informative

1. This decision relates to documents/plans submitted with the application, listed below.
 - 2011-19-1 – Proposed ground floor layout
 - 2011-19-2 – Proposed first floor layout
 - 2011-19-3 – Proposed south east and north west elevations
 - 2011-19-4 – Proposed north east and south west elevations
 - 2011-19-5 – Block plan
 - 2011-19-6 – Site plan
 - 2011-19-7 – Approved ground floor layout
 - 2011-19-8 – Approved elevations

All date stamped 9th December 2011



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22 February 2012		
Application Number	N/11/03375/FUL		
Site Address	Coach Style, Horsdown, Nettleton, Wiltshire, SN14 7LN		
Proposal	Change of Use of Agricultural Land to Provide Wash Bay and Revised Layout of Coach Parking		
Applicant	Mr Jones		
Town/Parish Council	Nettleton Parish Council		
Electoral Division	By Brook	Unitary Member	Cllr Jane Scott OBE
Grid Ref	383267 179383		
Type of application	Full		
Case Officer	Chris Marsh	01249 706 657	Chris.marsh@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been called to Committee by Councillor Scott in order to consider the impact of the proposed development on the surrounding area.

1. Purpose of Report

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

2. Main Issues

The main issues for consideration are:

- Impact on the Area of Outstanding Natural Beauty
- Impact on local employment
- Neighbour amenity

3. Site Description

Horsdown Garage lies in open countryside between the small settlement of The Gibb and the village of Burton, directly adjacent to the B4039 and in close proximity to the M4 motorway. The business operator, Coach Style, has used the site since 1995 although the historic use of the site as a coaching yard dates back to the 1940s. The business employs some 20 staff, mostly from the local area, and as such is a significant employer in this rural community.

The site is located within the Cotswolds Area of Outstanding Natural Beauty and is immediately apparent in what is generally otherwise open countryside when viewed from the top of Gibb Hill nearby, from which the coach roofs and substantial workshop building on site are clearly visible. To the North and West, the premises are obscured to some extent by neighbouring cottages and a substantial agricultural barn in the adjacent field.

In recent months, the business has been in discussion with Environmental Health Officers in respect of the runoff and disposal of water used to wash the vehicles on site, which poses both

potential contamination issues and a health and safety hazard; particularly in winter, when prone to freezing. The proposed development is intended to address this issue, whilst improving the safety and logistics of moving vehicles around the premises.

4. Relevant Planning History		
Application Number	Proposal	Decision
N/11/02053/FUL	Provision of Wash Bay & Re-ordering of Coach Parking	Withdrawn

5. Proposal

An earlier application for provision of the facilities now proposed was withdrawn in order to address the concerns of neighbours, which had generated a number of objections to the proposal in relation to the drainage of the site. These matters have now been clarified by the applicant.

The proposal comprises an extension of the operational coach yard into the field immediately to the South of the business as existing, in order to provide contained washing and refuelling facilities for the fleet. This is to be arranged in a 'circuit' configuration in order to service vehicles in series and ease traffic movement on site.

The central part of the facility is to be landscaped to mitigate the impact of the surrounding hardstanding, which will operate in a one-way fashion with both access and egress onto the existing coach yard to the North. The resulting island will incorporate an inset temporary parking bay, fuel pump and drainage sump to facilitate the regular servicing of vehicles on a sequential basis. All necessary equipment, with the exception of the bunded fuel station, is to be contained below the ground.

Relocated parking for vehicles is to be provided as a continuation of the bays along the Eastern edge of the extended site, whilst two bays will be relocated from their current position adjacent to the site office, in order to facilitate the enlargement of this unit. The provision of the new facility will also eliminate the need to park in front of the workshop building. There will be no net change in the number of parking bays for coaches on site. This area is to incorporate a new kerb and drainage channel along its Eastern edge to prevent runoff onto the adjacent lane.

The south, east and west boundaries of the additional operational site will be bounded with additional landscaping to mitigate its visual impact upon the wider open countryside. A pair of gates is to be incorporated into the western side, flanked by post and rail fencing, to enable access into the adjacent field.

6. Planning Policy

- North Wiltshire Local Plan Policies C3, NE4, NE15 and BD5
- Planning Policy Statement PPS4

7. Consultations

Nettleton Parish Council – support

Highways – no objection

Environmental Health – no objection, subject to conditions

Environment Agency – no objection, subject to conditions

Principal Ecologist – no objection

Government Pipelines and Storage System – no objection

8. Publicity

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

4 letters of objection have been received

Summary of key relevant points raised:

- Loss of open countryside;
- Impact on the Area of Outstanding Natural Beauty;
- Impact on amenity of neighbouring properties;
- Traffic and highway safety
-

26 letters of support have been received

Summary of key relevant points raised:

- Impact on provision of local employment;
- Environmental impact of improved drainage;
- Impact on overall visual amenity of site.

9. Planning Considerations

The proposal undoubtedly represents the improvement of facilities at an existing business, which is supported in principle by planning policy – Policy BD5 of the North Wiltshire Local Plan 2011 allows for the limited expansion of existing businesses in rural areas. The site lies within the Cotswolds AONB, where development is to be carefully managed.

The key test of the proposal is Policy NE4 of the North Wiltshire Local Plan 2011 (Areas of Outstanding Natural Beauty), as the proposal concerns land within this designated setting. On the basis of this policy in isolation, it is considered that the proposal accords with part ii) in respect of its appropriateness to the local economy, and that it meets criteria b – c, which stipulate that the impact of development upon natural beauty should be minimal and landscaped appropriately. It is considered that the aesthetic quality and degree of enclosure of the part of the site on which works are proposed are such that the proposed development would conserve the natural beauty of the landscape.

Subsequent approval of a suitable landscaping scheme will both significantly mitigate the visual impact of the development and serve to enhance the array of trees and ecology of this setting.

A number of properties overlook the site from relatively close by, although the activities undertaken on site will not change

A scheme of drainage is proposed to prevent washing water from draining into the bank of the adjacent lane, as is currently the case. Environment Protection has raised no objection to the proposals subject to conditions being imposed on any permission granted.

It is considered that, on balance, the benefits of the proposed scheme in terms of the protection of local employment and environmental sustainability outweigh any impact upon the Area of Outstanding Natural Beauty, which is considered to be limited in the context of the site.

10. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development, by virtue of its location, siting, scale and design, will not harm the character or appearance of the site or its setting within an AONB and open countryside. The proposed expansion's association with an established business will enable the retention of a locally important business vital to the economic health of the community. The proposal therefore accords with Policies C3, NE4, NE15 and BD5 of the adopted North Wiltshire Local Plan 2011 and PPS 4 (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. 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.

3. The vehicle wash shall only be used between the following times:

- | | |
|-----------------------------|-------------|
| a. Monday to Friday | 0800 – 1800 |
| b. Saturday | 0900 – 1300 |
| c. Sunday and Bank Holidays | No Use |

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

4. 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 until surface water drainage has been constructed in accordance with the approved scheme.

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

5. Prior to the commencement of construction the applicant shall provide details of the fuel storage and bunding proposed for the site. The applicant must demonstrate that the fuel storage solution complies with Environment Agency Requirements.
6. Any facilities above ground for the storage of oils, fuels or chemicals shall be sited on an impervious base and surrounded by impervious walls. The volume of the bunded compound shall be at least equivalent to the capacity of the tank plus 10%. Hydraulically interlinked tanks should be regarded as a single tank. All filling points, vents, gauges and

sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge into the bund. The development shall not be first brought into use until such facilities have been constructed and completed in strict accordance with plans approved by the Local Planning Authority.

REASON: To prevent pollution of the water environment

7. There shall be no discharge of foul or contaminated drainage from the site into either groundwater or any surface waters, whether direct to watercourses, ponds or lakes, or soakaways/ditches.

REASON: To prevent pollution of the water environment

8. 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 Plan as Existing
Section AA
Kirton's Vehicle Wash Reclaim System Specification

Received 7 October 2011

Site Plan

Received 21 November 2011

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



REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22nd February 2012		
Application Number	11.04098.ful		
Site Address	The Coach House, Leafy Lane, Box, Wiltshire, SN13 0LE		
Proposal	Extension to Provide Ancillary Accommodation (Resubmission of 11/02243/FUL)		
Applicant	Mr S Crowther		
Town/Parish Council	Box		
Electoral Division	Corsham Without and Box Hill	Unitary Member	Councillor Dick Tonge
Grid Ref	384338 170059		
Type of application	Full		
Case Officer	Mrs Emma Pickard	01249 706 637	Emma.pickard@wiltshire.gov.uk

Reason for the application being considered by Committee:

This application has been called to committee at the request of Councillor Dick Tonge to consider the reduced scale of the revised application.

1. Purpose of Report

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

2. Main Issues

- Size, scale and design of the annexe in relation to green belt policy (NE1) and policies C3 (development control core policy), H8 (residential extensions) and NE4 (areas of outstanding natural beauty).

3. Site Description

The Coach House is situated within an Area of Outstanding Natural Beauty and Green Belt. It was part of Rudloe Hall until separated from it in 1965 and is located directly to the east of Rudloe Hall and on the west side of Leafy Lane.

The dwelling is surrounded by a wall which is 2.4 metres high at its lowest point. The Coach House is constructed of natural stone and slate tiles.

The main building has been extended in the past with a single storey projection to the north (although this is likely to be pre 1923) and conservatory to the south.

4. Relevant Planning History

Application Number	Proposal	Decision
11/02243/FUL	Extension to provide ancillary accommodation.	Refused

5. Proposal

This application is a revision of a previous application that was refused by committee in November 2011 and proposes attached ancillary accommodation comprising a home office, games room, laundry, bedroom and en-suite at ground floor, and a second bedroom and shower room at first floor.

The predominantly single storey construction will be attached by a carport to the main dwelling and will have a one and a half storey midsection.

A small outbuilding is proposed to be removed to make way for the extension.

Access to the dwelling from Leafy Lane will remain as existing.

6. Consultations

Box Parish Council: comments not received at the time of drafting the report.

7. Publicity

The application was advertised by site notice and neighbour consultation.

Summary of key relevant points raised:

- Issues regarding the installation of a septic tank and effluent for associated soakaway;
- Encroachment into the green belt;
- Building does not appear 'ancillary';
- If permitted, request a legal tie; and
- Building should be limited to one storey.

8. Planning Considerations

Policy H8 gives the policy position for residential extensions. This policy seeks to ensure that development is in keeping with the host building in terms of scale and form. It states that, 'where proposals for annexe accommodation are put forward these should be of a scale that is proportionate to the existing dwelling and no larger than is functionally required'.

The proposed extensions at The Coach House have been reduced in size from the previously refused application, however, the proposed buildings are still considered to be excessive in scale and form.

The Senior Conservation Officer has commented on the application.

"The Coach House is a 19thC stone building which was originally an outbuilding to Rudloe Hall. It has been extended to the north-west (single storey wing) and south-east (conservatory) in 20thC.

It must be the case that any outbuilding needs to be clearly subservient in scale to the parent building in order to retain an appropriate relationship. In my view, the proposal fails in this respect as, although partially single storey, it is the same length as the Coach House and only a metre narrower.

The roof pitch on the annexe is very shallow compared to the Coach House itself and this fails to achieve a satisfactory visual relation between the buildings. In addition, the linking of the annexe to the wing increases the apparent bulk and the height of the opening results in a clumsy looking raised eave which does not tie in with those on either side.

The details of fenestration, particularly on the north elevation, also appear poorly related to the historic, two-pane gable dormer windows on the north elevation of the Coach House.

The materials are entirely appropriate. “

The accommodation should be seen in the context of the proposal being for construction of ‘ancillary accommodation’. The proposed gross internal floor area of the structure would be approximately 90 sqm and would have two bedrooms, two bathrooms, a large games area and a large home office, and also a large laundry area, all entered through a hallway. It is considered that the proposal is contrary to the aims of policy H8 in that the amount of ancillary accommodation proposed is considered to not in keeping with the scale and form of the host building.

The building has been designed with a one-and-a-half midsection which would be 6.1 metres to the ridge. It is considered that the domestic fenestration within the midsection, the poorly proportioned windows and high eaves to the carport section are not in keeping with the character of The Coach House.

Policy NE1 (Green Belts) of the Adopted North Wiltshire Local Plan 2011 and Planning Policy Guidance Note 2 (Green Belts) allows only the ‘limited’ extension of existing dwellings.’ The definition of what is limited is open to interpretation. However, it is the case that existing extensions should be taken into account when considering the term ‘limited’ to ensure that piecemeal development does not take place which could, cumulatively, have a harmful impact on the green belt.

PPG2 states that the extension or alteration of a dwelling is not inappropriate development provided that it does not result in disproportionate additions over and above the size of the original building. By definition, inappropriate development will not be allowed in the Green Belt except in exceptional circumstances.

When considering whether or not the proposed is limited in relation to green belt policy the comments above in relation to policy H8 should be considered. It has been calculated that the proposal would represent a total extension of approximately 43% increase in volume on the original dwelling. (The volume of the outbuilding to be removed has been taken from this calculation). It is considered that this cannot be considered to be limited in terms of green belt policy.

There are no exceptional circumstances to justify the scale of development proposed and it is considered that these would be inappropriate extensions and therefore, by definition, would be harmful to the openness of the green belt. If permitted, they would set a precedent for further extensions to other properties, the cumulative effect of which would be to erode the countryside and encourage coalescence.

Having regard to the size and scale of the development officers are concerned that it is tantamount to the creation of a new dwelling which would not be appropriate in this location.

The proposal is also considered to be contrary to the aims of policy NE4 which prioritises the conservation and enhancement of the natural beauty of the landscape.

It has been suggested that a condition or legal agreement is considered to tie the proposed development to The Coach House. In consideration of the scale and layout of the proposed building and that it would be capable of being used as a separate dwelling; the local authority may be under pressure in the future should an appeal against such a condition, or application to rescind the legal agreement, be made. It is considered that a condition or legal agreement would not make what is an unacceptable form of development, acceptable.

9. Conclusion

The proposal, which includes an extensive amount of accommodation, would be a disproportionate addition to the existing dwelling. There are no exceptional circumstances in this case that would justify the very large increase in the size of this dwelling. Allowing this extension would set a precedent for similarly sized ancillary accommodation which would, cumulatively, be harmful to the openness of the green belt.

10. Recommendation

Planning Permission is REFUSED for the following reason:

- 1) The proposal by reason of its size, scale, design and layout, is considered to be tantamount to a new dwelling and would be a disproportionate addition to the existing dwelling. It is therefore, inappropriate development within the green belt and contrary to policies NE1, NE4 and H8 of the North Wiltshire Local Plan 2011.



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Report No.

Date of Meeting	22 February 2012		
Application Number	N/11/04112/FUL		
Site Address	The Barn, Sodom Lane, Dauntsey, SN15 4JA		
Proposal	Lean to Extension, Generator Shed and Bin Store		
Applicant	Mr B Mansfield		
Town/Parish Council	Dauntsey Parish Council		
Electoral Division	Brinkworth	Unitary Member	Cllr Toby Sturgis
Grid Ref	400363 181376		
Type of application	Full		
Case Officer	Chris Marsh	01249 706 657	Chris.marsh@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Sturgis has called the application to Committee in order to consider the impact of increased commercial activity in the countryside.

1. Purpose of Report

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

2. Main Issues

- Impact on neighbour amenity
- Impact on the character and appearance of the open countryside
- Impact on highways

The application has generated one objection from a local resident and landowner.

3. Site Description

The Barn is a commercial light industrial and storage facility at Sodom Lane, Dauntsey. The site is located in open undesignated countryside adjacent to the classified C road, adjacent to a single detached dwelling but otherwise with little relation to any other built fabric in the immediacy.

Approximately half of the site is occupied by the existing building, which is immediately surrounded by concrete hardstanding and which includes a modest rear access serving as a plant room. The areas to the northeast and southeast of the hardstanding could currently be described as scrubland, which looks particularly sparse due to the failure of hedgerow required by condition on a previous permission around the site boundary, the replanting of which has recently been undertaken.

4. Relevant Planning History		
Application Number	Proposal	Decision
N/08/02824/FUL	Extension to Existing Commercial Premises, Together With Use of Associated Hardstanding	Permission
N/06/02980/CLE	Certificate of Lawfulness for Use of Building as Workshop	Permission

5. Proposal

A certificate of lawfulness was granted in 2006 for the use of the building as a workshop, and the building was subsequently extended under a permission granted in 2008 to increase the capacity of the premises (see below history), which saw the consolidation of a new splayed access onto the highway. Under permitted development rights, the unit was transferred from B2 (industrial) to B8 (storage and distribution) uses.

The proposal seeks permission to further extend the commercial premises by way of a single-storey side extension to the Northwest of the existing building. The extension is to be used as storage space in association with the business, including a rear forklift access, offering an additional 84m² of floor space. Externally, the extension is to be finished entirely in green profile sheeting to match the main building, featuring a mono-pitch roof that follows the existing roof line on this side. The extension will follow the front and rear build lines of the host unit and is to measure 5.8 x 14.4m externally, with a ridge height of 4.4m, with an overhanging canopy at its Northwest edge at a height of 3.2m.

6. Consultations

Dauntsey Parish Council – no comments received at time of drafting report
Highways – no comments received at time of drafting report
Environmental Health – no objection, subject to conditions

7. Publicity

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

One letter of objection has been received.

Summary of relevant points:

- Noise and odour pollution caused by regular or continuous use of a generator;
- Loss of residential amenity by proximity of generator to neighbours of site;
- Visual and ecological damage of uncontained packaging on site;
- Inadequacy of access arrangements and potential increase in traffic;
- Lack of allocated employee parking on site, particularly during deliveries; and
- General overdevelopment of the site and business.

8. Planning Considerations

The site's only immediate neighbour is situated to the Northwest of the site, adjacent to the position of the proposed extension. As such, issues such as the potential for noise and light pollution, overlooking, overbearing or other loss of residential amenity are key considerations. In this instance, it is not envisaged that the development will incur the unacceptable loss of residential amenity as set out in Policy C3, due to the design and access specifications of the extension. The Council's Environmental Protection team have raised no objection in terms of noise or odour.

Given the relatively constrained siting of the proposed extension, it is not considered justifiable to object to the proposal on the basis of intrusion into, or other detriment to, the open countryside relative to the existing business. Likewise, the proposed use of the extension is such that no direct increase in traffic would be expected, notwithstanding the current access limitations.

It is considered that the proposal is acceptable in planning terms and is supported in principle by planning policy including Policy BD5 of the adopted Local Plan, which allows for the limited expansion of established business uses in the countryside. The proposed extension represents a practical solution to the operational requirements of the business currently operating from the site, rather than an intensification of such use or expansion of the business in what is otherwise open countryside. It is considered that by imposing suitable conditions, any harm posed by the proposal in respect of loss of residential amenity can be mitigated to an acceptable level. Visually, the proposed limited extension is subservient to the existing premises and concealed by the boundary treatments to the North and West of the site, therefore not appearing any more incongruous in the context of the open countryside and acceptable under Policy NE15.

10. Recommendation

Planning Permission be GRANTED for the following reason:

The proposed development, by virtue of its siting, use, scale, massing, design and materiality, will not harm the character or appearance of the site or its setting in open countryside. Extension of the existing business in this way will not adversely affect residential amenity or harm the visual quality of its location. The proposal therefore accords with Policies C3, NE15 and BD5 of the adopted North Wiltshire Local Plan 2011.

And subject to the following conditions:

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

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

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

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

3. The use hereby permitted shall only take place between the hours of 0700 and 1900 from Mondays to Fridays and between 0900 and 1300 on Saturdays. The use shall not take place at any time on Sundays and Bank or Public Holidays.

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

4. 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.

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), the site shall be used solely for purposes within Classes B1 and/or B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987

(as amended by the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

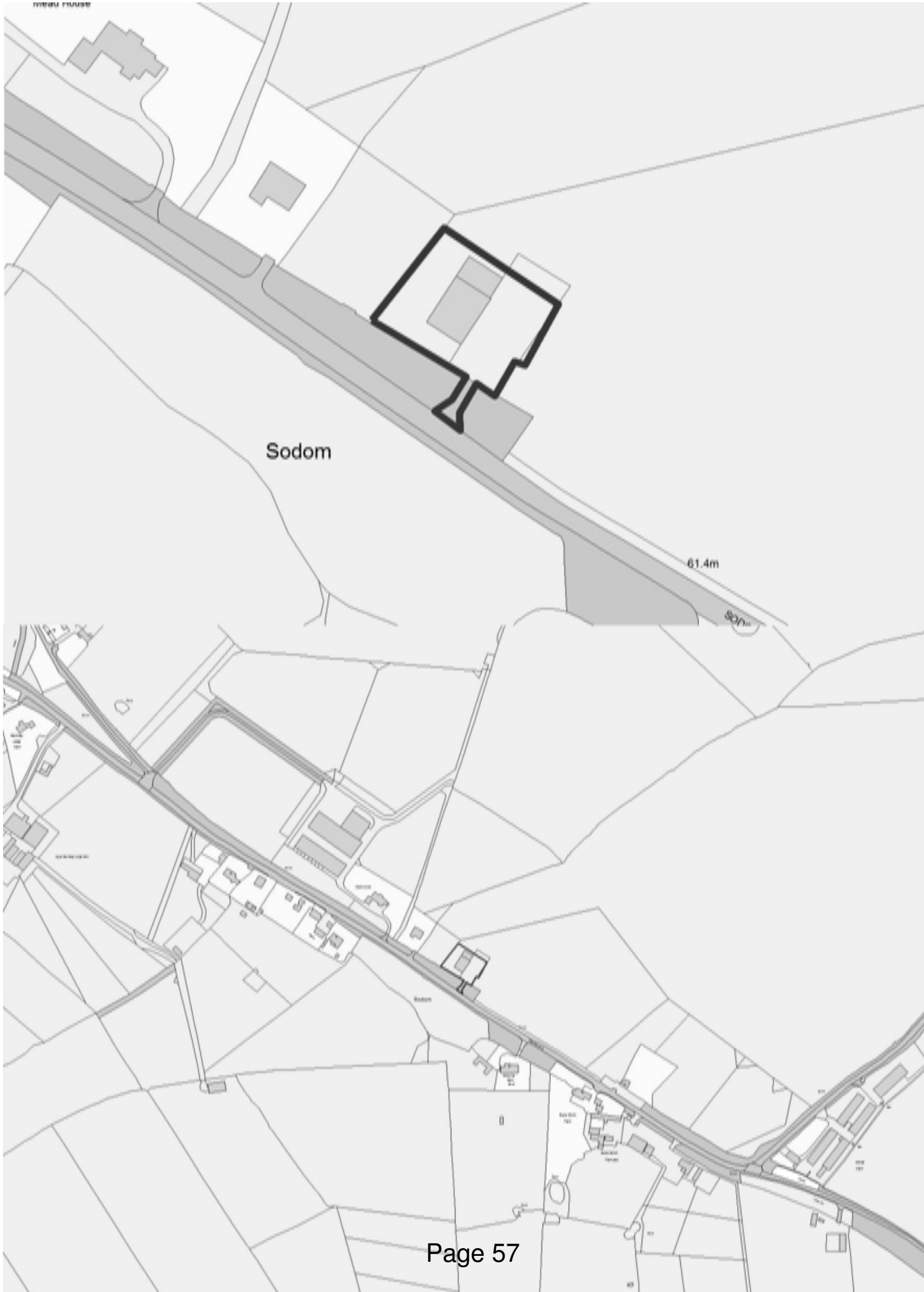
REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use, other than a use within the same classes, having regard to the circumstances of the case.

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.

Block Plan
Elevations (rev. A)

Received 20 December 2011

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



Sodom

61.4m

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