

AGENDA

Meeting: Western Area Planning Committee
Place: Council Chamber - Council Offices, Bradley Road, Trowbridge
Date: Wednesday 9 November 2011
Time: 6.00 pm

Please direct any enquiries on this Agenda to Marie Gondlach (Democratic Services Officer), of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713597 or email marie.gondlach@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 Trevor Carbin	Cllr Christopher Newbury
Cllr Ernie Clark	Cllr Stephen Petty
Cllr Rod Eaton	Cllr Pip Ridout
Cllr Peter Fuller (Chairman)	Cllr Jonathon Seed
Cllr Mark Griffiths	Cllr Roy While (Vice Chairman)
Cllr John Knight	

Substitutes:

Cllr Rosemary Brown	Cllr Tom James MBE
Cllr Andrew Davis	Cllr Francis Morland
Cllr Russell Hawker	Cllr Helen Osborn
Cllr Malcolm Hewson	Cllr Fleur de Rhe-Philippe
Cllr Keith Humphries	

AGENDA

Part I

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

1. **Apologies for Absence**

2. **Minutes of the Previous Meeting** (*Pages 1 - 4*)

To approve the minutes of the last meeting held on 19 October 2011 (copy attached.)

3. **Declarations of Interest**

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

4. **Chairman's Announcements**

5. **Public Participation**

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 2

November 2011. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6. Planning Applications

To consider and determine the following planning applications:

6.a **W/11/02427/FUL - 40 Newleaze Park Broughton Gifford Wiltshire SN12 8PL** (Pages 5 - 10)

Site Location	40 Newleaze Park Broughton Gifford Wiltshire SN12 8PL
Development	Demolition of existing garage and proposed two storey side extension with front porch
Recommendation	Approval
Division Member	Councillor Mark Griffiths
Town / Parish Council	Broughton Gifford

6.b **W/11/02185/FUL - Land North Of Dunch Lane Melksham Wiltshire** (Pages 11 - 16)

Site Location	Land North Of Dunch Lane Melksham Wiltshire
Development	Change of use to mixed equestrian and agricultural use including erection of 2 stable blocks, lambing shelter and associated sheds/chicken coops
Recommendation	Approval
Division Member	Councillor Rod Eaton
Town / Parish Council	Melksham (Town)

6.c **W/11/02216/FUL - Upper Farm Upper Farm Northwest To Upper South Wraxall Lower South Wraxall Bradford On Avon Wiltshire** (Pages 17 - 28)

Site Location	Upper Farm Upper Farm Northwest To Upper South Wraxall Lower South Wraxall Bradford On Avon Wiltshire
Development	Alterations to bring about the change of use of two redundant agricultural buildings to form 2 dwelling houses and associated works
Recommendation	Approval
Division Member	Councillor Trevor Carbin
Town / Parish Council	South Wraxall

6.d **W/11/02232/FUL - Mayflower Farm New Road Codford Warminster Wiltshire (Pages 29 - 38)**

Site Location	Mayflower Farm New Road Codford Warminster Wiltshire
Development	Construction of a one and a half storey to single storey administration building
Recommendation	Approval
Division Member	Councillor Christopher Newbury
Town / Parish Council	Codford

7. **Urgent Items**

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

8. **Exclusion of the Press and Public**

To consider passing the following resolution:

To agree that in accordance with Section 100A(4) of the Local Government Act 1972 to exclude the public from the meeting for the business specified in Item Number 9 because it is likely that if members of the public were present there would be disclosure to them of exempt information as defined in paragraph 5 of Part I of Schedule 12A to the Act and the public interest in withholding the information outweighs the public interest in disclosing the information to the public.

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

9. **Planning Appeal in respect of Land at Slag Lane and Hawkeridge Road, Westbury (Pages 39 - 42)**

To consider the attached confidential report.

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 19 OCTOBER 2011 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis (Substitute), Cllr Rod Eaton, Cllr Peter Fuller (Chairman), Cllr John Knight, Cllr Christopher Newbury, Cllr Stephen Petty, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman).

92 Apologies for Absence

Apologies for absence were received from Councillors Mark Griffiths and Pip Ridout (substituted by Councillor Andrew Davis).

93 Minutes of the Previous Meeting

The minutes of the meeting held on 28 September 2011 were presented.

Resolved:

To approve as a correct record and sign the minutes of the meeting held on 28 September 2011.

94 Declarations of Interest

W/11/02180/FUL - 35 Lacock Gardens Hilperton Wiltshire BA14 7TF - Rear conservatory with balcony to roof.

Councillor Ernie Clark declared a personal interest as he had chaired the meeting of the Hilperton Parish Council when this application had been discussed. He gave his assurance that he would consider the application with an open mind.

95 Chairman's Announcements

The Chairman welcomed Rosemary Lansdowne, Planning Solicitor.

96 Public Participation

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

97 **Planning Applications**

The Committee considered the following applications:

97.a W/11/02226/FUL - Land Adjacent 3 Forewoods Common Holt Wiltshire - Dismantle and re-erection of existing barn for storage

Public Participation:

- Mr Seb Shipway spoke in support of the application.
- Mr Nick Allen, applicant, spoke in support of the application.

Officers introduced the report which sought approval and informed the Committee that very late notification had been given by Holt Parish Council that they wished to withdraw their objection.

Members of the Committee sought clarification on whether or not the site was within the green belt and it was confirmed that it was. During the ensuing debate Members of the Committee expressed their satisfaction that all issues had been addressed satisfactorily.

Resolved:

That planning permission be GRANTED.

For the following reasons:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following conditions:

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

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

2. No development shall commence on site until details, including samples if requested, 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. The timber boarding on the external walls shall be put in place before the building is brought into use. 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.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

3. 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 Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification). No allowance is hereby given to convert the said building to any other use without a separate application being submitted and approved by the local planning authority.

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 class(es), having regard to the circumstances of the case.

POLICY: PPG2 - Green Belts and West Wiltshire District Plan 1st Alteration 2004 - Policy C1

4. Notwithstanding the erroneous notation on the site plan (received on 08 August 2011), no permission is hereby granted for any conversion to the existing storage facility, which is the subject of demolition and replacement.

REASON: To define the terms of this permission.

5. 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.

POLICY: PPG2 - Green Belts and West Wiltshire District Plan 1st Alteration 2004 policies C31a and C38

6. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

LOCATION PLAN received on 08.08.2011

SITE PLAN received on 08.08.2011

EXISTING PLANS received on 08.08.2011

PROPOSED PLANS received on 08.08.2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

Informatives:

1. The applicant should be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within, or close to the site.

2. The applicant is advised to ensure that all asbestos material is removed and disposed of properly in accordance with Hazardous Waste Regulations. The applicant is encouraged to contact the Environment Agency for more information.

97.b W/11/02180/FUL - 35 Lacock Gardens Hilperton Wiltshire BA14 7TF - Rear conservatory with balcony to roof

There was no public participation.

Officers introduced the report which sought approval and in doing so drew the Committee's attention to the fact that no objections had been received from neighbours.

During the ensuing debate Members of the Committee recognised that this was an unusual design but that there were no objections to it on planning grounds.

Resolved:

That planning permission be GRANTED.

For the following reasons:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

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. This permission relates to the details contained within the application forms and to the plans submitted with them in August 2011.

98 Urgent Items

There were no Urgent Items.

(Duration of meeting: 6.00 - 6.15 pm)

The Officer who has produced these minutes is Marie Gondlach (Democratic Services Officer), of Democratic Services, direct line 01225 713597, e-mail marie.gondlach@wiltshire.gov.uk

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

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	09.11.2011		
Application Number	W/11/02427/FUL		
Site Address	40 Newleaze Park Broughton Gifford Wiltshire SN12 8PL		
Proposal	Demolition of existing garage and proposed two storey side extension with front porch		
Applicant	Mr Darren Ward		
Town/Parish Council	Broughton Gifford		
Electoral Division	Melksham Without North	Unitary Member:	Mark Griffiths
Grid Ref	387981 163829		
Type of application	Full Plan		
Case Officer	Mr Philip Baker	01225 770344 Ext 01225 770286 philip.baker@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Griffiths has requested that this item be determined by Committee due to:

- * Scale of development
- * Visual impact upon the surrounding area
- * Relationship to adjoining properties

1. Purpose of Report

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

2. REPORT SUMMARY

The main issues to consider are:

Visual Impact

Impact on the amenity of neighbouring properties

Parish Council Response - awaited

Neighbourhood Responses - 1 letter of objection has been received raising the following issues:

- Concerns regarding the existing internal wall that will be changed to an external wall
- Concerns regarding loss of sunlight to the neighbour 42 Newleaze Park
- Rear extension would overlook the neighbours kitchen and restrict privacy
- Extension would not be able to obtain the same tiles

3. SITE DESCRIPTION

The application site is a semi-detached chalet bungalow on an established residential estate. Included within the site is one of a pair of semi-detached garages, the second of which is owned by the owner of no.42.

To the east of the site there is a fence and the adjoining neighbour at 38, Newleaze Park.

4. PLANNING HISTORY

95/00247/FUL – Refusal – 6/6/1995 – Extension

5. PROPOSAL

The proposal is to demolish the existing garage of 40, Newleaze Park and make good the other half - the garage of no. 42 Newleaze Park. A two storey extension along the length of the side of the dwelling house would then be constructed that would project 0.4 metres beyond the building line to the front of the house.

6. POLICIES

West Wiltshire District Plan First Alteration 2004

C31A Design & C38 Nuisance

SPG Design Guidance House Alterations and Extensions 2004

7. REPRESENTATIONS

Wiltshire Highways - No objection, subject to the imposition of conditions regarding discharge of surface water and surfacing of the access.

Environment Agency - The proposal falls within flood zone 1 and is relatively minor in scale. We would therefore simply offer best practice sustainable drainage advice to the applicant and that they should implement sustainable drainage techniques where possible.

Broughton Gifford Parish Council – comments awaited.

8. PUBLICITY

The application was advertised by site notice/press notice /neighbour notification - Expiry date: 14th October 2011.

The neighbour at no.40 objects to the proposal on the following grounds;

- Concern about the impact of the demolition of the attached garage on his garage;
- The extension will project in front of his property and will reduce sunlight to the front, side and rear;
- The rear extension will overlook his kitchen, restricting privacy and access to light;
- Similar extensions nearby were different designs that had less impact;
- A similar proposal was refused planning permission in 1995.

9. ASSESSMENT

9.1 Visual Impact

The proposal is for a two storey side extension to a semi-detached chalet bungalow on the west elevation. The surrounding area is characterised by semi-detached chalet bungalows and two storey semi-detached properties and some of these have extensions projecting beyond the front building line at ground floor level.

The proposal will involve demolishing the existing single garage which is linked to the neighbour's at no. 42. The side extension would be built out over the area formerly occupied by the garage and would have a roof slope continuous with the existing. At ground floor level, the roof slope would extend over a toilet and store. The front roof slope would be lit by roof lights, whilst the rear would be lit by an extension of the existing dormer windows.

The design and appearance is in keeping with the appearance of the building and the surrounding area and will be in line with policy C31a of the district plan.

9.2 Impact on amenity

The adjacent property at no. 42 is set back from the building line of no. 40. The neighbours have raised concerns that the side extension will reduce privacy to their property. However, the existing 1st floor bedroom 3 has a window on the west elevation that directly faces the neighbours property and at a 45 degree angle you can look into the window of no.42. The proposal removes this window and replaces it with one in the rear elevation from an extension of the existing dormer, together with one from the fourth bedroom also in the extension of the dormer. These look down the garden, as most first floor windows do, and it is not considered that this will significantly reduce the privacy or amenity of the adjacent dwelling.

The proposal brings the bulk of No. 40 closer to its neighbour at 42, but because of the staggered relationship of the two properties, it is not considered that the resulting relationship will have an adverse impact on the amenity of the neighbouring property that would justify refusal of the application.

9.3 Planning History

A planning application for an extension of similar, although not identical, design was refused in 1995, on the grounds that it would be detrimental to amenity; overbearing and out of character with the area. However, it is not considered that these reasons would succeed now, having regard to more recent decisions by Planning Inspectors on residential extensions in the county, and the fact that extensions similar in nature have been permitted on other chalet bungalows on this estate.

9.3 Conclusion

The proposal is an acceptable domestic extension that will not have an adverse impact on the appearance of the area or the amenity of the neighbouring property. Accordingly, planning permission is recommended.

Recommendation: Permission

For the following reason(s):

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

- 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 those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A

- 3 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 occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: U2

- 4 The development hereby permitted shall not be 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.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

- 5 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Location plan received on 5/9/2011

AH2011/03/1 Rev B received on 5/10/2011

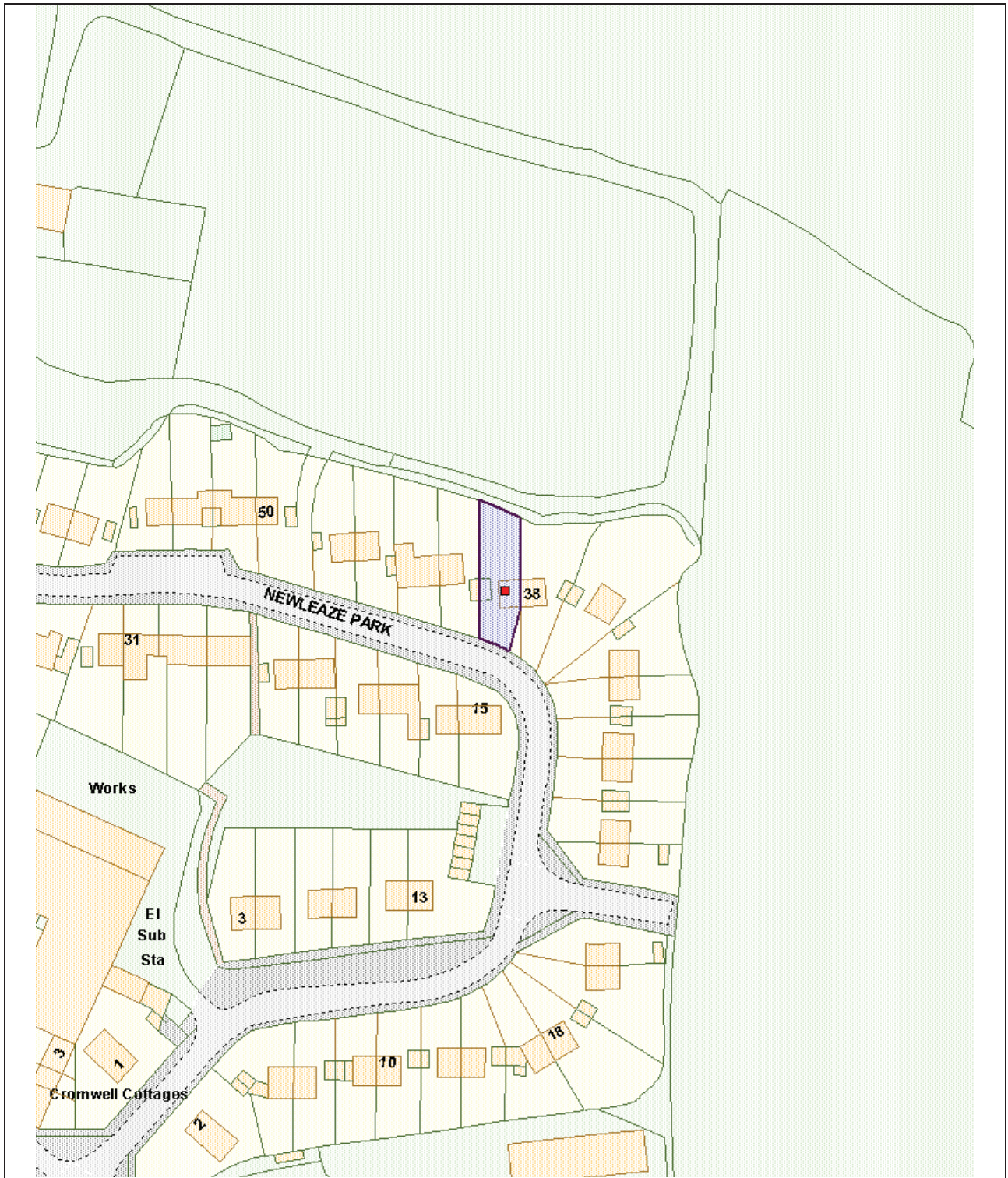
AH2011/03/2 Rev B received on 5/10/2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority

Informative(s):

- 1 The dropped kerb should be extended across the full width of the driveway. An application pack will be issued from our Vehicle Crossing Team to implement this requirement.

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



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office ©
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Tel:
01225 770344 Fax: 01225 770314 Development Control West Wiltshire Council Bradley Road Trowbridge Wiltshire BA14 0RD
www.wiltshire.gov.uk

MSA: 100022961

This page is intentionally left blank

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	09.11.2011		
Application Number	W/11/02185/FUL		
Site Address	Land North Of Dunch Lane Melksham Wiltshire		
Proposal	Change of use to mixed equestrian and agricultural use including erection of 2 stable blocks, lambing shelter and associated sheds/chicken coops		
Applicant	Mr Carol Ward		
Town/Parish Council	Melksham (Town)		
Electoral Division	Melksham North	Unitary Member:	Rod Eaton
Grid Ref	389910 165296		
Type of application	Full Plan		
Case Officer	Miss Jennifer Fivash	01225 770344 Ext 01227 770297 jennifer.fivash@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Eaton has requested that this item be determined by Committee due to:

* Environmental/highway impact and access via a very narrow lane and in the interests of public debate.

1. Purpose of Report

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

Neighbourhood Responses - seven letters of objection (4 from same households) received.
 Melksham Town Council - Object
 Melksham Without Parish Council - No objection

2. Report Summary

The main issues to consider are:

- Impact on Residential Amenity
- Landscape Impact
- Impact on Highways

3. Site Description

The site is located on the outskirts of Melksham down a narrow lane linking the A350 and the A365. The fields are located to west of the railway line running through Melksham. There are three fields which make up the application site which all run parallel to and along the boundary of the railway. The first field closest to Dunch Lane has several buildings including 2 wooden stable buildings. The centre field and the furthest field from the lane are paddocks with horses grazing/exercising. The site is accessed via an entrance close to Northbrook Road, but the majority of the site is separated from the residential estate by an intervening field.

4. Relevant Planning History

W/09/00244/FUL – Change of use to mixed use agricultural and equestrian use including erection of two stable blocks, hay shed and hardstanding – Withdrawn 20.03.2009
06/03676/AGD – Erection of hay barn and implement shed – Prior Approval of Details not required 02.01.2007

5. Proposal

The application seeks retrospective planning permission for the change of use of the land from agricultural to mixed use of agricultural and equestrian with associated buildings including the two wooden stable blocks; an open sided wooden structure, chicken coops and associated sheds.

6. Policies

Government Guidance
PPS7 Sustainable Development in Rural Areas

West Wiltshire District Plan First Alteration 2004
C1 Countryside Protection
C38 Nuisance
E10 Horse Related Development

7. Representations

Melksham Town Council

Object.

- Highways. Access is currently a problem.
- Environmental Hazards
- Increase in noise from extra vehicles
- Flood plain

Melksham Without Parish Council

No objection

Wiltshire Council Highways

No objection

Environmental Health (PROTECTION)

No objection, subject to conditions preventing the burning of manure or other material derived from the keeping of horses and the provision of adequate facilities for the storage, removal and disposal of manure from the site.

Network Rail

No objections

8. Publicity

The application was advertised by site notice/neighbour notification - expiry date: 9 September 2011

Summary of points raised:

Seven letters of objection (4 from same households) received. Comments relate to:

- Traffic
- Access
- Turning in and out of site blocking the lane
- Mud and manure on road
- Manure on roads from riding
- Flood plain
- Parking

- Nuisance in terms of noise
- Building carried on after history file was withdrawn
- Rats in the vicinity
- Smells and smoke coming from the site
- Dung heap

9. Planning Considerations

Principle

The change of use of land to mixed agricultural and equestrian in principle is not in conflict with the policies of the development plan, provided that the proposal minimises the impact on the appearance of the area and has no adverse highway implications.

Residential Amenity

The main part of the site, including the stable blocks and paddocks, are located over 75 metres from the rear of the nearest dwellings, which are separated from it by an intervening field. The Council's Environmental Health Officer does not consider that any adverse impact would be created to residential amenity and subject to the conditions recommended by the EHO, the application is considered acceptable on these grounds.

Landscape Impact

The buildings are low key in nature and size, with the stables built from appropriate wooden materials with a dark roof. The open sided building beyond the stables is less well designed, but due to its small size and limited visual impact does not have any significant visual impact. Although the hay bales have been the subject of objection, their siting does not require planning permission as they are not a building.

Highways

The existing access was granted consent under planning reference 06/03676/AGD. The highways officer has no objection and it is clear that any additional traffic generated by this use will make no material difference to the traffic use of Dunch Lane.

Conclusion

Subject to the imposition of appropriate conditions, the application complies with policy and retrospective planning permission is recommended.

Recommendation: Permission

For the following reason(s):

The proposed development would not materially affect the amenities of the neighbours and any planning objections have been overcome by conditions.

- 1 Within one month of the date of this permission, details of the proposals for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) shall be submitted to and approved in writing by the Local Planning Authority. The operation of the use authorised by this permission shall be carried out in accordance with these approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and C38

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

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and C38

- 3 No manure or materials shall be burnt on site.

REASON: In order to minimise nuisance and safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan First Alteration 2004 policy C38 and E10

- 4 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Site location plan received on 2 August 2011

Block Plan received on 2 August 2011

AH2011/47 Rev A received on 24 August 2011

Reason: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

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

This page is intentionally left blank

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	09.11.2011		
Application Number	W/11/02216/FUL		
Site Address	Upper Farm Upper Farm Northwest To Upper South Wraxall Lower South Wraxall Bradford On Avon Wiltshire		
Proposal	Alterations to bring about the change of use of two redundant agricultural buildings to form 2 dwelling houses and associated works		
Applicant	Mr Ian Digges		
Town/Parish Council	South Wraxall		
Electoral Division	Holt And Staverton	Unitary Member:	Trevor Carbin
Grid Ref	383289 164415		
Type of application	Full Plan		
Case Officer	Mr Kenny Green	01225 770344 Ext 01225 770251 kenny.green@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Carbin has requested that this item be determined by Committee due to:

- * Visual impact upon the surrounding area
- * Relationship to adjoining properties
- * Environmental/highway impact

1. Purpose of Report

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

Neighbourhood Responses - Two letters of concern/objection received.

Parish/Town Council Response - objects

2. Report Summary

The main issues to consider are:

Principle of Development/Rural Conversions
 Impact on the Green Belt
 Impact on Conservation Area/setting of listed buildings
 Impact on Environment/Highway Interests
 Impact on Ecology
 Relationship to adjoining properties

3. Site Description

The application site forms part of a unlisted property known as Upper Farm, which consists of the former farmhouse and two detached traditionally built agricultural barns in South Wraxall, which is a "settlement" without defined village policy limits, and is therefore considered to be located in the open

countryside. The site is also located within the designated Conservation Area and is washed-over by the West Wiltshire Green Belt.

Misons Farm, a separate property and its range of agricultural buildings, is located to the east, south and west of the application site. The land beyond the unclassified road which runs along the site's northern boundary, is open farmland.

4. Relevant Planning History

88/02199/FUL - Conversion of farm outbuilding to dwelling and new associated access - Committee Permission 02.05.1989

89/01419/FUL - Conversion of farm outbuilding to new single dwelling - Committee Permission 19.09.1989

5. Proposal

Under this application, the applicant seeks permission to convert two detached barns to form two dwellings. The two barns have been surveyed and are structurally sound and do not require substantial or material alterations to bring about the change of use. The asbestos roof over Barn A would be removed and replaced with slate material. No extension to either barn is proposed under this application.

The proposal includes the delineation of two new residential curtilages using natural stone walling to match the existing boundary wall material. Through negotiations with the Council's highways officer, the applicant proposes to improve visibility from the existing farmyard access which would serve the two new residential units. An alternative access to the existing farmhouse at Upper Farm would be provided through exercising permitted development rights.

In accordance with adopted District Plan policy, the buildings were marketed for alternative business, tourist and recreational uses by Chesterton Humberts. In support of the application proposals, details of the marketing exercise have been submitted.

In addition to the marketing report, a structural survey, a design and access statement, a protected species survey and follow-up bat survey have all been submitted.

6. Planning Policy

National Guidance

PPS1 Delivering Sustainable Development

PPG2

Green Belts

PPS3 Housing

PPS5 Planning for the Historic Environment

PPS7 Sustainable Development in Rural Areas

PPS9 Biodiversity and Geological Conservation

PPG13

Transport

Wiltshire Structure Plan 2016

DP1 Priorities for sustainable development; DP2 Infrastructure; DP9 Reuse of land and buildings; DP12 Western Wiltshire Green Belt; DP14 Housing, employment and related development in the open countryside;

C1 Nature conservation; C5 The water environment; HE7 Other sites of archaeological or historic interest.

West Wiltshire District Plan - 1st Alteration 2004

C1 The countryside; C15 Archaeological assessment; C17 Conservation Areas; C18 New development in Conservation Areas; C20 Change of use in Conservation Areas; C31a Design; C32 Landscaping; C38 Nuisance; H21 Conversion of rural buildings; E8 Rural conversions; T10 Car

parking; U1a Foul water disposal; U2 Surface water disposal; U4 Groundwater source Protection Areas

7. Consultations

Parish Council - Objects on the grounds that the proposal would totally change the character of the rural area and increase traffic.

Highways - It is understood that the holding is not currently operating as a farm and that the barns were last used in 1966. As such, they would not, of themselves, currently generate traffic movements other than that associated with the dwelling at Upper Farm. It is however necessary to note that traffic from the two dwellings would not be materially greater than any farming use.

Following the submission of revisions, no objections are raised subject to conditions.

Conservation Officer - No objections.

The buildings subject to this application are not curtilage listed buildings but are located within the Conservation Area and within the setting of the Grade II listed Misons Farm, Granary, Barn and Stable.

This application is a sensitive conversion that would adequately retain the agricultural character and appearance of the barns. The special character and appearance of the Conservation Area and the settings of the listed buildings would be preserved. There would be no window openings created in the northwest elevation of Barn B which is the most important elevation from the point of view of the nearby listed buildings. The character from that perspective would not change.

The proposed enclosure of the open fronted section of the barn has been detailed with care, and the use of vertical timber boards and full height glazing would give the impression of the historic arrangement. The new window openings are minimal on the southeast and would still retain the agricultural appearance.

The only point of concern to highlight relates to the design of the proposed dormer window shown on the courtyard elevation on Barn B. This does appear to be slightly out of context. However, due to its position on the building relative to the Conservation Area views and the locations of the listed buildings, this window would result in only limited harm to those heritage assets.

Council's Ecologist - The proposals involve the conversion of two barns, one of which has been identified as a roost site for a number of bat species (Barn B). Thorough and satisfactory survey work has identified usage of the barn by low numbers of lesser horseshoe, brown long-eared, and pipistrelle bats. The barn is used as a summer non-maternity roost site, and possibly a hibernation site for brown long-eared and pipistrelle bats.

Conversion of the barn would result in the loss of some roosting opportunities and there is a potential risk of injury/killing to individual bats during construction work. The consultant has acknowledged that works will need to be undertaken under a Natural England licence.

Appropriate mitigation measures have been incorporated into the plans: the provision of roosting spaces (two loft voids, bat boxes), retention of the existing access point on the north-east wall, and additional bat access tiles. It is pleasing to note that these have been fully incorporated into the plans (Barn B - Proposed Elevations, drawing no. LDC.1485.011c). Further details on the protection of bats during construction work will be included in the Method Statement for the Natural England licence.

Since the proposals will impact the existing roost sites, the LPA is required to consider the 'three tests' under Regulation 53 of the Habitat Regulations 2010. Guidance states that application of the tests should be proportional to the severity of the potential impact - in this case it is considered to be minor; and further information, by way of a planning condition is not necessary.

Ecological Recommendations:

This application is supported by satisfactory survey work and the plans include appropriate mitigation measures. The development will be carried out under licence by Natural England therefore no objection is raised, subject to an informative.

Wessex Water - No objections subject to an informative.

Environment Agency - No objections subject to an informative.

Environmental Health - No objection. Turning Barn B into a dwelling does raise some concern as it is immediately adjacent to a working farm and the access to that farm. If this was a proposal for a new dwelling, it would be recommended for refusal. However, it is appreciated that the barn conversion would not have any windows on the facade of concern, or any amenity area. On balance therefore, provided there is a planning justification for the change of use, no environmental protection objection is raised.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification. Expiry date: 23 September 2011

Summary of points raised: Two letters from third parties raising the following points:

Surprised to note that the buildings are not listed.

If granted, three properties would be located close together and rely on an existing stretched sewage infrastructure.

The lane leading to the site is very narrow and in poor repair. Increased traffic would make matters worse.

Concerns raised about the position of bat boxes (on Barn B) facing a neighbours property. The bat box would be below an existing oil tank and concerns are raised about their maintenance. Could these boxes be re-positioned?

Misons Farm is a working farm with a variety of livestock and large agricultural vehicles which use the existing entrance access which is adjacent to Barn B. This should be taken into consideration.

9. Planning Considerations

9.1 Principle of Development/Rural Conversions

The conversion of rural buildings must be considered against policies E8 and H21 of the West Wiltshire District Plan. Policy requires the conversion of rural buildings in the countryside to be for employment, tourism or recreation uses so as to have a positive impact on local employment, and these are the uses preferred over residential. Policy H21 states that "The conversion of rural buildings in the countryside and in settlements without Village Policy Limits to residential use will be permitted only where:

A The applicant has made every reasonable attempt to secure business, tourism or sport and recreation re-use, and the application is supported by a statement of the efforts which have been made;

B The building is of substantial, sound and permanent construction and capable of conversion without extensive alteration, rebuilding, and/or extension or otherwise significantly altering its original character;

C The proposed conversion safeguards and/or enhances the essential form, structure, character, and important traditional features of the building and the countryside;

D It can be satisfactorily serviced and does not create highway problems;

E It is not subject to flood risk and does not harm the natural environment including the water environment.

"In considering such proposals structural surveys of buildings proposed for conversion will be required. All proposals must be submitted as detailed applications".

Policy H21 essentially seeks to promote rural employment by prioritising new business uses and/or expand tourism and sport and recreational accommodation through the re-use of redundant farm buildings in the countryside.

The two barns have been marketed since June 2010. The estate agents, Chesteron Humberts have provided details of the marketing exercise which is explained in detail within a letter dated 23 June 2011 along with associated accompanying marketing particulars. The estate agency's submission concludes that following a marketing campaign exceeding one calendar year, 21 enquiries were received relative to the two barn buildings. They also advise that none of these enquiries led to any viewings or offers. The lack of any firm interest shown in the buildings suggests that they are not regarded as being appropriate, suitable or desirable for business, recreational or alternative non-residential uses. It should also be duly noted that the marketing exercise did not seek to obtain residential interest.

On the basis of the details submitted, the buildings have been robustly marketed and consequently, the applicant has satisfied criterion A of Policy H21.

Both barns are of permanent, substantial construction that do not require significant alteration or rebuilding. The structural survey and the findings of the site visit confirm this opinion. Although no longer used for agricultural purposes, the barns form part of a traditional farm steading with a sense of enclosure being formed. This is accentuated by the way buildings are set out and their relationship with both the farmhouse and the road. It is also worthy of noting that both barns are orientated away from the farmhouse and detached from the neighbouring Mison's Farm, of which several buildings are listed.

It is duly noted that the applicant does not propose to extend the two barns and seeks to use the existing footprint and internal space without any rebuilding or significant alteration. Having said that, the applicant does propose to form some new window openings. For Barn A, a window would be formed by re-opening a previously blocked up doorway on the NW elevation (whilst utilising the existing upper floor window). A new window opening would be formed on the SW elevation and insert two small rooflights (along with retaining the existing large barn opening and introduce full wall height glazing). No new openings are proposed to the SE elevation. Full height glazing would replace the barn doors on the NE elevation, but retain the doors as side shutters. On the same elevation a new window opening is proposed on the ground floor level with the insertion of two rooflights.

For Barn B, no new openings are proposed for the two gables. The NW elevation, which backs onto Mison's Farm, would be retained as having no openings at all. On the SE elevation, the two existing window and one door opening would be retained. In addition, one further ground floor window and one wall head dormer window would be provided along with three small rooflights. The applicant also proposes to retain three of the open fronted sections of the lower level barn structure, but install glazing within the openings. The other sections would be built up using timber boarding.

Whilst there would be some physical alterations made to the two barns, it would be limited and the essential form, character and appearance of the barns would be retained. The introduction of the wall head dormer to Barn B has been carefully considered. Although it would result in a completely new element to the barn, its design and detailing are not considered out of keeping or significantly harmful to justify a refusal.

9.2 Impact on the Green Belt

Within any Green Belt setting, there is a presumption against inappropriate development.

Paragraphs 3.7 - 3.9 of PPG2 states that "with suitable safeguards, the re-use of buildings should not prejudice the openness of Green Belts, since the buildings are already there. It can help to secure the continuing stewardship of land, especially by assisting farmers in diversifying their enterprises, and may contribute to the objectives for the use of land in Green Belts. The alternative to re-use may be a building that is left vacant and prone to vandalism and dereliction.

The re-use of buildings inside a Green Belt is not inappropriate development providing:

- (a) it does not have a materially greater impact than the present use on the openness of the Green Belt and the purposes of including land in it;
- (b) strict control is exercised over the extension of re-used buildings, and over any associated uses of land surrounding the building which might conflict with the openness of the Green Belt and the purposes of including land in it (e.g. because they involve extensive external storage, or extensive hardstanding, car parking, boundary walling or fencing);
- (c) the buildings are of permanent and substantial construction, and are capable of conversion without major or complete reconstruction; and
- (d) the form, bulk and general design of the buildings are in keeping with their surroundings. (Conversion proposals may be more acceptable if they respect local building styles and materials, though the use of equivalent natural materials that are not local should not be ruled out).

If a proposal for the re-use of a building in the Green Belt does not meet the criteria in paragraph 3.8, or there are other specific and convincing planning reasons for refusal (for example on environmental or traffic grounds), the local planning authority should not reject the proposal without considering whether, by imposing reasonable conditions, any objections could be overcome. It should not normally be necessary to consider whether the building is no longer needed for its present agricultural or other purposes. Evidence that the building is not redundant in its present use is not by itself sufficient grounds for refusing permission for a proposed new use".

The Government policy guidance states that substantial weight should be given to the level of harm caused to the Green Belt when considering any planning application or appeal. In terms of the conversion proposals, the development would not have a demonstrable impact on the openness or the character of the Green Belt. The use and type of traffic generation would change on site, but the essential character of the site would not.

9.3 Impact on Conservation Area/Setting of Listed Buildings

Planning Policy Statement 5 and Section 66 & 72 of the Planning (Listed Building and Conservation Area) Act 1990 highlights that the Local Planning Authority has a duty to pay special attention to the desirability of preserving and enhancing the setting of a building or buildings of special architectural or historic importance and character or appearance of the Conservation Area. At the very early stage of this application, due consideration was given to whether or not the barns were curtilage listed buildings, given the proximity and historic association to the listed Mison's Farm. Following a review of the planning history of the site and the listed status of Mison's Farm, Council officials concluded that the two barns at Upper Farm are not listed.

As reported above, the Conservation officer states that this proposal would be a "sensitive conversion that would adequately retain the agricultural character and appearance of the barn. Therefore the special character and appearance of the Conservation Area and the settings of the listed buildings would be preserved". Notwithstanding the Conservation Officers comments about the proposed new wall head dormer on Barn B, no planning based objection is raised as it would not constitute as a significant alteration and nor would it cause demonstrable harm to either the host building or its surroundings, and on this basis, it is supported.

9.4 Impact on Environment/Highway Interests

The proposed development would not cause significant detriment to environmental or highway interests. In this particular case, it is understood that the subject buildings and land are the residue of a former agricultural holding that existed in its own right, and on this basis, could be used for agricultural purposes (and generate agricultural traffic movements separate from the on-site residential traffic). Having due cognisance of this, and following negotiations with the applicants agent, the highways authority report no objection, subject to conditions and an informative.

9.5 Impact on Ecology

The submitted protected species survey and follow-up bat surveys indicate that the barns are host to roosting bats and breeding birds. The surrounding area is also known to have greater horseshoe, lesser horseshoe and bechstein bats hibernating in abandoned mines in the Bath and Bradford on Avon Special Area of Conservation. This site is designated due to the national importance of the hibernation roosts, particularly for greater horseshoe bats. Habitats on the site and in close proximity to it were found to be of "medium suitability for foraging or commuting bats with the nearby hedgerows and grazed fields likely to produce moderate quantities of flying insects for feeding bats". The bat surveys recorded that pipistrelle, lesser horseshoe and brown long eared bats roosted within the subject buildings during the course of the bat emergence and dawn re-entry surveys. Bat droppings were found within the barn and additional bat activity was observed with other bat species also making occasional flights over the site.

The Council's Principal Ecologist has analysed the data submitted and reports that the application has been subject to the appropriate level of survey work and that the proposed plans include the necessary mitigation measures. If granted, any permission should be subject to an informative advising the developer(s) about the need to obtain a European Protected Species licence from Natural England.

9.6 Relationship to adjoining properties

The proposed conversion of the two barns would not result in demonstrable detriment being caused to neighbouring privacy and amenities enjoyed by the host farmhouse at Upper Farm (which is within the ownership and control of the applicant) or to Misons Farmhouse.

Whilst there is some concern held over the proximity of Barn B to existing agricultural buildings located only 5-10 metres away, it is acknowledged that there are no existing or proposed openings to be formed in the western facade of this building which backs onto neighbouring agricultural land (associated to Mison's Farm). To ensure that the future amenities of any occupants of this building are fully taken into account, the Council's Environmental Health team were consulted, and as reported above, no environmental protection (i.e. noise based) objection was raised. If granted, the application should be subject to a planning condition removing pd rights to prevent the formation of new wall openings in the north-western elevation of Barn B to protect residential/occupier amenity.

Recommendation: Permission

For the following reason(s):

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

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

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

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

LOCATION PLAN – Drawing no. LDC.1485.001 received on 06.08.2011

SITE PLAN – Drawing No. LDC.1485.002 Rev C received on 05.10.2011

EXISTING PLANS BARN A – Drawing no. LDC.1485.003 received on 06.08.2011

EXISTING ELEVATIONS BARN A – Drawing No. LDC.1485.004 received on 06.08.2011

PROPOSED PLANS BARN A – Drawing No. LDC.1485.005 Rev C received on 06.08.2011

PROPOSED ELEVATIONS BARN A – Drawing No. LDC.1485.006 Rev B received on 06.08.201

SECTIONS BARN A – Drawing No. LDC.1485.007 Rev B received on 06.08.2011

EXISTING PLANS BARN B – Drawing no. LDC.1485.008 Rev A received on 06.08.2011

EXISTING ELEVATIONS BARN B – Drawing No. LDC.1485.009 Rev C received on 06.08.2011

PROPOSED PLANS BARN B – Drawing No. LDC.1485.010 Rev C received on 06.08.2011

PROPOSED ELEVATIONS BARN B – Drawing No. LDC.1485.011 Rev C received on 06.08.201

PROPOSED ELEVATIONS BARN B – Drawing No. LDC.1485.012 received on 06.08.2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

- 3 No development shall commence on site until details and samples of the materials to be used for the external walls (including the new means of enclosure) 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: PPG2 - Green Belts and West Wiltshire District Plan 1st Alteration 2004 policy C31a and H21.

- 4 The development hereby permitted shall not be 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: West Wiltshire District Plan 1st Alteration 2004 policy C31a

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

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan 1st Alteration 2004 policy C31a

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

REASON: In the interests of highway safety.

POLICY: West Wiltshire District Plan 1st Alteration 2004 policy C31a

- 7 No part of the development shall be occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 0.9 metres above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

REASON: In the interests of highway safety

POLICY: West Wiltshire District Plan 1st Alteration 2004 policy C31a

- 8 The development hereby permitted shall not be occupied until provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway, details of which shall have first been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interests of highway safety

- 9 No development shall commence on site until details of the external timber boarding finish 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 brought into use.

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

POLICY: PPG2 - Green Belts and West Wiltshire District Plan 1st Alteration 2004 policy C31a, C17 and H21.

- 10 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending those Orders with or without modification), no development within Part 1, Classes A-E and Part 2 Class A-C shall take place on the dwellinghouse(s) hereby permitted or within their curtilage.

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

POLICY: PPG2 - Green Belts and West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C38

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no additional wall or roof openings, other than those shown on the approved plans, shall be formed in the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

POLICY: PPG2 - Green Belts and West Wiltshire District Plan 1st Alteration 2004 policy C31a, C38, E8 and H21.

- 12 The mitigation measures detailed in the approved Ecological/Bat Surveys undertaken by Skilled Ecology Consultancy Ltd shall be carried out in full prior to the first occupation of the development hereby approved.

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

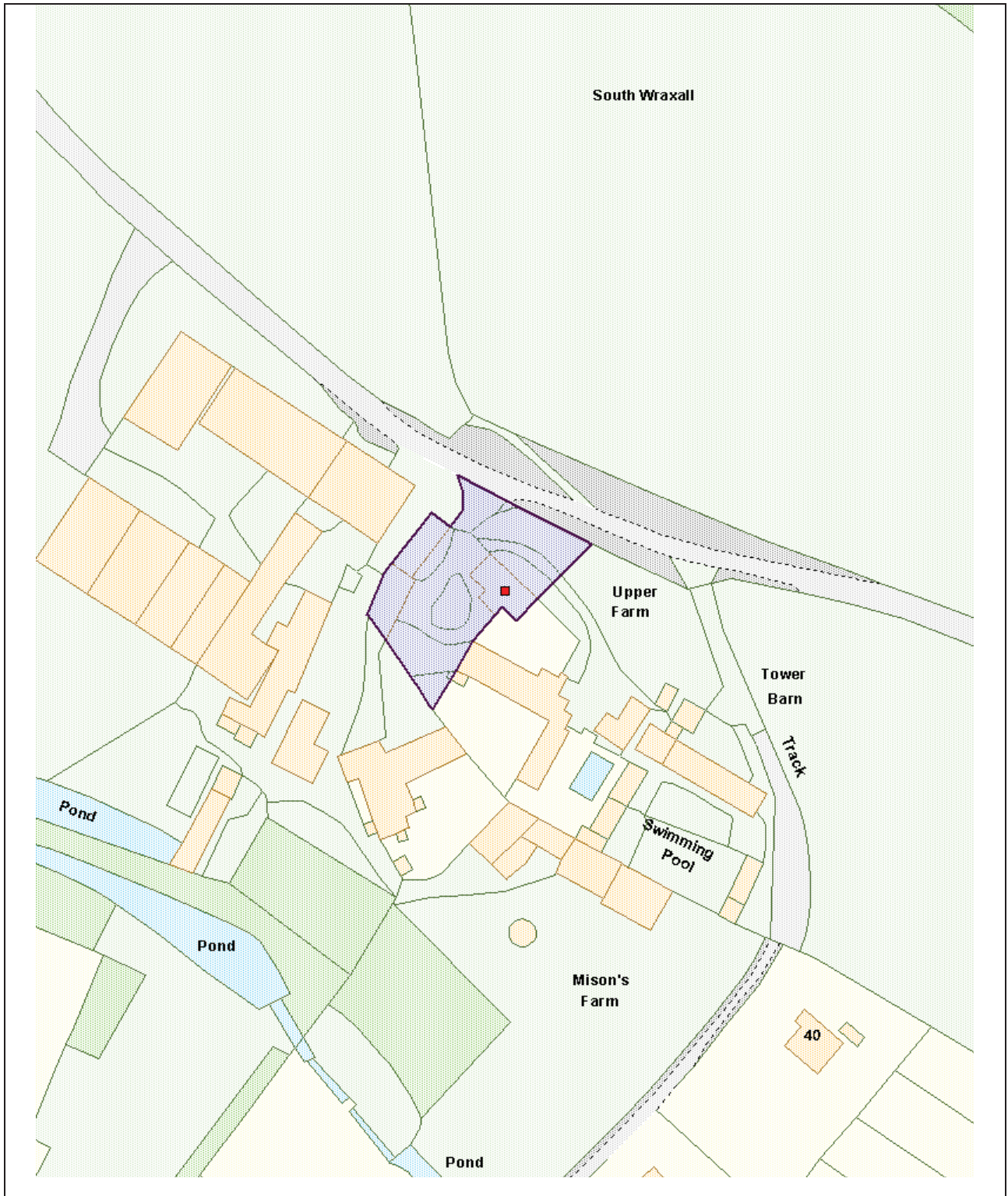
POLICY: Planning Policy Statement 9: Biodiversity and Geological Conservation.

Informative(s):

- 1 The applicant/developer is advised to note that the grant of planning permission does not derogate the applicant's legal responsibilities under the Conservation of Species and Habitats Regulations (2010). It is the applicant's responsibility to obtain a European Protected Species licence from Natural England to legitimise any action likely to breach Regulation 41.
- 2 The applicant/developer is advised to note the content of Wessex Water's letter dated 30 August 2011.
- 3 The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

- 4 The applicant is advised to ensure that all asbestos material is removed and disposed of properly in accordance with Hazardous Waste Regulations. The applicant is encouraged to contact the Environment Agency for more information.
- 5 The applicant/developer is advised to note the content of the Environment Agency's letter dated 5 September 2011.

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



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Tel: 01225 770344 Fax: 01225 770314 Development Control West Wiltshire Council Bradley Road Trowbridge Wiltshire BA14 0RD www.wiltshire.gov.uk

MSA: 100022961

This page is intentionally left blank

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	09.11.2011		
Application Number	W/11/02232/FUL		
Site Address	Mayflower Farm New Road Codford Warminster Wiltshire		
Proposal	Construction of a one and a half storey to single storey administration building		
Applicant	Babylon Translations Limited		
Town/Parish Council	Codford		
Electoral Division	Warminster Copheap And Wylve	Unitary Member:	Christopher Newbury
Grid Ref	396207 140261		
Type of application	Full Plan		
Case Officer	Mr Mike Wilmott	01225 770344 Ext 34858 mike.wilmott@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Newbury has requested that this item be determined by Committee if officers are minded to approve it due to:

- * Scale of development
- * Relationship to adjoining properties/amenity of neighbours
- * Visual impact on surrounding areas

and to give effect to comments of Codford Parish Council.

In addition, because of the unusual nature of the proposed development, the Area Development Manager considers that this application should be considered by the Planning Committee, regardless of the recommendation.

1. Purpose of Report

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

Neighbourhood Responses - Letters of objection have been received from sixteen local residents. Four letters of support have been received including two from local businesses

Parish Council Response – Codford Parish Council objects to the proposal.

2. Report Summary

The main issues to consider are:

- The principle of the development
- Impact on the landscape of the area of outstanding natural beauty
- Impact on highway matters
- Impact on amenity of existing properties

3. Site Description

The application site forms part of an agricultural holding of 2.5 ha to the north-west of the village of Codford. The site is largely grassed and is served by the same access track that leads to 'The Soundpost, a business use in an extended building at the top of the access track. Whereas 'The Soundpost' is on the left at the end of this track, the new building would be on the right, built at a similar ground level to the existing building. The access track runs from New Road, which serves New Road Service Station, the Vets surgery and several dwellings.

4. Relevant Planning History

There are no relevant planning previous planning applications on the site, although it is relevant to note that the Council has permitted the conversion of an adjacent former agricultural building to business use and permitted the subsequent extension of this building. It has also granted permission for the vets surgery to the rear of New Road, a short distance to the east.

5. Proposal

The proposal is for the erection of an administrative centre for Babylon Translations Limited.

Use

Babylon is a privately owned defence contractor that for ten years has provided translation; language training; cultural advice and training in respect of Afghanistan and other middle east countries, as well as role playing services, to the MOD, Foreign Office and other government organisations. The role playing activity supports the pre-deployment training of UK military personnel. Much of this activity takes place on the Salisbury Plain Training Area. Whilst the majority of the personnel employed in the role playing are accommodated in military accommodation, according to the agent, their management and logistic support has to be undertaken from private sector accommodation and for operational reasons, that accommodation must be located very close to where the personnel are to be accommodated and deployed. This management and logistics activity involves up to 25n supervisory personnel and 10-15 HQ staff and it is these personnel who are proposed to be based in Codford. The 10-15 HQ personnel would be based at Codford permanently (normally during office hours only). The 25 supervisory personnel would use the facilities as their command base while exercises are ongoing, including occasional access out of hours. The agent considers that the proposal is a matter of 'military importance and 'public interest'.

The Building

The proposal envisages the construction of a linear building with the external appearance of a barn-like structure. It would be built of timber and stone with slate roofing. The structure would be single storey with a first floor within part of the roof space. The building would contain an operation room; briefing room; offices; refectory; storage and toilets, with limited sleeping accommodation in a single room in the roof space. The building (including a single storey off-shoot) would be 43 metres in length with a height to the ridge line of 7 metres. As a comparison, it would be similar in length to the adjacent 'Soundpost' building and would be cut into the sloping field to a similar degree. Car parking would be to the side (west) and rear east of the building.

Documents

The proposal is accompanied by a Design and Access Statement; a Visual Impact Assessment and testimonies from service users of the applicant's business. These are all available on the Council's web site. The visual impact assessment concludes that the visual impact would be low due to the setting of the new development in relation to its location, in which it is seen as a component part of the northern fringe of the village from all but a few localised viewpoints around the periphery.

6. Planning Policy

National Guidance

PPS 4 and the Ministerial Statement on Planning for Growth (March 2011)

PPG 13

West Wiltshire District Plan - 1st Alteration 2004

C1 The countryside; C2 areas of outstanding natural beauty; C15 Archaeological assessment; C31a Design; C32 Landscaping; C38 Nuisance; E6 employment.

The site lies within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

7. Consultations

Codford Parish Council – Oppose this application for the following reasons:

Site –

This is a Greenfield site on land designated for agriculture outside the village policy limits. The three other buildings in this area (Soundpost/Vets surgery/Mayflower Farm bungalow) were approved only if they were built on the footprint of pre-existing buildings. As we understand planning policy, buildings on footprints on such sites will only be considered if they meet certain strict criteria, namely agriculture/forestry/tourism. Building on other locations on the site is not permitted. If landowners with the remains of either WW1 or farming buildings were allowed to develop anywhere on the site it would set a dangerous precedent and open the floodgates for large scale building on protected agricultural land.

Planning history –

New Road Service Station – the building under construction replaces an old WW1 hut that has been the only village shop for many years. Villagers from Codford and surrounding villages use the shop, post office garage and workshop and the new shop will provide a vital lifeline for at least six communities. Its construction has nothing to do with other development in this area. New Road Parking – the land will ensure that there is space for customer parking to ensure that the forecourt can be used for the workshop, fuel and coach hire. There will be no structure of any kind on this site. The Soundpost – was an existing business in a nearby village that needed more space and was built on a footprint in a small field. The need to expand for warehousing was granted a few years ago. This is a green building with office opening hours that is partly screened and unobtrusive in the landscape. Vet surgery – was a thriving existing business that had outgrown its premises and relocated to a more suitable site. It is an attractive building that was completely built on an existing footprint and provides an important rural service. Its location with land all around is in keeping with the AONB area. Ashdown Farm – an agricultural holding providing firwood locally. The logging element is strictly controlled to protect neighbouring properties from noise nuisance. WRHA houses – were built on an exception site offering rented accommodation to people with local connections.

Development –

The original small footprint is higher up and any building there would be unacceptable in an AONB because it would be visually intrusive. Planning policy is to allow buildings on suitably placed footprints and does not allow development elsewhere if the footprint is unacceptable. To follow such a policy would be to abandon planning rules completely. This is a large commercial building that has nothing to do with the criteria for building on such a site.

Alternative sites –

The Codford site is unsuitable for the same reasons advanced by the applicant for rejecting other sites. There are a number of residential properties in the area and unrestricted hours of use and vehicle movements at night and early morning would adversely affect the residents at these properties. Other businesses at Ashdown Farm, the Soundpost and the Vets surgery have strict planning conditions regarding their hours of use.

Security –

Although not shown on the plan, one would expect security measures such as lights and fencing that would be inappropriate and intrusive. The village has supported light reduction through the night and all night security would be a retrograde step. Leasing military buildings on estate contractors is routine and with the army shrinking, more space is becoming available. A military compound on the edge of Codford would be out of keeping with the surroundings. The Afghan operation is due to end in 2015 and there is limited appetite for further military adventures in the region, so the purpose of the building has a time limit.

The parish council is supportive of the military and admires the work that Babylon Translations is doing. However, we are dealing with a planning issue and even if the footprint of the application site was suitable, there is no justification for this application as it does not meet the planning criteria for

such a site and is neither necessary nor ideal for Codford. On planning grounds, to allow this application would set a precedent county wide that would allow any landowner with a footprint of a farm or wartime building to designate other parts of agricultural green fields for development.

Highways – As the site lies outside of the village policy limits, objects on the grounds of sustainability, as the site is remote from services and unlikely to be well served by public transport. It is therefore contrary to the key aims of PPG 13 which seeks to reduce growth in the length and number of motorised journeys.

Wessex Water - No objections.

Environment Agency - No objections subject to an informative.

Cranborne Chase and West Wilts Downs AONB Planning Advisor – View the development as an unnecessary proposal outside of a military holding where it would be more appropriately located. Also concerned that in addition, the proposal will introduce extra vehicle movements on a regular basis and at all hours thereby contributing to both a loss of tranquillity and an urbanisation of an intensely rural area. In relation to the landscape and visual impact, the impact will be at least medium. If there is a strong planning case, the current proposal is the 'least worst' option within the land available to the applicants.

County Archaeologist – The maximum archaeological intervention required would be a watching brief, which could be achieved via a planning condition.

8. Publicity

The application was advertised by site notice and neighbour notification. Expiry date: 23 September 2011

Summary of points raised:

Letters of objection have been received from 16 local residents raising the following points:

- The proposal is on a green field site outside of the village policy limits;
- The development will be large and intrusive within the landscape;
- The development will introduce a commercial operation into the area of outstanding natural beauty;
- The development will be disruptive to the village;
- The development will overlook nearby dwellings;
- The building will have no use post 2015 when the current conflict is over;
- The building is not on the footprint of an existing building;
- Traffic noise will disturb local residents at night;
- The development will be unsightly, especially if fences and lights are erected, and will blight the view;
- The proposal is unnecessary as other buildings are available for such a use, or the site should be located within existing military land/buildings;
- The development will result in an unacceptable increase in traffic in New Road;
- The building should be moved from the south-east boundary to allow for more comprehensive landscaping.

Four letters of support, including two from local businesses in Codford have been received, raising the following points:

- The development will create local employment;
- The development will bring additional trade to services, including the recently developed services at New Road;
- The area has a history of military use and this will continue that and will support the ties with the military;
- The visual impact will be minimal;
- The design is well thought out and the building is appropriate in size and materials.

9. Planning Considerations

9.1 Principle of Development

The site is outside of the village policy limits defined for Codford in the District Plan. However, whilst the policy position with regard to new housing development outside of these limits is clear cut (H19 - only justified in connection with the needs of agriculture or forestry), the position regarding employment development is less so.

Policy C1 starts from the proposition that 'development proposals in the open countryside will not be permitted', but adds the caveat 'other than those which encourage diversification of the rural economy' and those where there is 'an overriding justification such as schemes of national importance or overriding benefit to the local economy'.

Policy C2 gives priority to the conservation and enhancement of the landscape, but also states that 'proposals for new development essential to the economic and social well being of the rural community will be permitted'.

Policy E6 permits proposals for the 'establishment of small scale employment enterprises.....on new sites' provided that they are compatible with the rural character of the area, do not create flooding or highway problems and are not detrimental to the amenity of local residents.

In terms of national planning guidance, PPS 4 (policy EC6) advises that the countryside should be protected for the sake of its intrinsic character and beauty and that in rural areas, local authorities should strictly control economic development in open countryside away from existing settlements. The more recent ministerial statement on 'Planning for Growth (March 2011) requires local planning authorities to 'consider fully the importance of national planning policies aimed at fostering economic growth and employment' and to give appropriate weight 'to the need to support economic recovery, that applications that secure sustainable growth are treated favourably'.

In short, Members must weigh up whether they consider that the development is compatible with the rural character of the area and whether they consider that it is justified in relation to the economic benefit to the local economy, or even whether it is a scheme of 'national importance'.

9.2 Impact on the Landscape

The proposal is in the countryside on a green field and inevitably there will be an impact on the landscape. The Visual impact Assessment carried out by the consultants engaged by the applicant concludes that the impact is 'low', whilst the AONB Planning Advisor considers it more realistic to assess the impact as 'medium'.

Whilst it is understandable that the parish council refer to new buildings being more likely to be permissible where they occupy the footprint of an existing building, the planning policies do not actually refer directly to this. The better test is simply to assess the overall impact on the landscape from the development. In this respect, by siting the building at the lower point of the slope, close to the existing Soundpost building, and by utilising a sympathetic design, the impact on the landscape has been minimised. The number of buildings already in the vicinity and outside of the village policy limits (eg Soundpost; Vet surgery; New Road Service Station) means that the landscape has already absorbed a number of developments.

In sum, whilst the development would have an impact on the landscape, members must weigh this against the arguments put forward for the benefits of the development and come to a conclusion as to whether the landscape impact from the proposed siting is outweighed by the benefits claimed.

9.3 Impact on highway issues

Although the highways officer has objected to the development on sustainability grounds, it is not considered that this argument is tenable in this location, given the previous approval by the Council of the other developments in the vicinity that are all outside of the village policy limits. Furthermore the site is close to the nearby Service Station and shop and there is an hourly bus service on weekdays from Warminster to Salisbury that passes through Codford. No other highway objections have been raised and it is notable that the site has very easy access to the nearby A36 trunk road without the need to pass through the village.

9.4 Impact on Amenity of nearby properties

There are no dwellings that adjoin the application site, and whilst there are dwelling accessed off of New Road, it is not considered that the use of the site or the access track to it will have any significant adverse impact on the amenity of local residents.

9.5 Conclusion

This application is finely balanced. The building is well designed and is put forward in connection with a local economic activity. The counter argument is that it is in open countryside and that the justification advanced is not sufficient to outweigh the harmful impact on the landscape of this part of the AONB. It is for members to make the call on where the balance of interest lies in this application, as a decision either way could be justified.

However, given the current emphasis by the Government on fostering economic growth; the past history of the Council in allowing local enterprises to develop in this specific area outside of the village policy limits, and the design and siting of the proposed development, in close relationship to an existing building, permission is recommended.

Recommendation: Permission

For the following reason(s):

When assessed against policies C1; C2 and E6 of the Western Wiltshire District Plan (1st Alteration), and national planning guidance in PPS 4 and the ministerial Statement on Planning for Growth, the proposed development would be beneficial to the local economy and because of the design, scale and location of the building, compatible with the rural character of the area. These factors outweigh the limited visual harm that would be created to this part of the area of outstanding natural beauty as a result of the development.

Subject to the following condition(s):

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

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

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

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

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

* indications of all existing and proposed trees, planting and hedgerows on the land (including full details of any landscaped bunding);

* details of any existing trees to be retained, together with measures for their protection in the course of development;

* finished levels and contours;

* means of enclosure, including the height, position and design of any fencing;

- * car park surfacing;
- * other vehicle and pedestrian access and circulation areas;
- * any external lighting;

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

- 4 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 5 Before the building is first occupied, the existing derelict store shown on drawing no.955/PL2 Revision A shall be demolished and the materials shall be removed from the site.

REASON: To conserve and enhance the character and appearance of the landscape of this part of the area of outstanding natural beauty.

- 6 The first occupier of the building shall be Babylon Translations Limited, for the purposes set out in the Design and Access Statement provided with the planning application. The building shall be used solely for the purposes set out in the Design and Access Statement for the first two years of its use. Thereafter, it shall be used for these purposes or for any other purpose within Class B1 of the Town and Country Planning (Use Classes) Order as amended in 2005.

REASON: The justification for the building in this location has been provided by the intended specialist use that is of benefit to the local economy. It is therefore appropriate that the initial use should be restricted to that which provides the justification. However, it could have an adverse impact on the local economy if the future use of the building was constrained for an unreasonable length of time.

- 7 The development hereby permitted shall not be occupied until the sewerage disposal proposed have been completed in accordance with the approved details.

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

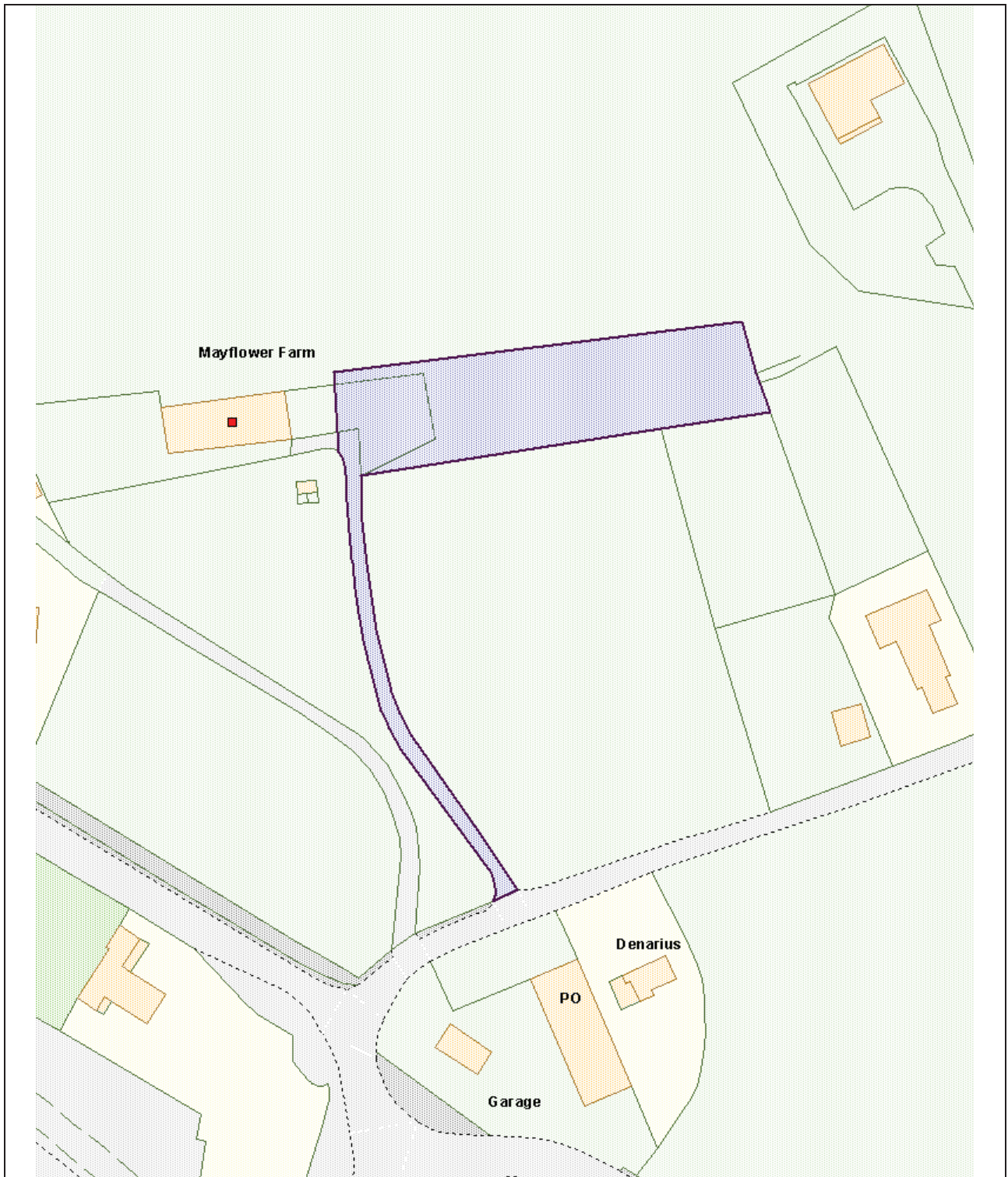
West Wiltshire District Plan 1st Alteration 2004 - POLICY: U1a

- 8 The development shall be carried out in accordance with the approved plans drawing numbers 10.08 - P.01; 02; 03; 04; 05; 06.

REASON: To ensure that the development is carried out in accordance with the approved plans.

Appendices:	
--------------------	--

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



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office © Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Tel: 01225 770344 Fax: 01225 770314 Development Control West Wiltshire Council Bradley Road Trowbridge Wiltshire BA14 0RD www.wiltshire.gov.uk

MSA: 100022961

This page is intentionally left blank

By virtue of paragraph(s) 5 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank