

AGENDA

Meeting: NORTHERN AREA PLANNING COMMITTEE
Place: Council Chamber - Monkton Park, Chippenham
Date: Wednesday 1 September 2010
Time: 6.00 pm

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

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

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Peter Colmer
Cllr Christine Crisp
Cllr Peter Davis
Cllr Bill Douglas
Cllr Peter Doyle

Cllr Alan Hill
Cllr Peter Hutton
Cllr Howard Marshall
Cllr Toby Sturgis
Cllr Anthony Trotman

Substitutes:

Cllr Chuck Berry
Cllr Paul Darby
Cllr Mollie Groom

Cllr Simon Killane
Cllr Mark Packard
Cllr Bill Roberts

PART I

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

1. **Apologies for Absence**

2. **Minutes**

To approve and sign as a correct record the minutes of the meeting held on 11 August 2010. (copy herewith).

3. **Declarations of Interest**

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

4. **Chairman's Announcements**

5. **Public Participation**

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

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

6. **Planning Applications**

To consider and determine planning applications in the attached schedule.

(**10/01581/FUL - Lacock Working Mens Club, Chapel Hill, Lacock, Chippenham, SN15 2LA - Extension, Alteration & Conversion of Former Working Men's Club (A4 Use) to a Mixed Use Live-Work Development including a Photographic Gallery& Workshop/Studio, together with Three B&B Rooms**

7. **Urgent Items**

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

PART II

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 11 AUGUST 2010 AT COUNCIL CHAMBER, WILTSHIRE COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

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

Also Present:

Cllr Simon Killane

83. **Apologies for Absence**

There were no apologies for absence.

84. **Minutes**

Resolved:

To confirm and sign the minutes of the meeting held on 21 July 2010 as a correct record.

85. **Declarations of Interest**

There were no declarations of interest.

86. **Chairman's Announcements**

There were no Chairman's announcements.

87. **Public Participation**

Members of the public addressed the Committee as set out in Minute No 89 below.

88. **Planning Appeals**

The Committee received a report setting out:-

- (i) details of forthcoming hearings and public inquiries scheduled to be heard between 11 August 2010 and 31 January 2011.
- (ii) planning appeals received between 9 July and 28 July 2010.
- (iii) planning appeals decided between 9 July and 28 July 2010.

89. **Planning Applications**

1a **09/01999/FUL - The Almshouses, Lacock Road, Corsham, SN13 9HF - Erection of Building to Provide Nine One bedroom Dwellings for occupation by Persons with Special Housing Needs**

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

Members of the Committee then asked technical questions after which they received statements from members of the public expressing their views regarding this application as follows:-

Mrs Ann Lock, representing Corsham Civic Society, spoke objecting to the application.

Dr Andrew Cowie, a local resident, spoke objecting to the application.

Mr David Stirling, a Planning & Listed Building Consultant, spoke objecting to the application.

Mr David Pearce, the applicant's agent, spoke in favour of the application.

Ms Jill Offord, a former trustee and a housing professional, spoke in favour of the application.

Mr Guy Hungerford, the applicant and a trustee, spoke in favour of the application.

Cllr Nicholas Keyworth, representing Corsham Town Council, set out the Town Council's objections to the application.

On hearing the views of Cllr Peter Davis, as local member and Cllr Alan Macrae, member for an adjoining constituency, both objecting to the application,

Resolved: To refuse planning permission for the following reasons:-

1. **The proposed development fails to respect the local character and distinctiveness of the area, particularly in regard to its design, size, scale, massing materials and siting, and fails to respect the quality of the historic and built environment of the**

locality. The development fails to preserve or enhance the character and appearance of the Conservation Area, the historic interest of the listed building or its setting. The application proposals are therefore contrary to Policies C3, HE1 and HE4 of the North Wiltshire Local Plan 2011 and the requirements of PPS 5 (Planning for the Historic Environment).

2. The proposed development will have an overbearing impact upon neighbouring residential properties and will adversely impact upon their amenity and privacy. The application proposals are therefore contrary to Policy C3, in particular criteria (iii), of the North Wiltshire Local Plan 2011.
3. The site is located beyond the settlement framework boundary for Corsham where residential development is not generally permitted. Policy H7 (Affordable Housing on Exception Sites) does not apply to towns such as Corsham. The proposal is for affordable housing. However, there is no strong and compelling argument for affordable housing, which would justify it being considered as an 'exception site' within the open countryside. The application proposals are contrary to Policies H4 and H7 of the North Wiltshire Local Plan 2011.

1b **10/01533/OUT - Bowds Farm, Bowds Lane, Lyneham, Chippenham, SN15 4DT - Construction of Road Bridge, New Road Embankments & Alignments, Excavation & Repair of Lock Chamber, Removal & Replacement of Hedgerow and Landscaping**

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

The Committee then received statements from the following members of the public expressing their views regarding this application:-

Mr John Davenport, a local resident, spoke objecting to the proposal.

Mrs Audrey Shotton-Gale, a local resident, spoke objecting to the proposal.

Cllr Allison Bucknell, a local resident, spoke objecting to the proposal.

On hearing the views of Cllr Toby Sturgis, as local Member, and after discussion,

Resolved: To grant planning permission, subject to the conditions set out below, for the following reason:-

This is a satisfactory form of development in principle and in terms of access layout and scale. Therefore it is considered acceptable for outline planning permission to be granted as the proposal complies with policy TM4. The future submission of details in respect of this scheme should be able to ensure that the proposal complies with policies NE15 and C3 of the Local Plan 2011.

Conditions

1. The development hereby permitted shall be begun either before the expiration of three years from the date of this permission, or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

REASON: To comply with the provisions of Section 92 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 of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the Local Planning Authority:

(a) The external appearance of the development;

(b) The landscaping of the site;

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

REASON: The application was made for outline planning permission and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990 and Article 3(1) of the Town and Country Planning (General Development Procedure) Order 1995.

3. No development shall commence on site until details of the materials, sections through the canal at a scale of 1:20, engineering drawings including section details at a scale of 1:50 through the proposed bridge and engineering drawings including details at a scale of 1:50 of the lock gates to be constructed 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 a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

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

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

POLICY- C3

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

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

POLICY- C3

6. (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

7. Prior to the commencement of any development on this site an updated habitat survey complete with recommendations and where necessary mitigating actions, carried out by a suitably qualified person, shall be submitted and approved by the Local Planning Authority. Thereafter any works shall be carried out and retained in accordance with any recommendations and or mitigating action that is suggested by the survey.

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

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

8. No development shall commence until the applicant and the local planning authority have entered into a legally binding agreement to include the following matters:

- 1) timetable for carrying out the works with appropriate milestone times for stages of the works
- 2) measures to restore the site should the works not be completed within the agreed timescales

REASON: To ensure that the works are completed in a manner that minimises disturbance to the local community and minimises any adverse impact upon the local environment in accordance with Policy C3 of the North Wiltshire Local Plan 2011

Informatives

1. The applicant should note that under the terms of the Wildlife and Countryside Act 1981 and Countryside and Rights of Way Act 2000, it is an offence to disturb nesting birds or roosting bats. You should note that the work hereby granted consent does not override the statutory protection afforded to these species and you are advised to seek expert advice if you suspect that the demolition would disturb any protected species. For further advice, please contact the district ecologist at Wiltshire Council.

2. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license 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.

3. The applicant should note that where permission to remove a hedgerow is given, if the hedgerow is not removed within two years of the date the application was received by the Local Planning Authority a further notice must be submitted for its removal.

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

buildings or structures and may also lead to prosecution.

Site location plans scale 1:10000 and 1:2500, footpath plan, phase one habitat survey method statement, plan cross section 1:20, road realignment 1:500, photos all date stamped 29/04/10

1c **10/01608/S73A - Wrencroft, West End, Foxham, SN15 4NB - Erection of Hay & Equipment Store (Amendment to Planning Permission 08/02577/FUL)**

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

Members of the Committee then asked technical questions after which they received a statement from Mr Desmond Palmer, a local resident, objecting to the application.

On hearing the views of Cllr Christine Crisp, the local Member, objecting to the proposal and after discussion,

Resolved: To grant planning permission, subject to the reasons set out below, for the following reason:-

Subject to a landscaping scheme being submitted and implemented the proposal is considered acceptable in terms of its location and the impact it has on the amenity of the adjacent residents properties and therefore complies with policies C3 and H8 of the Local Plan 2011.

Conditions

1. Within 3 months from the date of this permission a scheme of soft landscaping for the area of land to the north of the boundary between Heathcote and Wrencroft shall be submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- (a) indications of all existing trees and hedgerows on the land;**
- (b) details of any to be retained, together with measures for their protection in the course of development;**
- (c) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;**
- (d) proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**

Thereafter all soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following this permission. 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.

REASON: To ensure a satisfactory landscaped setting for the development and to protection the amenity of adjacent residents.

POLICY: C3

2. The development hereby permitted shall be used only for purposes ancillary to the use of Wrencroft as a single dwellinghouse and not for any commercial, industrial or business purpose whatsoever.

Reason: In the interest of residential amenity.

3. Prior to the commencement of development hereby permitted a detailed scheme which indicates that roof run off from the building will be collected on site shall be submitted to and approved by the Local Planning Authority. The approved scheme shall be fully implemented before the end of October 2010.

Reason- To ensure that the water run off from this development is appropriately dealt with.

INFORMATIVES:

1. This decision relates to documents/plans submitted with the application, listed below:

Site plan 01.05.10c, 10b and 10a, Design and Access Statement all date stamped 6/05/10

1d **10/02147/FUL - Land adjoining 75 Parklands, Malmesbury, SN16 0QJ -
Erection of Five new Dwellings with Associated Parking & Amenity
Space (including Demolition of Existing Garages)**

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

Members of the Committee then asked technical questions after which they received statements from members of the public expressing their views regarding this application as follows:-

Mr Julian Butler, a local resident, objected to the application.

Mr Phil Bowley, an employee of the applicant, supported the application.

Cllr Ray Sanderson, Chairman of Malmesbury Town Council's Planning & Environmental Issues Committee set out the Town Council's objections to the application.

On hearing the views of Cllr Simon Killane, the local Member, objecting to the application and after discussion,

Resolved: To delegate authority to the Area Development Manager to grant planning permission, subject to a legal agreement to secure the provision of an off-site open space contribution and potentially an education contribution and to the conditions set out below for the following reason:-

The proposed development by reason of its scale, design and siting would not result in any detrimental impact on highway safety or the appearance of the area, nor would it be detrimental to the privacy and amenity of adjacent residents. The proposal thus accords with Policy C3 of the adopted North Wiltshire Local Plan 2011.

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 all the existing buildings on site have been permanently demolished and all of the

demolition materials and debris resulting there from has been removed from the site. Such demolition shall not occur until such time as those garages leased to “surrounding residents” have been successfully relocated, details of which shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of the character and appearance of the area [and neighbouring amenities].

POLICY C3

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

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

POLICY-C3

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

- (a) all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- (b) finished levels and contours;
- (c) means of enclosure;
- (d) hard surfacing materials;
- (i) minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);

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

POLICY-C3

5. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become

seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

POLICY C3

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

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

POLICY C3

7. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), 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

8. The window(s) in the side elevation at first floor of Plots 1, 3 and 5 shall be glazed with obscure glass only and fixed with a ventilation stay restricting the opening of the window prior to the first occupation of the development hereby permitted and shall be permanently maintained as such at all times thereafter.

REASON: In the interests of residential amenity and privacy.

POLICY C3

9. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been carried out and all of the following steps have been complied with to the satisfaction of the Local Planning Authority:

- Step (i) A written report has been submitted to and approved by the Local Planning Authority which shall include details of the previous uses of the site for at least the last 100 years and a description of the current condition of the site with regard to any activities that may have caused contamination. The report shall confirm whether or not it is likely that contamination may be present on the site.**

- Step (ii) If the above report indicates that contamination may be present on or under the site, or if evidence of contamination is found, a more detailed site investigation and risk assessment has been carried out in accordance with DEFRA and Environment Agency's "Model Procedures for the Management of Land Contamination CLR11" and other authoritative guidance and a report detailing the site investigation and risk assessment shall be submitted to and approved in writing by the Local Planning Authority.**

- Step (iii) If the report submitted pursuant to step (i) or (ii) indicates that remedial works are required, full details have been submitted to the Local Planning Authority and approved in writing and thereafter implemented prior to the commencement of the development or in accordance with a timetable that has been agreed in writing by the Local Planning Authority as part of the approved remediation scheme. On completion of any required remedial works the applicant shall provide written confirmation to the Local Planning Authority that the works have been completed in accordance with the agreed remediation strategy.**

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

1e **10/02174/FUL - Coombe Green Farm, Lea, Malmesbury, SN16 9PF - Conversion, Extension, Alteration & Rebuild of Existing Barn to form Single Dwelling**

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

Members of the Committee then asked technical questions.

After discussion,

Resolved: To delegate authority to the Area Development Manager to grant planning permission, subject to conditions and:-

- (1) The expiration of the consultation period on 24 August 2010
- (2) The seeking and securing of a contribution towards Public Open Space through a legal agreement.

Reason

The proposal, having regard to extent of the works already permitted under 09/02252FUL and the circumstances of the application, the works are considered not to require significant reconstruction and accord with Policy BD6 of the North Wiltshire Local Plan 2011.

90. **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.00 - 9.30 pm)

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

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

Agenda Item 6

INDEX OF APPLICATIONS ON 01/09/2010

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
01	10/01581/FUL	LACOCK WORKING MENS CLUB, CHAPEL HILL, LACOCK, CHIPPENHAM, SN15 2LA	Extension, Alteration and Conversion of Former Working Men's Club (A4 Use) To a Mixed Use Live-Work Development Including a Photographic Gallery and Workshop/Studio. Together with Three B&B Rooms (Revised Proposal)	Refusal

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	1 September 2010		
Application Number	10/01581/FUL		
Site Address	Lacock Working Mens Club, Chapel Hill, Lacock, Chippenham SN15 2LA		
Proposal	Extension, Alteration and Conversion of Former Working Mens Club (A4 Use) To a Mixed Use Live-Work Development Including a Photographic Gallery and Workshop/Studio. Together with Three B&B Rooms (Revised Proposal)		
Applicant	Mr and Mrs Turnball		
Town/Parish Council	Lacock		
Electoral Division	Corsham Without and Box Hill	Unitary Member	Richard Tonge
Grid Ref	391497 168676		
Type of application	FULL		
Case Officer	Tracy Smith	01249 706642	tracy.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision at the request of Councillor Richard Tonge to consider the scale of development and its visual impact on the surrounding area.

1. Purpose of Report

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

2. Main Issues

Permission is sought for a mixed use development which has elements of residential, tourism and employment within the open countryside outside of any framework boundary and also within a Conservation Area and adjacent a Listed Building.

The main issues in considering this proposal are:

- The principle of development having regard to Policies C3, NE15, HE1, HE4 and BD5 and BD6 of the North Wiltshire Local Plan 2011 and Policy RLT10 of the Wiltshire and Swindon Structure Plan 2016
- Impact on the character and appearance of the area (including the Conservation Area)
- Impact on the setting of the adjacent Listed Building
- Impact on residential amenity
- Impact on highways

3. Site Description

Lacock Working Mens Club comprises an unused single storey building constant state of decline. The existing building is constructed of painted blockwork, reconstructed stone, timber cladding and profile metal sheeting.

The building comprises 286sqm and sits within the southern part of the site adjacent the boundary with the Listed Building known as The Chapel. The remainder of the site is undeveloped previously used as parking to serve the development.

Access to the site is via Chapel Hill with vehicles using the site usually accessing it via the northern part of the Hill with exit via the lower point.

The site is surrounded by residential development with the exception of its western flank beyond which is open countryside.

Lacock does not benefit from a framework boundary and the site is located within the designated Conservation Area.

4. Relevant Planning History

Application Number	Proposal	Decision
09/01091FUL	Change of Use (Including Extensions & Alterations) of Former Working Mens Club to Residential (Including Tourist Accommodation) and Photographic Gallery	Withdrawn
09/02039FUL	Change of Use (Including Extensions & Alterations) of Former Working Mens Club to Residential (Including Tourist Accommodation) and Photographic Gallery This scheme permitted the conversion of the whole of the building with some single storey extension. The footprint of the building increased from 286sqm to 396sqm.	Approved

5. Proposal

The proposal seeks to demolish part of the existing building and convert and extend the remainder to provide a mixed use development comprising a photographic workshop, studio and gallery together with tourist accommodation at ground floor (three ensuite rooms) and residential at first floor. The residential/tourism element is proposed across the northern part of the site.

The footprint of development is not increasing per se from that previously approved given the proposed demolition of approximately half the original building. However, the additions to building amount to approximately an additional 228sqm at ground floor with approximately 88sqm at first floor level.

The work element previously approved in the form of the gallery and workshop comprised 192sqm and this is now 152sqm with bed and breakfast accommodation increasing by nearly 10sqm and residential by some 41sqm.

The residential and bed and breakfast elements are now the dominant elements of the scheme as opposed to the work (gallery/workshop) element of the approved scheme.

The scheme will be constructed of timber board cladding, stone and brick with slate and clay tiles to also be used.

The scheme was the subject of pre-application advice together with the previously approved scheme. The advice favoured the originally approved scheme and this scheme was rejected.

6. Consultations

Lacock Parish Council – no objections.

Conservation Officer – acknowledges the improvement through the demolition to the setting of the Listed Building, however, this is outweighed due to the harm through the scale, design and appearance of the development on the Conservation Area.

Environmental Health Officer – no objections.

Wessex Water - no objections

7. Publicity

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

- Scale of development
- Inaccessible
- Highway and pedestrian safety
- Change in emphasis from work to domestic compared to the original scheme with the business needing 27% less space whilst residential increasing by 30%
- Overdevelopment of the site
- Obscure views of the Grade II Listed Building due to the two storey element
- Letters of support from photographers are of no value due to no planning requirement

22 letters of support have been received welcoming the facility and recognising the photographic history of Lacock and its tourist benefits.

It is noted that of the letters of support only three are from residents within Lacock.

8. Planning Considerations

Principle of development

The principle of a mixed use live/work development with an emphasis on tourism and work has been accepted on this site through the grant of permission 09/02039FUL. However, the approved scheme is considered to have placed much more emphasis on the work element with some of the residential element accommodated in the original building to be converted.

The approved scheme which was principally for a conversion with extension fell broadly between Policies BD5 and BD6 which is why the scale of the extension was permitted.

The premises have been marketed with little or no interest since it was closed over two years ago. The proposed scheme by reason of its Sui Generis use and other existing A uses within Lacock, complies with Policy R6.

Policy BD5 and BD6 supports the conversion of rural buildings to employment/tourist, community and residential uses subject to no significant alterations and extensions and rebuild. However, Policy BD5 is more flexible and whilst allowing for conversions it also allows limited new build, limited expansion and limited replacement of existing premises.

The employment generation of this proposal is not yet known and as the scheme now relates to a predominant new building as opposed to converted scheme with extension.

The building is also considered to be structurally sound.

Notwithstanding that the employment creation is not yet known, it is understood that at least one job will be created and undertaken by the application, on balance the employment or work element complies with Policies BD5 and BD6 of the Local Plan together with the current direction of Government guidance contained in PPS4 "Planning for sustainable economic growth".

The tourism element of the proposal, that is the bed and breakfast (three ensuite bedrooms) and to some extent the studio, falls to be considered against Policies RLT8 and 9 of the Structure Plan 2016.

Bed and breakfast accommodation is still essentially a residential use.

The photography business is considered to be in keeping with the nature of Lacock and the museum nearby. Serviced accommodation is permitted in villages (there is no reference to the requirement for that village to have a framework boundary) or through the conversion of existing buildings or be related in scale, character and style.

The proposal is thus finely balanced in terms of its accordance with the tourism policies of the Structure Plan.

However, the major element of the scheme comprises pure "live" residential at approximately 151sqm. It is appreciated that this is a specialist form of development, however, such development, generally are required to have a significantly greater emphasis on work.

Residential development in the countryside is not supported unless required in connection with agriculture, forestry and rural business.

The business is not considered to a rural business for the purposes of Policy H4, furthermore, no evidence has been presented to justify the dwelling on this basis.

Thus it is considered that the residential element of the scheme is objectionable on grounds of it being contrary to Policy H4.

Impact on the character and appearance of the Conservation Area

The site currently has a single storey building across its southern boundary adjoining the Listed Building known as The Chapel.

The remainder of the site is open with mature vegetation and trees along the boundaries. The openness and tree/hedge lined boundaries are the character of this part of the Lacock Conservation Area.

The impact of the development on the adjacent trees is not known at this juncture and a tree survey is waited.

The development proposed will significantly dominate the site compared with both the existing situation and the approved scheme and notwithstanding the opening up of the southern boundary to provide increased views of the Listed Building.

It is recognised that the design has taken some inspiration from the local vernacular materials but this has resulted in a "hotch potch" of styles with the main house and bed and breakfast having an untypically wide spans.

It is considered that in this Conservation Area and having regard to its slightly “backwater” location, a high quality, contemporary architecture would be acceptable rather than this pastiche of styles. The applicant has been advised of such a scheme in Wiltshire at Roche Court in the southern hub of the Council.

For these reasons the proposed development is considered to neither enhance nor preserve the character and appearance of the Lacock Conservation Area contrary to Policies C3 and HE1 of the Local Plan and advice contained within PPS5 “Planning for the Historic Environment”.

Impact on the setting of the Listed Building

The setting of the Listed Building known as The Chapel has been improved through the removal of part of the building.

This benefit needs to be balanced in the context of the wider Conservation Area and other issues.

Impact on residential amenity

Due to the topography of the area, the siting of the two storey element of the development and the internal layout, there will be no overlooking of adjacent properties to their detriment nor would the development have an overbearing impact.

Impact on highways

The existing use and the previous permission are significant material considerations. It is in this context that the highways officer raises no objections to the proposed development.

Other matters

The residential element of the scheme attracts the requirement for an open space contribution as outlined in Policy CF3 of the Local Plan. An agreement has not been sought in light of the recommendation, however, to safeguard against any decision to the contrary of this recommendation, the absence of an agreement should be reflected in the reasons for refusal.

The applicant has sought to make a case for the enlarged development on the basis that permitted development rights were not withdrawn with the approved scheme. As the use was a sui generis use with mixes of residential and employment, no permitted development rights are afforded a business of this nature, hence it was not considered to be necessary to remove such rights where they did not exist in the first place.

9. Conclusion

The proposed removal of part of the existing building would be an improvement to the setting of the adjacent Listed Building. However, this benefit does not outweigh the harm that would occur to the character and appearance of the Conservation Area which would be neither preserved nor enhanced as a consequence of the scale, appearance form and design of the development.

Furthermore, at the time of preparing this report, insufficient information has been submitted in respect of a tree survey to demonstrate that further harm would not be caused by the removal of any trees that may be required to facilitate the development.

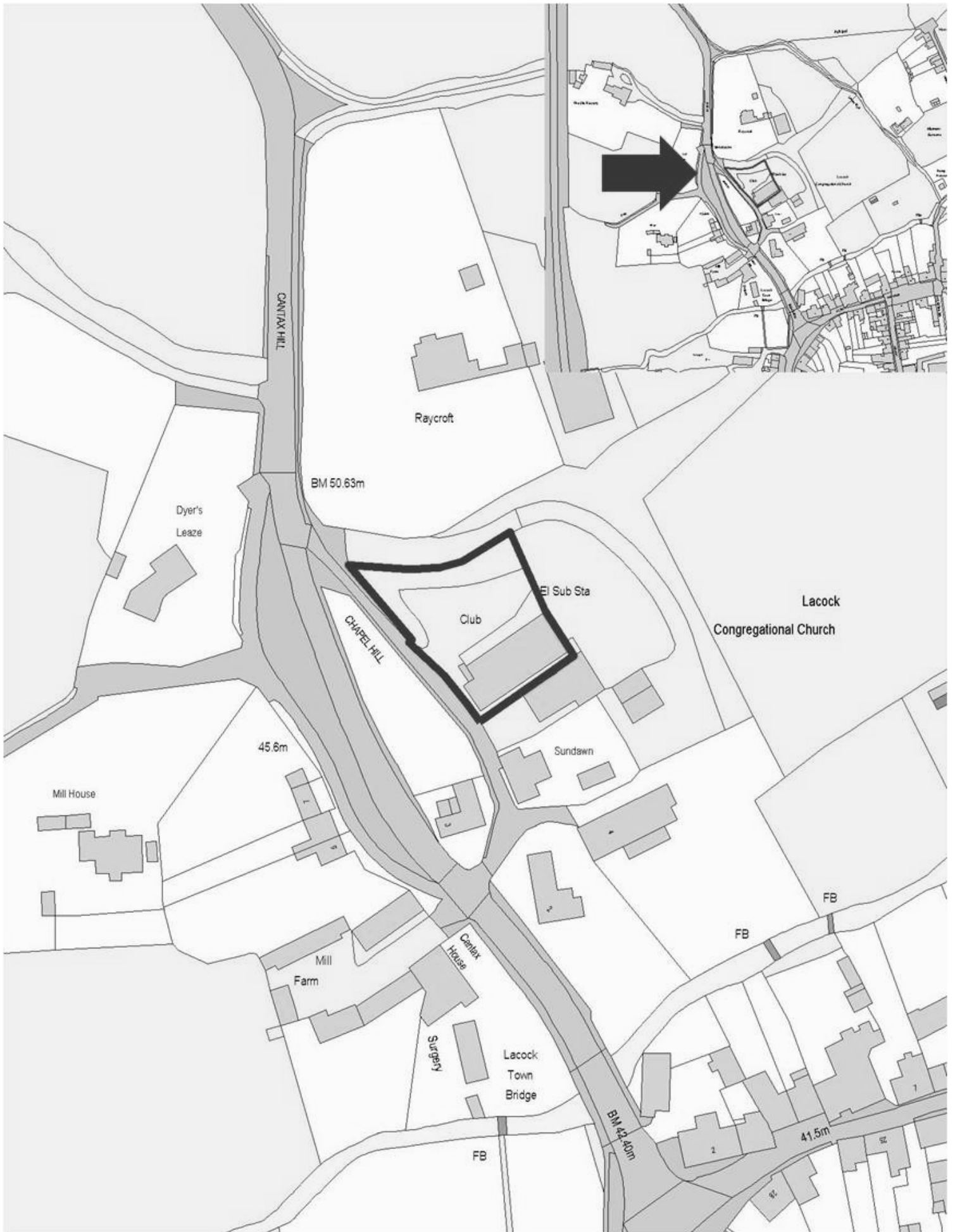
The proposal is thus contrary to Policies C3, HE1 and NE15 of the adopted North Wiltshire Local Plan 2011.

10. Recommendation

Planning Permission be REFUSED for the following reasons:

1. The proposed development includes a significant element of residential use resulting in the creation of a dwelling in the countryside without justification. The proposal is therefore contrary to Policy H4 of the adopted North Wiltshire Local Plan 2011.
2. By reason of its scale, design and appearance it is detrimental to the character and appearance of the Lacock Conservation Area and fails to preserve or enhance the area. The proposal thus fails to accord with Policies C3 and HE1 of the North Wiltshire Local Plan 2011 together with Government advice contained in PPS5 "Planning for the Historic Environment".
3. Insufficient information has been submitted to demonstrate that the proposal would not detrimentally affect trees surrounding the site which in turn could further impact upon the character and appearance of the Lacock Conservation Area at this location.

Appendices:	None
Background Documents Used in the Preparation of this Report:	1.21 2.02 2.24 3.03 4.02 4.03 4.04 5.01



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