

## AGENDA

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**Meeting:** Western Area Planning Committee  
**Place:** The Cotswold Space - County Hall, Trowbridge BA14 8JN  
**Date:** Wednesday 12 June 2013  
**Time:** 6.00 pm

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Please direct any enquiries on this Agenda to Kieran Elliott, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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

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### Membership:

Cllr Trevor Carbin	Cllr Christopher Newbury
Cllr Ernie Clark	(Chairman)
Cllr Andrew Davis	Cllr Horace Prickett
Cllr Russell Hawker	Cllr Pip Ridout
Cllr John Knight	Cllr Jonathon Seed
Cllr Magnus Macdonald	Cllr Roy While (Vice Chairman)

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### Substitutes:

Cllr Nick Blakemore	Cllr David Jenkins
Cllr Rosemary Brown	Cllr Gordon King
Cllr Terry Chivers	Cllr Helen Osborn
Cllr Linda Conley	Cllr Jeff Osborn
Cllr Dennis Drewett	Cllr Graham Payne
Cllr Keith Humphries	Cllr Fleur de Rhé-Philippe

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# AGENDA

## Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 12*)

To approve the minutes of the last meeting held on **22 May 2013**.

3 **Chairman's Announcements**

To receive any announcements through the Chair.

4 **Declarations of Interest**

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

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

#### Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in **person no later than 5.50pm on the day of the meeting**.

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

#### Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda **no later than 5pm on Wednesday 05 May 2013**. 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 (Pages 13 - 14)**

To consider and determine the following planning applications:

6a **W/13/00496/REG3: Fitzmaurice Primary School, Frome Road, Bradford On Avon, Wiltshire, BA15 1LE (Pages 15 - 24)**

6b **W/12/00697/FUL: Land West Of Codford Station, Station Road, Codford, Wiltshire (Pages 25 - 34)**

6c **W/13/00050/FUL: Land at Farleigh Rise, Monkton Farleigh, Wiltshire (Pages 35 - 48)**

6d **W/13/00618/FUL: Land Rear of 90 and 88a and 88b Dursley Road, Trowbridge, Wiltshire (Pages 49 - 56)**

6e **W/13/00578/FUL: 1 Foxglove Drive, Hilperton, Trowbridge, Wiltshire, BA14 7SQ (Pages 57 - 62)**

**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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## **WESTERN AREA PLANNING COMMITTEE**

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**DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 22 MAY 2013 IN THE RIDGEWAY SPACE, COUNTY HALL, TROWBRIDGE, BA14 8JN.**

**Present:**

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr Russell Hawker, Cllr John Knight, Cllr Magnus Macdonald, Cllr Christopher Newbury (Chairman), Cllr Graham Payne (Substitute), Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While (Vice-Chair)

**Also Present:**

Cllr Linda Conley and Cllr Dennis Drewett

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**34 Committee Membership and Apologies for Absence**

- 1) The membership of the Committee was noted.
- 2) An apology for absence was received from Councillor Horace Prickett. Councillor Prickett was substituted by Councillor Graham Payne.

**35 Minutes of the Previous Meeting**

The minutes of the meeting held on **17 April 2013** were presented for consideration. It was,

**Resolved:**

**To APPROVE as a correct record and sign the minutes.**

**36 Chairman's Announcements**

The Chairman announced, with the consent of the Committee, that the order of the two applications to be determined would be reversed from their order in the agenda, in order to allow time for the arrival of a Wiltshire Council Drainage Engineer for application W/12/02235/FUL: 19 St Mary's Lane, Dilton Marsh as requested by the Committee at its last meeting.

37 **Declarations of Interest**

Councillor Jonathon Seed declared a non-pecuniary interest in application W/13/00152/FUL - *Land North West of 6 Holmeleaze, Steeple Ashton* - by virtue of an acquaintance of the applicant registering a complaint against him for calling in the application to Committee. Councillor Seed stated that he would consider the application with an open mind and on its merits.

38 **Public Participation and Councillors' Questions**

There were no questions or statements submitted.

The Committee noted the rules of public participation.

39 **Planning Applications**

The Committee considered the following applications:

40 **W/13/00152/FUL: Land North West of 6 Holmeleaze, Steeple Ashton**

Public Participation

Mr Robert William Lane spoke in objection to the application.

Mr Geoffrey Hyatt, Steeple Ashton Parish Council, spoke in objection to the application.

Mr George Menzies, agent, spoke in support of the application.

The Area Team Leader introduced a report which recommended that permission be granted. The key issues were stated to include the scale of the proposed development, visual impact upon the surrounding area and highways impacts. It was also noted that there were permitted development rights in relation to the site, which would not require planning permission, unlike the current proposal.

The Committee then had the opportunity to ask technical questions of the officer. Details were sought about the extent of the application site, and the current lack of access arrangements from the site.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Jonathon Seed, then spoke in objection to the application.

A debate followed, where the principle issue of 'garden grabbing' and potential harm to the amenity and character of the area was raised, along with issues in relation to access and highways safety. It was noted in response that Highways officers had raised no objections. Whether the application constituted overdevelopment was also discussed.

At the conclusion of debate, it was,

**Resolution:**

**That Planning Permission be GRANTED for the following reason:**

**The proposed windfall development is located within the defined Village Policy Limits of Steeple Ashton and as a consequence is considered a sustainable development proposal with good access to village amenities and services, including public transport links. The proposal would not demonstrably cause any harm to the street scene, character of the area and nor would it detrimentally harm third party amenities or privacy levels. The one-house development would make a modest contribution to meeting local housing need.**

**Subject to the following conditions:**

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

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

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

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

**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:-**

**Location and current canopy spread of all existing trees and hedgerows on the land;**

**Full details of all trees and hedgerows to be retained;**

**Where the existing hedgerows are to be retained and where there are gaps requiring infill planting, these areas must be clearly identified on a detailed plan including a hedgerow planting specification, together with measures for their protection in the course of development;**

**A detailed planting specification showing all new plant species, the supply and planting sizes and planting densities;**

**Finished levels and contours;**

**All hard and soft surfacing materials;**

**Proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);**

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

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

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

- 5 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.**

- 6 No part of the development hereby permitted shall be occupied until the access 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.**



- 7 No part of the development shall be first occupied, until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 900mm 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**

- 8 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 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 additions, extensions or enlargements.**

**POLICY: West Wiltshire District Plan 1st Alteration 2004 - policies C31a and C38**

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

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

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

- 10 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.**

**REASON: In the interests of visual amenity.**

**West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C38**

- 11 During the construction stages, no site deliveries shall take place and no plant machinery or equipment shall be operated or repaired (so as to be audible at the site boundaries) outside the hours of 0800 to 1800 Mondays to Fridays and 0830 to 1300 on Saturdays; and with**

no works audible at the site boundary to take place on Sundays or Public Holidays.

**REASON:** In order to safeguard the amenities of the area in terms of noise disturbance, nuisance and congestion caused by construction traffic and plant equipment.

**POLICY:** West Wiltshire District Plan - 1st Alteration Policy C38.

- 12** The development hereby permitted shall be carried out in accordance with the following approved plans:

**LOCATION PLAN – received 29.01.2013**

**VISIBILITY PLAN – Drawing No 1300 1-2 – received 14.03.2013**

**SITE PLAN, FLOOR PLAN AND ELEVATIONS – Drawing No 13001 Rev A – received 14.03.2013**

**REASON:** For the avoidance of doubt and in the interests of proper planning.

**Informatives:**

- 1** Wiltshire Fire & Rescue Service's core objectives include the reduction of deaths, injuries and property damage caused by fire. The following recommendations are made with this in mind and, whilst not requirements, may be taken on board during the formal Building Regulations consultation process and are made without prejudice to that process.

A core objective of the Wiltshire Fire and Rescue Service is to support and encourage an increase in the provision of residential sprinklers in domestic properties throughout the County.

There are several good reasons to install residential sprinkler systems:

- 1. Sprinklers work from a standard main, although a 32mm connection is required;**
  - 2. They are inexpensive to install, particularly in new buildings;**
  - 3. They do not activate by accident – causing unwanted damage;**
  - 4. They only operate through individually activated heads, not the whole system;**
  - 5. They can be fitted flush into ceilings behind a flat cover;**
  - 6. They cause less water damage in a fire event than normal fire fighting apparatus; and**
  - 7. They significantly reduce fire and smoke damage.**
- 2** The applicant is advised that the application site holds potential for protected species. Under the Wildlife and Countryside Act (1981) and the Habitats Regulations (2010) it is an offence to disturb or harm any

**protected species, or to damage or disturb their habitat or resting place. Please note that this consent does not override the statutory protection afforded to any such species. In the event that your proposals could potentially affect a protected species you should seek the advice of a suitably qualified and experienced ecologist and consider the need for a licence from Natural England prior to commencing works. Please see Natural England's website for further information on protected species.**

41 **W/12/02235/FUL: 19 St Mary's Lane, Dilton Marsh, BA13 4BL**

Public Participation

Mrs Paula Carr spoke in objection to the application.

Mr Nigel Paine spoke in objection to the application.

Mr Alan Verity, applicant, spoke in support of the application.

The Area Team Leader introduced a report which recommended approval. It was noted the item had previously come to the Committee on 17 April 2013, and had been deferred for completion of a drainage report, to which attention was drawn, and the attendance of a Wiltshire Council Drainage Engineer.

It was stated the main issues to consider remained the principle of the development, impact upon the character and appearance of the area, and flooding and drainage, which the Engineer's report stated were satisfactory given the conditions proposed in the report.

The Committee then had the opportunity to ask technical questions of the officers. The lack of contours on the provided maps was noted with regret, and details were also sought regarding blockages to the watercourse in the area that were contributing to difficulties, and it was stated Council officers now had greater powers to access and order alterations be made where necessary, and would work with the local community to resolve concerns. It was further confirmed that no additional conditions had been proposed since the last committee meeting.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Linda Conley, then spoke in objection to the application.

A debate followed, where the interference in the watercourse in the area was noted, and it was requested officers take note and action investigation and resolution of the issue as soon as was practical. The contents of the Drainage report were considered, and the possibility of a sprinkler system to be included on the site was raised.

At the conclusion of debate, it was,

**Resolved:**

**That Planning Permission be GRANTED for the following reason:**

**The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C31A, C38, H1A, H17, H24, U2 and U1A.**

**In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively with the applicant to secure this development to ensure that there would be no harm to the character and appearance of the area and no harm to neighbouring amenity.**

**Subject to the following conditions**

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

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

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

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

**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 access and parking area have been implemented in a consolidated**

porous surface (not loose stone or gravel) in accordance with details which shall have been submitted to and approved in writing by the Local Planning Authority. The areas shall be maintained as such thereafter.

**REASON:** In the interests of highway safety.

**West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31**

- 5** Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted above ground floor level in the rear (south) elevation of the development hereby permitted.

**REASON:** In the interests of residential amenity and privacy.

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

- 6** No development shall commence on site until plans showing the proposed finished floor levels of the building and any associated decking in relation to the existing land levels have been submitted to and approved in writing by the local planning authority. The development shall be completed in accordance with the approved details.

**REASON:** To minimise any flood risk and protect the amenity of neighbouring properties.

- 7** 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:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing plant species, planting sizes and planting densities;
- means of enclosure;

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

- 8** 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**

- 9** The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plan/s:

Site Location Plan received on 05 December 2012  
Drawing number 776/1 received on 05 December 2012  
Drawing number 776/2 received on 05 December 2012

**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:**

- 1** Wiltshire Fire & Rescue Service's core objectives include the reduction of deaths, injuries and property damage caused by fire. The following recommendations are made with this in mind and, whilst not requirements, may be taken on board during the formal Building Regulations consultation process and are made without prejudice to that process.

**A core objective of the Wiltshire Fire and Rescue Service is to support and encourage an increase in the provision of residential sprinklers in domestic properties throughout the County.**

**There are several good reasons to install residential sprinkler systems:**

- 1. Sprinklers work from a standard main, although a 32mm connection is required;**
- 2. They are inexpensive to install, particularly in new buildings;**
- 3. They do not activate by accident – causing unwanted damage;**
- 4. They only operate through individually activated heads, not the whole system;**

5. They can be fitted flush into ceilings behind a flat cover;
6. They cause less water damage in a fire event than normal fire fighting apparatus; and
7. They significantly reduce fire and smoke damage.

## 42 Urgent Items

The Committee briefly considered the issue of the appropriateness of the meeting location, given difficulty for some members resulting from glare on the presentation screens from the transparent roof.

A number of possible solutions and future options was discussed, and it was agreed to attempt these for future meetings and review their success at a future date.

(Duration of meeting: 6.00 - 7.15 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225 718504, e-mail [kieran.elliott@wiltshire.gov.uk](mailto:kieran.elliott@wiltshire.gov.uk)

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## WESTERN AREA PLANNING COMMITTEE

### INDEX OF APPLICATIONS ON 12/06/2013

	<b>APPLICATION NO.</b>	<b>SITE LOCATION</b>	<b>DEVELOPMENT</b>	<b>RECOMMENDATION</b>
6a	W/13/00496/REG3	Fitzmaurice Primary School, Frome Road, Bradford On Avon, Wiltshire, BA15 1LE	Extension to existing school building and associated landscaping works. Remodelling of existing car park	Approval
6b	W/12/00697/FUL	Land West Of Codford Station, Station Road, Codford, Wiltshire	Change of Use to establish use classes B1(c) & B8 within existing retained buildings and associated external access, parking and yard areas. Removal of four out buildings, refurbishment of remaining buildings and provision of new toilet block facility	Approval
6c	W/13/00050/FUL	Land at Farleigh Rise, Monkton Farleigh, Wiltshire	Change of use to small camping facility, conversion of existing building to toilet/shower facilities and erection of stable block and associated works	Approval
6d	W/13/00618/FUL	Land Rear of 90 and 88a and 88b Dursley Road, Trowbridge, Wiltshire	Pair of two bedroom bungalows	Approval
6e	W/13/00578/FUL	1 Foxglove Drive, Hilperton, Trowbridge, Wiltshire, BA14 7SQ	Two storey extension	Approval

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## REPORT TO THE WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	12.06.2013		
<b>Application Number</b>	W/13/00496/REG3		
<b>Site Address</b>	Fitzmaurice Primary School, Frome Road, Bradford On Avon, Wiltshire, BA15 1LE		
<b>Proposal</b>	Extension to existing school building and associated landscaping works. Remodelling of existing car park		
<b>Applicant</b>	Wiltshire Council		
<b>Town/Parish Council</b>	Bradford On Avon		
<b>Electoral Division</b>	Bradford On Avon South	<b>Unitary Member:</b>	Ian Thorn
<b>Grid Ref</b>	382682 160382		
<b>Type of application</b>	Reg 3 Application		
<b>Case Officer</b>	Mrs Kate Sullivan	01225 770344 Ext 01225 770244 kate.sullivan@wiltshire.gov.uk	

### Reason for the application being considered by Committee

Applications submitted by Wiltshire Council will not be dealt with under delegated powers where an objection has been received raising material planning considerations.

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### 1. Purpose of Report

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

Neighbourhood Responses

15 responses were received. 13 objected to the scheme.

Parish/Town Council Response

No objections

### 2. Report Summary

The main issues to consider are:

- \* Impact on the Conservation Area
- \* Impact on the host building
- \* Impact on the neighbouring amenity
- \* Impact on highways and parking provision
- \* Impact on the landscaping

### 3. Site Description

The application site is a single storey primary school located to the south of the historic centre of Bradford on Avon. The school was formally built as a secondary school in 1928 and has operated as

a primary school for many years which explains the large site for a Primary School. The school is elevated above Trowbridge Road to the north east and the canal to the front.

The school shares its site with the Children's Centre and adjacent is a youth centre.

The school site is separated by a public footpath that runs through the site linking the housing to the north east to the canal footpath. The main school buildings and associated land is fenced with "robust metal railings". The large playing fields are elevated above the school on the opposite side of the footpath and are not fenced. A small copse of trees and wildlife area are also located in this area.

The school currently has a limited amount of parking to the front of the site which is shared with the Children's Centre (26 spaces with 10 allocated to the Children's Centre). Additional parking for parents has been arranged by the school at Bailey's Barn and the Canal car park for parents to use at each end of the day.

#### **4. Relevant Planning History**

00/01561/FUL - Construction of open sided glazed roofed covered way linking separate blocks of school buildings - permission 08.11.2000

03/01020/WCC - Alteration and extension to primary school to improve existing teaching and reception – provision of two new classrooms toilets and staff room and removal of three mobiles - Permission 11.07.2003

06/01897/FUL - Erection of outdoor play equipment to include pergola attached to outside wall of classroom, play hut, play cabin and outdoor classroom - Permission 16.10.2006

07/09006/WCC - Provision of a Children's Centre - Permission 15.08.2007

W/09/00053/TCA - Remove ash tree

W/11/01275/FUL - Erection of octagonal wooden gazebo for use as outdoor classroom and shelter - Permission 28.06.2011

W/10/01992/FUL - Erection of a polytunnel - Permission 10.08.2010

W/11/02388/FUL - Proposed covered play area - Permission 17.10.2011

W/12/02363/TCA - Crown life two sycamore trees, fell four field Maple and fell Ash tree, coppice overgrown Ash, coppiced hedgerow and coppice Ash tree removed ash tree and remove overhanging branches from tree line (TH and TI) - 11.02.2013

#### **5. Proposal**

The application seeks to erect a single storey extension to the existing north west corner of the school to provide:

- \* 3 General classrooms
- \* 3 group rooms
- \* Student WCs
- \* Hygiene room
- \* Plan room
- \* Caretakers room
- \* Storage

Additionally the car parking provision at the front of the site would be revised to provide an additional 5 spaces in order to meeting the parking guidelines for a school of this size.

A new pedestrian entrance would be created to more effectively separate those entering the school on foot from the existing vehicle access and car parking.

A small area of hardstanding would be laid to alongside the existing entrance to the school from the footpath as in adverse weather this ground turns to mud.

These alterations will provide an additional 60 spaces to increase the school to a total of 330 pupils.

The extension would be totally within the boundary of the existing school site and no change of use of the land would be required.

The classroom extension would have a single pitch roof with a timber slat and galvanised steel canopy with a polycarbonate cover to the front of the building.

The building would be clad in insulated bath stone coloured render, which increase the performance of the building. The fenestration would be polyester powder coated aluminium. The low pitch roof would use concrete interlocking tiles and the flat roof area would be single-ply membrane.

## **6. Planning Policy**

West Wiltshire District Plan 1st Alteration 2004  
C17 Conservation Areas  
C19 Alterations in Conservation Areas  
C31a Design  
C38 Nuisance  
CF1 General Community Facilities

National Planning Policy Framework, 2012

## **7. Consultations**

### Town/ Parish council

Bradford-on-Avon Town Council have no objection

### Highways

No objection in principle. The highways authority does have concerns regarding the effect on highway safety during the construction period.

It is acknowledged that the access to the site via the existing school access route is highly undesirable, and that the use of the residential road, Paulton, offers a more acceptable (although undesirable) option.

The highways authority have requested conditions regarding the temporary physical changes to the construction site access, that the construction traffic avoid the busiest times of day through the submission of a Construction Traffic Management Plan and that a School Travel Plan be completed by the school.

### Ecology

No objection.

The level of ecological survey has been appropriate to the site and the development.

The development will have a negligible impact on the site ecology.

### Landscape Architect

The landscape and ecologist were involved at the beginning of the process and are satisfied that the application reflects the discussions held.

### Wiltshire and Swindon Biological Record

Daubenton's and Natter's bat recorded at Gripwood Quarry, 1985.

### Environmental Health

Considered land contamination and noise, and raised no adverse comments.

### Wessex Water

Wessex Water has made comment regarding water supply, waste connections. These are not enforceable under the planning application and would be added as an informative to any permission granted.

### Wiltshire Fire and Rescue

Wiltshire Fire and Rescue are requesting a developer contribution under the Section 106 agreement for £185.18. The West Wiltshire District Plan does not have an adopted policy which would allow the collection of this sum, furthermore the cost of drafting the agreement would be more than the sum requested.

The requirement of the applicant to comply with the Building Regulations would be dealt with under a separate Building Regulation application and are not enforceable under this planning application.

An informative regarding the use of sprinkler systems would be included in any permission.

## **8. Publicity**

The application was advertised by site notice/press notice /neighbour notification.

Expiry date: 03 May 2013

Summary of points raised:

15 responses were received. 13 objected to the scheme on the following grounds:

- No parent consultation was undertaken; plans were hidden within the school
- Objection to the loss of green space which is very well used.
- Question the position for the new classrooms
- Impact on the outside space used for sport and informal football
- The lack of provision for boys needs to be considered
- The outside space has been landscaped, largely funded by the FSA (Fitzmaurice School Association), which will have to be moved as a result of the proposals which is a waste of money
- Very expensive building works to provide 3 additional car parking spaces is a misuse of funds.
- Site notice
- Have multiple architects been consulted to give value for money
- A two storey building would reduce the requirement to extend into the field
- The proposals include vast amounts of fencing
- The design is reminiscent of a shopping centre and inappropriate to a rural school
- Alternative schemes should have been offered
- Fencing the bank is unnecessary; the bank provides opportunities for risk and therefore a life skill.
- The alterations to the parking is unnecessary

- The recent alterations to the proposals have been poor quality and should be removed and replaced with a two-storey higher performance building
- Plans are being rushed for July and not giving the Head time to settle into the role and make the decisions.
- Wiltshire County Council are forcing the school to accept the plans or have mobile classrooms imposed on them.
- No specific provision for cycles.
- Removal of another tree to provide additional car parking
- Sight lines for use of outside space will be lost reducing the green space available for use.
- Southern access is unnecessary
- Building could have been designed with solar PV panels

2 letters received neither supporting nor objecting. These commented on:

- An understanding that the school needed to expand
- Want an understanding as to why the school needs to expand out in to the green space
- Question the need for additional fencing
- Unclear as to whether the playground would be extended further.

## 9. Planning Considerations

### Impact on the Conservation Area

Policy C19 deals with alterations to unlisted buildings within the Conservation Area. It states that alterations will only be permitted whereby they preserve or enhance the character and appearance of the Conservation Area.

In this instance, the school site has evolved since the erection of the original school buildings in the 1920s. The proposed design of the extension is sympathetic in scale, retaining the single storey form of the existing buildings. Although the materials use insulating coloured render and aluminium this would not be inappropriate for a school in this location. The alterations to the school are located to the rear of the site and although would be visible from the Conservation Area in this instance there is no street scene to be preserved.

Whilst the built form would extend out into the open space to the rear of the school the extension would be attached to the existing built form which would minimise the overall impact. Open space as viewed from the Conservation Area would still be retained.

### Impact on the host building/school

Policy CF1 requires a number of aspects considered when community facilities, in this case the extension and alterations to a school are suitable.

The scale of the proposed buildings would be considered acceptable given the existing buildings on the site and the size of the school grounds.

Although there have been a number of representations received raising concern regarding the single storey nature of the development, given the existing built form of the school and its context on elevated land. In this context a two storey building would sit above the other development in the immediate locality and would not therefore be appropriate.

The siting of the extension would be appropriate given the existing arrangement of buildings on the site and the access to the outside from classrooms for pupils.

The design and proposed materials would be appropriate to the host building.

The playing field provision would not be adversely affected by the proposals. The school own the land outside of the fenced area immediately surrounding the school on the opposite side of the permissive footpath on which formal sports provision is provided.

### Impact on the neighbouring amenity

The impact on the extension on the neighbouring amenity would be minimal. The extension has been located away from neighbouring dwellings and being single storey would not cause an unacceptable level of overlooking.

Impact on access, highways and car parking provision

The existing school site is accessed by vehicles from Frome Road via Kennet Gardens. Currently there is very little space within the school site for parking and the surrounding roads offer little opportunity for parking.

The remodelling of the parking area to the front of the school will result in the required number of spaces being provided for the school and the Children's Centre with the minimum loss of landscaping. A tree will have to be removed as part of the scheme and small additional areas will be laid to tarmac to allow the parking of the 5 extra vehicles. The landscape Officer has not raised any concerns with this loss of landscaping.

The creation of a new pedestrian gate will separate pedestrians and vehicles more effectively with the minimum amount of loss of existing green space. This would be encouraged.

The small area of increased tarmac at the existing corner with the school gate along the footpath would have minimal impact on the surrounding area. This would be provided as in wet weather the footpath and area turns to mud as pupils cut the corner. The hard landscaping here would match the existing hard landscaping on the site as detailed in the site plan.

A number of letters of representation have raised concern over the amount of money proposed to be spent on the redesign of the car parking area along with parking for staff being unnecessary on this site. The additional spaces will require the removal of a tree; however, the overall benefit of altering the parking spaces would outweigh any negative impact. Furthermore the financial implications of carrying out the works are not a material planning consideration.

The increase in the size of the school would have an impact on the potential number of pedestrian and vehicle movements around the school site. However, there is a need to increase the number of pupil places within the town and therefore additional movements are unavoidable.

### Access during the construction phase

The Contractors are proposing to use Poulton Road to access the development. The temporary access would be able to be constructed under the permitted development rights for the school. Part 2, Class B of the General Permitted Development Order allows for the formation, laying out and construction of the means of access required in connection with a development permitted by an Class in this Schedule.

Part 4 of the Order allows land to be used or works or plant machinery for the duration that the operations are being carried out on land or adjoining land. Therefore the creation of the access from Poulton Road, although outside of the red line of the development site would be permitted development.

As this land is not included in the red line of the application site, an informative would be placed on any permission granted to satisfy the requirements of the highways department as a condition would not be enforceable.

### Impact on landscaping and green space

The application contained within the red line of the application would have minimal changes to hard landscaping which would match the use of tarmac on the existing site. These alterations have been annotated on the approved site plan within the conditions.

The loss of green space around the school is regrettable, however, the school is located on a large site and although much of the land is situated outside of the main fenced area of the school, it is owned by the school and provides adequate sports and green space for the school.



Discussions were held with Sport England at Pre-application stage but as no loss of playing fields and formal sports provision would occur as a result of this extension no further comments were made.

The proposed fencing can be erected under the schools Permitted Development rights and therefore are not subject to this planning application.

Details of cycle provision are addressed within the School Travel Plan which will be updated prior to first occupation of the extension.

#### Conclusion

The school has to expand in order to accommodate the increase in projected numbers of pupils. This extension will allow the school to increase its numbers by 60 pupils to a total of 330. Whilst the extension will reduce some of green space enclosed within the fenced area of the site; the school benefits from the land elevated to the east of the site and the formal sports provision and overall open space available to the school would not be compromised by the expansion of the school.

**Recommendation: Regulation 3 Permission**

**For the following reason(s):**

**The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C17, C19, C31a and C38.**

**In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to ensure that there would be no harm to the character and appearance of the Conservation Area or the neighbouring amenity.**

#### Subject to the following conditions

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

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

- 2 Prior to the first use of the approved extension a School Travel Plan shall be submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

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

120938 P(0)00 received on 14.03.2013  
120938 P(0)01Rev B received on 14.03.2013  
120938 P(0)02 Rev A received on 14.03.2013  
120938 P(0)03 received on 14.03.2013  
120938 P(0)05 Rev D received on 14.03.2013  
120938 P(0)10 Rev C received on 14.03.2013  
120938 P(0)12 received on 14.03.2013  
120938 P(0)13 received on 14.03.2013  
120938 P(0)14 received on 14.03.2013

120215-FMP-TCP-LI received on 14.03.2013

Construction Traffic Management Plan dated May 2013 submitted by Entran environmental and transportation.

Design and Access Statement prepared by Kendall Kingscott Limited received 14.03.2013  
Habitat Survey \_ Options Appraisal prepared by Johns Associates environmental consultants received 14.03.2013

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 Sprinkler Protection in Schools:  
It is advised that you contact the Wiltshire Fire and Rescue Service for more information regarding the risk assessment regarding the installation of sprinkler systems within new nasd refurbished schools.
- 2 Prior to the commencement of the development the applicant shall ensure that the residents of Paulton have been informed of the intended use of the road for construction traffic, and mitigation measures to be employed, in the form of a local letter to reduce potential for obstruction to construction traffic.
- 3 It is an offence under the Highways Act 1980 to allow mud to be deposited on a highway. The applicant should ensure that the contractor is aware of his legal requirement to keep Paulton free of any material dragged by lorries onto the road, and to have measures in place to immediately clean up any material so deposited.
- 4 You are advised that should you require a new water supply or waste water connection from Wessex Water to serve the development you should contact Wessex Water at [www.wessexwater.co.uk](http://www.wessexwater.co.uk)

<b>Appendices:</b>	
<b>Background Documents Used in the Preparation of this Report:</b>	



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## REPORT TO THE WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	12.06.2013		
<b>Application Number</b>	W/12/00697/FUL		
<b>Site Address</b>	Land West Of Codford Station, Station Road, Codford, Wiltshire		
<b>Proposal</b>	Change of Use to establish use classes B1(c) & B8 within existing retained buildings and associated external access, parking and yard areas. Removal of four out buildings, refurbishment of remaining buildings and provision of new toilet block facility		
<b>Applicant</b>	The Trustees Of The Barbara De Brye Will Trust		
<b>Town/Parish Council</b>	Upton Lovell		
<b>Electoral Division</b>	Warminster Copheap And Wylve	<b>Unitary Member:</b>	Christopher Newbury
<b>Grid Ref</b>	395284 140198		
<b>Type of application</b>	Full Plan		
<b>Case Officer</b>	Jemma Boustead	01225 770344 Ext 01225 770211 Jemma.Boustead@wiltshire.gov.uk	

### REASON FOR THE APPLICATION BEING CONSIDERED BY THE PLANNING COMMITTEE

Councillor Newbury has requested that the application be called to the Planning Committee for the following reasons:

- Scale of development
- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Environmental or Highway impact
- Design – bulk, height, general appearance

#### 1. Purpose of Report

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

#### 2. Report Summary

The main issues to consider are:

- principle of development
- design issues and impact upon the immediate area
- impact on amenity
- highway and access considerations

#### 3. Site Description

The site is identified as Codford Station which is located in the open countryside and within an Area of Outstanding Natural Beauty. The site is located on station road, approximately 450 metres to the south of the A36. Surrounding the site to the north, east and west is agricultural land and to the south is the railway line.

The site itself is relatively flat, covers approximately 1.2 hectares and is accessed via a private roadway off Station Road. There are several buildings on the site which in their existing form provide a floor space of approximately 2,280 square metres.

The application sees the change of use of the site for B1 (Business) and B8 (Storage and Distribution) uses which will utilise existing buildings and the existing access, parking and yard areas. The proposal also involves the demolition of four out buildings and the provision of a new toilet block. The buildings that are proposed to be removed include 2 existing portacabin style structures, a small brick built toilet facility, a timber frame building and a temporary office accommodation. All of these buildings have been considered to be lightweight in construction and provide no worthwhile or viable employment space. The remainder of the buildings will be made good and a small brick outbuilding would be erected to provide a communal toilet area which will result in an overall total floor space of 2,210 square metres.

#### **4. Relevant Planning History**

There is little planning history on the site and the design and access statement refers to the MoD using the site as a depot. Letters from neighbours also suggest that for a temporary period Guinness used the site but it is not understood what exactly for and residents have also stated that for a period of time the site was also used to assemble cabinets for displaying fireworks in shops.

#### **5. Proposal**

The application submitted was for B1, B2 and B8, however the B2 (General Industrial) use has since been removed from the description and is now only requesting a mix of B1 and B8 uses.

#### **6. Planning Policy**

West Wiltshire District Plan 1st Alteration 2004

C1 Countryside Protection

C2 Areas of Outstanding Natural Beauty

C31a Design

C32 Landscaping

C38 Nuisance

E6 Rural Employment

E8 Rural Conversions

Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

National Planning Policy Framework (NPPF) requires development that is sustainable and in accordance with the policies of the development plan to be approved, unless material considerations indicate otherwise.

#### **7. Consultations**

##### Upton Lovell Parish Council

Object due to the traffic issues as they have been grossly underestimated and safety issues, with a sharp right angle bend immediately after the level crossing to the left of the entrance which would create many problems as vehicles leave the site. The road as you leave the A36 is extremely narrow and would be difficult for a large van or lorry to pass any vehicle coming the other way.

##### Codford Parish Council

Concerns with impact upon the environment, road safety hazards, disturbance to the peaceful ambience of the area due to increased commercial activity

##### Wiltshire Council Highways

No objection to a B1 and B8 use subject to an increase in the width of the access junction with Station Road

##### Wiltshire Council Environmental Health

No Objections to a B1 and B8 use subject to conditions regarding deliveries and lighting



## Wiltshire Council Economic Development

Support the change of use as it will bring a disused building back into use.

## Landscape and Planning Advisor for the AONB

The AONB welcomes the exclusion of B2 uses however storage and distribution in a rural location is still a concern as such a use involves both delivery and distribution traffic that would be more appropriate to an edge of town business park.

## Wessex Water

New water supply and waste water connections will be required to serve the proposed development. New regulations also require all new sewer connections serving more than one dwelling to be subject to a signed adoption agreement with Wessex Water before the connection can be made.

## **8. Publicity**

The application was advertised by site notice, press notice and neighbour notification. Expiry date: 12th April 2013

4 Letters were received and following is a summary of points raised:

- Inadequate access for extra traffic
- The road from the A36 narrows and two cars cannot pass
- There is also an ancient bridge
- There is already a lot of farm traffic including grain lorries, milk tankers and buses
- No notice given to adjoining land owners
- Existing buildings are elderly and represent the relics of what was a temporary army ammunitions centre during two world wars
- Located within the AONB where industry should not be provided
- It will have an impact upon the character and appearance of the countryside area
- This part of the A36 is the most dangerous with 5 major accidents where people have been killed
- There was a previous proposal to change the use of the land into an Eco Centre but was not pursued because of the impact on the countryside and lack of proper access
- Associated noise from an increase in traffic
- Access is off a sharp bend, we are heading towards a twenty-four hour society so the noise 24/7 would not be appropriate to a rural setting
- This urbanisation would represent poor planning
- Concerns with the transport assessment as the crop research station was a tiny operation with few vehicle movements on a daily basis.

## **9. Planning Considerations**

### 9.1 PRINCIPLE & IMPACT UPON THE AREA

The site is located in the open countryside where Policy C1 states: Development proposals in the open countryside will not be permitted, other than those which encourage diversification of the rural economy and rural recreation, unless there is an agricultural, forestry or other overriding justification such as essential transport improvements, schemes of national importance or overriding benefit to the local economy. Acceptable mitigation measures will be implemented where appropriate.

The site is also located within an Area of Outstanding Natural Beauty where policy C2 states that Priority will be given to the landscape over other considerations and development proposals likely to be detrimental to the special landscape character will not be permitted. Proposals for new development essential to the economic and social well-being of the rural community will be permitted, having regard to highways, access, scale, design, materials, location, siting, landscaping and other appropriate environmental considerations.

The NPPF states that great weight should be given to conserving landscape and scenic beauty in AONB and Local Planning Authorities should support sustainable growth and the expansion of all

types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;

Policy E6 of the Local Plan supports the above statement as it states outside the Western Wiltshire Green Belt, proposals for the establishment or expansion of small scale employment enterprises in existing premises or on new sites will be permitted provided that:

A They do not create significant highway or flood risk problems;

B The scale, design, siting, materials of any buildings, their use and type of operation maintain or enhance, and are compatible with, the rural character of the area and do not harm acknowledged nature conservation interests;

C The proposals are compatible with neighbouring land uses, are not detrimental to residential amenities and do not give rise to pollution issues such as excessive noise, smoke, fumes, effluent or vibration.

The site has a history of uses and the buildings are existing, therefore the impact upon the scenic quality of the landscape within the designated Area of Outstanding Natural Beauty and the open countryside is considered to be minimal. The proposed change of use is also considered to be of benefit to the rural economy and therefore is considered to comply with Policies C1, C2 and advice contained in the NPPF. The detailed parts of Policy E6 will be looked at in greater detail below.

### 9.2 DESIGN ISSUES

Policy C31a of the Local Plan relates to design and ensures that new development respects existing landscape features, views, patterns of movement and minimises the visual impact of roads, vehicles and parking areas. Policy E8 allows the conversion of rural buildings in the open countryside to business uses subject to the following criteria:

- A) 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;
- B) The proposed conversion safeguards and/or enhances the essential form, structure, character, and important traditional features of the building and the countryside;
- C) It can be satisfactorily serviced and does not create highway problems;
- D) It does not harm the natural environment including the water environment.

In considering such proposals the District Council will require structural surveys of buildings proposed for conversion.

A report on the condition of the existing buildings has been submitted as part of the application which highlights that the buildings that are to be converted are of substantial construction and need minimal alterations. The site also utilises existing buildings and as such the use would respect existing patterns of development meaning there would be little visual impact upon the wider landscape and would not harm the natural environment.

One building is proposed to be rebuilt and this is the communal toilet block which is proposed to be a modular building which is considered to be appropriate to its immediate surroundings. A condition requiring details of this modular building before it is constructed would be required on any approval.

There are existing trees located within the overall site, however few are located in the vicinity of the existing buildings and none would be affected by the proposed works. Further soft landscaping is proposed near to the entrance of the site following the removal of an existing toilet block which is considered to be appropriate.

The proposal is therefore considered to comply with the relevant parts of Policy E6 and Policies C31a and E8.

### 9.3 IMPACT UPON AMENITY

Policy C38 which relates to nuisance and states Proposals will not be permitted which would detract from the amenities enjoyed by, or cause nuisance to neighbouring properties and uses. Consideration will be given to such issues as any loss of privacy or overshadowing, levels or types of traffic generation, the storage of hazardous materials, the generation of unpleasant emissions such as odour, fumes, smoke, soot, ash, dust or grit, the extension of existing un-neighbourly uses and the



creation of an untidy site. Development will not be permitted if the amenities of its occupiers would be affected adversely by the operation of existing or proposed neighbouring uses.

The site is located over 250 metres from the nearest neighbouring residential property and as such it is considered that the proposed change of use would not have an impact on neighbouring amenity in terms of overlooking or overshadowing. Noise from the site has also been considered especially as local residents have highlighted concerns about noise from heavy traffic accessing and leaving the site and a concern raised by a neighbour regarding a 24 hour society and there being noise from the site 24/7. It is important to note that some of the residential properties back onto the rail network that is the main line between Warminster and Salisbury where a significant amount of noise currently exists. However, conditions can be attached to any approval ensuring that the site is not used and no deliveries are made to and from the site between 07:00hrs and 23:00hrs as advised by the Environmental Health Officer.

No external lighting is proposed and if lighting were to be installed further planning permission would be required.

It is therefore considered that the proposal would not have an impact upon neighbouring amenity and complies with Policy C38.

#### 9.4 ACCESS AND HIGHWAYS

Access to the site remains unchanged and the existing hardstanding area is to be made good, levelled and resurfaced and parking is to be marked out in white lining. 9 new car parking spaces are also proposed all of which are considered to be appropriate.

Concerns have been raised from residents regarding heavy vehicles leaving and entering the site and regarding the transport statement not being correct as it has states many more vehicle movements than actually happened. It is important to note that although one company may not have had many traffic movements another similar company within the same use class could move onto the site and the traffic movements may be significantly more which would not itself require the site to gain new planning permission. As the site is redundant an exact vehicle movement count cannot be undertaken and as such the transport assessment has taken an average of vehicle movements associated with similar use. In this particular case a poultry farm was used as a case study and the assessment states that on average the vehicular trips would be reduced. The transport assessment has been looked at by the Highways Officer who raises no objections to the proposal.

Residents raised concerns regarding noise and highway problems due to existing milk tankers, grain lorries and busses that currently pass their properties, however this does highlight that large vehicles can already utilise the existing road network without detriment.

#### 9.5 OTHER

Concerns have been raised regarding immediate land owners not being consulted on the planning application. However the Local Planning Authority only consults existing properties and do not have details of land owners, however a site notice was erected at the entrance of the site and therefore the Local Planning Authority has completed its consultation process requirements.

**Recommendation:            Permission**

**For the following reason(s):**

**The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C1, C2, C31a, C32, C38, E6, E8 and the Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy**

**In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.**

**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 The development hereby permitted shall be carried out in accordance with drawing numbers 101, 102, 103, 105, 106 received on 13th April 2012 and drawing number 104A received on 22nd April 2013

Reason: For the avoidance of doubt and in the interests of proper planning

- 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 B1 and B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment)(England) Order 2005 (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use has been considered to be acceptable but the Local Planning Authority wish to consider any future proposal for a change of use and its impact upon the AONB, the wider landscape and any impact upon the existing road network.

- 4 The use hereby permitted along with the delivery and despatch of goods to and from the site shall only take place between the hours of 07:00 hrs; and 23:00hrs Mondays to Fridays and between 08:00hrs and 18:00hrs on Saturdays. The use shall not take place at any time on Sundays and Bank or Public Holidays.

Reason: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area having regard to Saved Policy c38 of the West Wiltshire District Plan 1st Alteration 2004.

- 5 The development hereby approved shall not be first brought into use until the access and parking areas have been implemented in accordance with drawing number 104A received by the Local Planning Authority on 22nd April 2013. The areas shall thereafter be maintained for those purposes at all times thereafter.

Reason: In the interest of highway safety having regard to advice contained in the NPPF.

- 6 Prior to the communal toilet block being constructed on site, details of the exact location, material and colour shall be submitted to and approved in writing by the Local Planning Authority. The building shall then be carried out in accordance with the approved details.

Reason: To ensure that the modular building does not have an impact upon the AONB and wider landscape having regard to Saved Policies C1, C31a, C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF.

- 7 All soft landscaping works shown on drawing number 104A received by the Local Planning Authority on 22nd April 2013 shall be carried out in the first planting and seeding season following the first occupation of the buildings 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

Reason: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features within the AONB having regard to Saved Policies C31a and C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF

- 8 Prior to the use hereby permitted being put into the use the buildings annotated as E, F, G and I shown on drawing number 101 received on 13th April 2012 shall be demolished and the material removed from the site.

Reason: To protect the landscape quality of the AONB having regard to advice contained in the NPPF.

<b>Appendices:</b>	
<b>Background Documents Used in the Preparation of this Report:</b>	

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## REPORT TO THE WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	12.06.2013		
<b>Application Number</b>	W/13/00050/FUL		
<b>Site Address</b>	Land At Farleigh Rise, Monkton Farleigh, Wiltshire		
<b>Proposal</b>	Change of use to small camping facility, conversion of existing building to toilet/shower facilities and erection of stable block and associated works		
<b>Applicant</b>	Mr Adrian Orchard		
<b>Town/Parish Council</b>	Monkton Farleigh		
<b>Electoral Division</b>	Holt And Staverton	<b>Unitary Member:</b>	Trevor Carbin
<b>Grid Ref</b>	380101 166093		
<b>Type of application</b>	Full Plan		
<b>Case Officer</b>	Mr James Taylor	01225 770344 Ext 01225 770249 james.taylor@wiltshire.gov.uk	

### Reason for the application being considered by Committee

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

- \* Visual impact upon the surrounding area; and
- \* Environmental/highway impact.

### 1. Purpose of Report

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

Neighbourhood Responses – 2 neutral letters received and 1 objection.

Parish/Town Council Response – Monkton Farleigh Parish Council objects.

### 2. Report Summary

The main issues to consider are:

- \* Principle of development;
- \* Green Belt;
- \* Area of Outstanding Natural Beauty / Landscaping;
- \* Neighbouring amenity;
- \* Loss of agricultural land;
- \* Ecology and Nature Conservation;
- \* Archaeology;
- \* Highway safety; and
- \* Water supply, drainage, flooding and sewerage disposal.

### 3. Site Description

The application site is a brownfield site having in the past been used for MoD activity. However with the exception of various areas of hard standing, tracks and a pill box the evidence of MoD activity has

been largely removed. Natural succession has resulted in the intervening period meaning the site has an open and rural character with areas of open grass and copses of trees.

The periphery of the site is demarked by hedges and planting of varying degrees of quality. It is also noted that some bunding (up to 1 metre in height) has been created adjacent to the highway. Access to the site is existing directly onto an unclassified highway.

The site is located to the north of Monkton Farleigh which has facilities including a pub and a shop/post office. There is a limited rural bus service in this area.

The application site is located within designated Green Belt, and the Cotswold Area of Outstanding Natural Beauty. The site is within proximity of designated natural conservation interests and there are known to be protected species at the site.

The site is designated as part of a groundwater protection area and Wessex Water records indicate a water main and rising main running through the site.

#### **4. Relevant Planning History**

In the vicinity:

08/02910/FUL - Change of use of land to form camping and caravan site (for seasonal use) with 26 no pitches, 3 no temporary portacabins to provide toilet and office facilities – Withdrawn on 02.12.2008

At the site:

02/00749/FUL - Small building for office/store to serve proposed plant nursery, two polytunnels and a pond – Refused on 02.07.2002

#### **5. Proposal**

The proposal is for the change of use of the land to a camping facility comprising of 10 camping 'pods' (moveable timber structures) with ancillary development including a facilities block. The facilities block would include toilets, showers and washing up area.

After some negotiation the facilities block is a new build structure that would be approximately 3.6 metres by 3.6 metres by 3 metres in height. This would be a standard stable type structure with shiplap boarding to the walls under a black Onduline corrugated roof.

The proposal is also for the change of use of land for equestrian use with the erection of a stable building and construction of a ménage. The stable building would have U-shaped footprint to facilitate 2x stable, 2x corner box, 2x hay barn and tack room.

The stable building would be 16.2 metres by between 3.6 metres and 8.5 metres; the roof would be up to 3.1 metres in height with shiplap boarding to the walls under a black Onduline corrugated roof. The ménage would be 40 metres by 18 metres; raised 150mm above the existing area of hard standing; and enclosed by a 1.2 metre high post and rail fence.

Access to the site is proposed to be as existing except with some alterations to ensure a visibility splay of 53 metres to the west and 90 metres to the east. The access gates would be set back 10 metres from the carriageway edge. This has been improved after some negotiation.

#### **6. Planning Policy**

West Wiltshire District Plan 1st Alteration (2004) (WWDP)  
C1: Countryside Protection  
C2: Areas of Outstanding Natural Beauty  
C31a: Design



C32: Landscaping  
C38: Nuisance  
E10: Horse Related Development  
TO4: Camping, Caravans and Holiday Homes  
U1a: Foul Water Disposal  
U2: Surface Water Disposal

National Planning Policy Framework (2012) (NPPF)

## 7. Consultations

### Monkton Farleigh Parish Council

Objection:

"Monkton Farleigh Parish Council met last night to consider this submission. It was an open meeting and well attended by local residents. It was unanimously opposed by the Parish Councillors present by 5 votes against with none supporting. There was a wide ranging discussion and the principal objections were:

- \* Transport: The major objection related to traffic and parking around the site and through the village - vehicles will take the shortest route and not New Road.
- \* Security: The applicant has no intention of living on site [lives in Staverton] and could offer no assurance on trespassers.
- \* Wildlife: Habitat, wildlife and endangered species [bats, badgers, etc] no assurance was offered for their welfare.
- \* Design: The type of pods and the use of the pillbox as suitable for showers, and washing facilities is highly questionable.
- \* Need: Similar facilities are available within the parish and further provision is not desirable.

As organised by Trevor Carbin, we believe within the matter should be considered by the Full Planning Committee. We trust the application will be refused and await your confirmation."

Revised plans:

"I have consulted all our councillors again and their views and objections remain unaltered. After examining the existing site plan of the 29th January and the proposed site plan of the 23rd April the basic proposals appear to remain the same.

There has been no reappraisal and the main elements have in no way been addressed. This Council still strongly and unanimously objects and trusts the application will formally be refused."

### Cotswolds Area of Outstanding Natural Beauty

No objection.

### Ecology

Comments on revised plans on 10.05.2013:

No objection subject to condition.

"I note that revised plans have been submitted for this application. The current proposals are to erect a new wash block and not to use the pill box for associated campsite use. This removes the risk of potentially disturbing bats in the pill box provided that light spill can be controlled. It isn't clear from the application whether there will be any external lighting. Perhaps therefore it would be appropriate to apply an appropriate condition so as to require any external lighting to be submitted as a separate application.

The new wash block is sufficiently far from the badgers and the pond so as not to present a risk to the badger sett or the pond."

### Environment Agency

No objection subject to condition and informatives.

### Environmental Protection

No objection –

“There is often a potential loss of amenity from the keeping of horses unless manure is adequately managed and disposed of; therefore I am recommending.... conditions....”

### Natural England

This application falls within The Cotswolds Area of Outstanding Natural Beauty (AONB). Natural England has no comments to make on this proposal as we do not believe that this development is likely to impact on the reasons for which the site is designated.

### Wessex Water

No objections however a public water main and rising main runs through the site. Wessex Water states that “Building over existing water mains or rising main will not be permitted (without agreement) from Wessex Water under Building Regulations. No building will be permitted within the statutory easement width of 3 metres from the pipeline or 6 metres from a rising main without agreement from Wessex Water.”

### Highways

Comments on revised plans on 22.05.2013:

“On the basis of earlier highway observations, I would not wish to raise a highway objection to this application. I agree that a pedestrian link from the western corner of the site frontage to the existing paved footway is acceptable. I therefore recommend that no highway objection be raised to this application appropriate planning conditions being attached.

## **8. Publicity**

The application was advertised by site notice/press notice /neighbour notification.

Expiry date: 8 May 2013.

3 letters received. Summary of points raised:

- \* Noise disturbance.
- \* Use of local facilities such as play park
- \* Waste water and sewage disposal
- \* Landscaping /screening from adjoining properties
- \* 08/02910/FUL (similar case in the vicinity) was strongly opposed by the highways authority
- \* Highway safety
- \* Inadequate existing footpaths and accessibility
- \* Existing fly tipping may be exacerbated.

## **9. Planning Considerations**

### Principle of development

The principle of the camping element of this scheme is principally determined under policy TO4 of the local plan, and the equestrian development under policy E10 of the local plan.

Policy TO4 details that proposals for new or extensions to existing camping, static and touring caravan, and holiday chalet sites will be permitted provided that set criteria are met. These detailed considerations will be addressed below.

Policy E10 details that proposals for equestrian facilities and changes of use will be required to have regard to minimising their effects on the appearance of the countryside and to highway implications. All such building proposals should have special regard to siting, design materials and construction to ensure they blend in with their surroundings and do not have an adverse impact on the countryside and the natural environment including the water environment. These detailed considerations will be addressed below.

In addition it is noted that the NPPF is a material consideration in the assessment of this application. The NPPF is silent on specific detail on camping and equestrian development proposals. However it provides detailed guidance on the need to protect Green Belt land from inappropriate development, protect our outstanding landscapes and protect wildlife interests whilst supporting outdoor recreation, healthy lifestyles, promotion of rural employment generation and use of rural facilities. It also guides that development that is likely to generate significant increases in traffic should only be refused where residual impacts after appropriate mitigation are evidenced as being severe. The document clearly states it needs to be read as a whole, but the government is also clear that it currently has an unashamedly pro-growth agenda. In short the document is supportive in principle too and there is compliance between it and the local plan in general terms.

### Green Belt

The NPPF is the main policy instrument on which to make an assessment on this key issue; this sets out in very general terms what is considered to be inappropriate development. It states that the use of land within the Green Belt should fulfil positive roles and objectives including providing opportunity for the urban population to access the countryside, opportunity for outdoor recreation near urban areas, retain attractive landscapes, to improve derelict and damaged land around towns, secure nature conservation interests and retain land in agricultural, forestry or related uses. In short the proposals achieve in whole or in part all of these objectives.

In principle the proposal to use the site as a camp ground and for private equestrian use would accord with policy. It is considered that the proposals would not be inappropriate because they consist of the provision of appropriate facilities for outdoor recreation. Therefore as long as the proposals meet the purpose of including land within the Green Belt, i.e. protecting its openness, then the proposals would be reasonable.

The camping pod structures are considered to be moveable and not permanent therefore they do not constitute development. Therefore there is limited control that can be had of these structures and their affect on openness is a mute point.

The building proposed for wash facilities is very modest, it is commensurate with the amount of use proposed on the site i.e. 10x camping pods. It would have the appearance of a typical stable building, very modest in scale and has materials that are recessive and would harmonise and weather to the landscape. No significant harm to the openness at this point would occur.

The location and details of the stable block and menage are a slight concern given that they would be visible from the highway however they are reasonable in scale and clearly designed for function and they are not excessive at all. As such any loss of openness is not considered to be a significant issue and outweighed by the benefit of the development and its compliance with the purpose of green belt land.

### Area of Outstanding Natural Beauty / Landscaping

The supporting text of Policy TO4 states that “due to the importance of conserving the special landscape character of Areas of Outstanding Natural Beauty and Special Landscape Areas, small and well screened sites only will be appropriate in these areas.”

The application area for the camping is relatively small scale and the proposals have been presented and submitted as a camping site for 10 ‘pods’. It is on this basis that the application is considered to consist of only a “small” site. A condition may be reasonably impose to limit the number of camping pitches (i.e. 1x tent or 1 x pod) to only 10. It is assessed that the site is generally well screened, however it is accepted that at points the camping development would be visible, however with an appropriate landscaping scheme this could be mitigated for. An indicative landscaping scheme indicates this and a proper scheme can be conditioned.

Further the pods themselves are timber structures and as such would blend far better than many modern tents which can be rather obtrusive due to colours. Given the existing landscaping, the potential for further landscaping enhancement, and the small number of pods being proposed it is assessed that the impact on the landscape would be negligible. However a condition to deliver enhanced screening and a condition to limit the use of the site to only the specified number of pitches is necessary.

In terms of design, the pods are considered to be acceptable. They are timber structures and of very modest proportions and scale. Technically as they can be moved around the site they do not constitute development.

The wash facility is of a suitable scale, form, materials and design and would cause no harm to the landscape.

The equestrian proposals arguably are located at a point that will be more visible from public vantage points. However equestrian uses are typical of the rural scene at this point. The proposals are of a typical utilitarian design and form. As such they do not pose significant concern in terms of landscape impact or their design. Again though, additional strategic landscaping would mitigate any residual impact, so a landscaping condition on this basis too would be reasonable and necessary.

It is noted that Natural England, who have responsibility to protection of AONB landscapes raised no objection. It is also noted that the Cotswolds AONB office has no objection.

#### Neighbouring amenity

Residual property is not located in very close proximity to the development and it is assessed that noise nuisance is not a significant issue on the basis of reasonable behaviour. This must be assumed as it is not for the planning system to anticipate anti-social behaviour that is covered under other legislation. The equestrian and camping use would be compatible with the adjoining land uses which are predominantly agricultural in nature.

Details of a manure clamp have been provided and are acceptable addressing the environmental health comment on this matter. It has been sited so as to avoid nuisance to adjoining land users including the proposed camp site users and the more distant residential property of Farleigh Rise.

#### Loss of agricultural land

The site is a former MoD facility and littered with various tracks and areas of hard standing. Without remediation it would not be suitable for agricultural purpose other than possibly a farm yard. Such remediation is unlikely to be financially worth-while if it is simply intended to farm the area. Given its current state and former uses then the land cannot be considered best and most versatile agricultural land, so its loss is not at issue.

#### Ecology and Nature Conservation

This proves to be an area of significant contention and has necessitated negotiation and discussion with the applicant. The proposals have been submitted with an ecological assessment (phase 1 habitat and protected species survey). This has identified that bats are using the pill box as a night roost and badgers are using the site and have a sett. The report then goes on to identify precautionary measures to avoid harm and disturbance.

The initial submission was deemed to be unacceptable and it was assessed that the most appropriate approach was to retain the pill box and enhance it for bat roost opportunity. Hence the application now including a small and modest new build wash room. This, subject to appropriate lighting of the site should ensure that bats would not be harmed and indeed enhancements to habitat for them can be conditioned. Furthermore the impact on other species is not considered to be an issue as these impacts are likely to be nominal. This conclusion is reached in light of the expert ecological advice received. A condition to enhance opportunities for protected species is recommended.

#### Archaeology

The site is not known to have any archaeological significance and it is noted that its former use by the MoD would have likely had a significant impact on any interests anyway. As such the proposals pose no concern in this regard.

#### Highway safety

The proposals have been considered by a highway officer who has consistently raised no objection from pre-application advice through to application stage subject to conditions on visibility.

The application has been negotiated to enhance visibility splays to 90 metres to the east and 53 metres to the west. This is the maximum that can be achieved and would be an enhancement over

the existing arrangement. It is substandard though in a westerly direction according to the highway advice, however they do not object. On the basis that the use is relatively modest and that this is an unclassified highway then the concern is slight. In light of the NPPF guidance this is not of itself grounds for refusal.

The highway officer also initially sought improvements to extend the footway from the west up to the entrance of the site. This is likely to be a relatively expensive request given the scale and nature of development being proposed and it would benefit users of the site only. An alternative is to have a pedestrian access on the western boundary of the site frontage and this should be able to make use of the existing formal footway overcoming the highway officer concern in this regard. This can be achieved by condition and the highway officer is satisfied with this suggestion.

It is noted that there was a camp site proposal in the vicinity in 2008 and that this was subject to an adverse highway recommendation. Furthermore highway safety has been raised as a concern by the parish and by the public. However the maxim of each case being assessed on its own merits applies.

The site is limited in terms of the number of users likely to visit the site by the number of pitches, this can be conditioned. A maximum of 10 users (which could in theory include more than 1 car each, but that seems unlikely) would camp at the site, plus the owners/employees may be visiting the site to look after guests and service facilities and the private equestrian facilities could be in use. This amounts to approximately 12-14 cars maximum at any point. However at any time the total number of cars is likely to be lower as maximum occupation has been assumed in this estimate and it has been assumed that all visitors will be using a private car. Even on the basis of the worst case scenario it is assessed that the traffic associated with this specific proposal would not be significant within the meaning of the NPPF. The use proposed is relatively modest. Furthermore the impacts would be mitigated by improved visibility at the entrance and the residual impact of a modest increase of traffic on the rural road network would not be a 'severe' impact within the NPPF meaning.

Based on the expert highway officer comments and an assessment against the NPPF then it is not considered that an objection could be reasonably sustained. However it is agreed that intensification above what has been proposed may mean that a significant traffic increase would occur. In such cases the NPPF indicates that a transport assessment should be provided to inform decision making. As such a condition to limit the camping facilities to just the number of pitches proposed is justified.

Turning to the equestrian use, given the potential for towing vehicles with this use it is considered prudent to ensure any gates to the site are set back from the highway by 10 metres so that they may be clear of the highway when entering or leaving the site. This has been indicated in the revised plans.

#### Water supply, drainage, flooding and sewerage disposal

The site, due presumably to its former MoD use has water supply and sewerage facilities. Given the level of hard standing existing on site and the type of development proposed then surface water drainage is not a significant concern.

The revised wash block has been located away from Wessex Water infrastructure and so there is no concern in terms of retaining access for servicing etc.

The site is located within flood zone 1, the lowest probability of fluvial flood risk. The Environment Agency has requested a condition to secure a surface water strategy by condition. However this is not reasonable or necessary given the amount of development proposed. Surface water is unlikely to be significantly affected by the development. However the highway condition seeking to prevent water going onto the highway would improve the existing situation and can be imposed.

#### Other material considerations

The concerns raised by the Parish Council include transport, security, wildlife, design and need. It is detailed in the local plan under the supporting text of TO4 that there is a need for further provisions such as this in the west Wiltshire area. This is a beautiful landscape in proximity to urban areas and any facility that helps to support outdoor recreation in such locations is reasonable. The potential issue for competition between existing facilities and this proposed is not material. The issues of transport, wildlife and design have been addressed in the comments above. The concern over

security on the site is noted, however it is not considered to be grounds for refusal. It is considered that a 24/7 on-site presence is unjustified and the planning system cannot work based on predicting anti-social or criminal behaviour. However it is necessary to ensure that all reasonable and necessary steps are taken to design out crime. It is considered that all reasonable steps have been taken to minimise potential crime at the site such as having gates that may be locked out of season or when the site is not occupied. When the site is occupied that of itself would act as a deterrent.

The public consultation resulted in questions and/or concern being raised over noise, use of local facilities, planning history and landscaping. The latter two issues have already been addressed. The former two though are noted. It is considered that anti-social behaviour, like crime more generally cannot be predicted by the planning system. In the event of such noise disturbance there are other measures to control such behaviour such as the police and environmental health. In terms of campers using local facilities such as play parks then that is not an issue, these are public facilities, for use by the public which is not only those local to the area.

#### Summary and conclusions

In summary the proposals are considered to be a small scale camping facility and a private equestrian facility that would be consistent with the recreational use of the countryside without significant harm to planning interests including the nationally important landscape, green belt, highway safety, flooding, nature and local residents. Subject to conditions they are therefore recommended for approval.

**Recommendation:        Permission**

**For the following reason(s):**

**The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies in the West Wiltshire District Plan 1st Alteration (2004), namely Policies C1, C2, C31a, C38, E10 and TO4.**

**In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.**

**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     The development shall be carried out in accordance with the following plans:

Drawing: Location map;  
Drawing: Site plan (received on 8 April 2013);  
Drawing: Equestrian, wash facilities and access plan (received on 8 April 2013);  
Drawing: Cross section A-B existing;  
Drawing: Cross section A-B proposed;  
Drawing: Washing facility elevations;  
Drawing: Stables elevations; and  
Drawing: Stables floor and roof plan.

REASON: In order to define the terms of this permission.

- 3     In accordance with the details submitted and assessed under this application no more than 10 pitches (either tents or pods or caravans) shall be sited and in use on the land at any time.

REASON: In order to define the terms of this permission, highway safety and protect the rural scene.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policies C1, C2 and TO4.

- 4 The development 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 equestrian tuition or leisure rides.

REASON: In the interests of highway safety.

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

- 5 Any gates shall be set back 10 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and TO4.

- 6 No development shall commence on site until visibility splays have been provided between the edge of carriageway and a line extending from a point 2.4 metres back from the edge of the carriageway, measured along the centre line of the access, to a point on the edge of the carriageway 90 metres towards east and to the north-western corner of the site frontage towards the west. Such splays shall thereafter be permanently maintained free of obstruction to vision above a height of 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and TO4.

- 7 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: C1, C2, E10 and TO4.

- 8 No development shall commence on site until a detailed 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:-

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development;
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- 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.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C1, C2, E10 and TO4.

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

REASON: In the interests of public health and safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: TO4.

- 10 No development shall commence on site until details of a scheme for the enhancement of ecological interests on the site has been submitted to and approved in writing by the local planning authority. The enhancements shall be carried out in accordance with a timetable that shall be submitted as part of the scheme.

REASON: In order to maintain and enhance nature conservation interests on the site.

West Wiltshire District Plan 1st Alteration (2004) POLICY TO4 and the National Planning Policy Framework (2012).

- 11 No development shall commence until details of a pedestrian access to the existing public footway on Farleigh Rise has been submitted to and approved in writing by the Local Planning Authority. The camp site shall not be first brought into use until the pedestrian access has been provided in accordance with the approved details.

REASON: In the interests of highway safety.

West Wiltshire District plan 1st Alteration (2004) POLICY: TO4.

- 12 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the local planning authority. The scheme shall include details to demonstrate that no surface water will be discharged to the highway. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

West Wiltshire District Plan 1st Alteration (2004) POLICIS: E10, TO4 and U2.

- 13 Before the development is first brought into use, the manure clamp shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the 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

- 14 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

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

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: TO4 and the National Planning Policy Framework 2012.

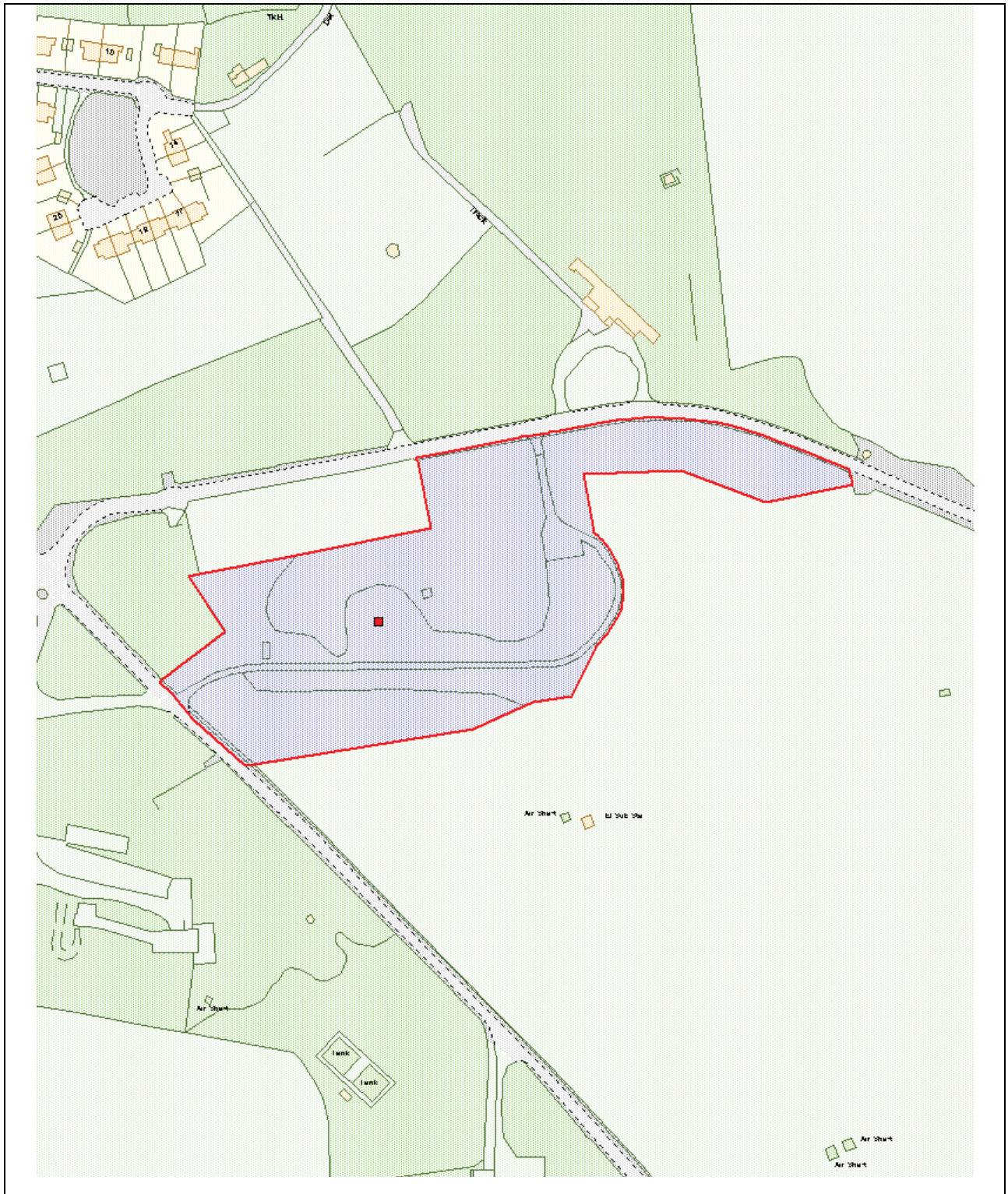
**Informative(s):**

- 1 The applicant should note that there may be badger setts in the vicinity of the site, and as a consequence compliance with certain requirements and provisions of the Badgers Act 1991 may be necessary. If this is the case the applicant is advised to contact Natural England who are responsible for issuing licences relating to development on the site of badger setts.
- 2 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.
- 3 Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover:
  - the use of plant and machinery
  - oils/chemicals and materials
  - the use and routing of heavy plant and vehicles
  - the location and form of work and storage areas and compounds
  - the control and removal of spoil and wastes.

The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>.

<b>Appendices:</b>	
<b>Background Documents Used in the Preparation of this Report:</b>	

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## REPORT TO THE WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	12.06.2013		
<b>Application Number</b>	W/13/00618/FUL		
<b>Site Address</b>	Land Rear Of 90 And 88A And 88B Dursley Road, Trowbridge, Wiltshire		
<b>Proposal</b>	Pair of two bedroom bungalows		
<b>Applicant</b>	Mrs Joan Toogood		
<b>Town/Parish Council</b>	Trowbridge		
<b>Electoral Division</b>	Trowbridge Drynham	<b>Unitary Member:</b>	Graham Payne
<b>Grid Ref</b>	385728 157116		
<b>Type of application</b>	Full Plan		
<b>Case Officer</b>	Jemma Boustead	01225 770344 Ext 01225 770211 Jemma.Boustead@wiltshire.gov.uk	

REASON FOR THE APPLICATION BEING CONSIDERED BY THE PLANNING COMMITTEE  
Councillor Payne has requested that the application be called to the Planning Committee for the following reasons:

- Scale of development
- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Environmental/highway impact
- Car Parking

### 1. Purpose of Report

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

### 2. Report Summary

The main issues to consider are:

- principle
- design issues and impact upon the immediate area
- impact on amenity
- highway and access considerations

### 3. Site Description

The site is located to the rear of two semi detached properties and is currently vacant and has no known previous use. Running to the rear of the site is the train line. The site has an existing vehicular access.

### 4. Relevant Planning History

W/12/02042/FUL – Detached 3 bed Bungalow for use by disabled/elderly persons – Approved 20/12/2012

W/00/01337 – Bungalow and Detached Garage – Refused 18/12/2000 for the following reasons:

The proposal, by reason of the siting of the bungalow, would be detrimental to the residential amenities, in particular, loss of privacy and general disturbance of adjacent dwellings in Dursley Road. The proposal, hence would be contrary to Policy H1 of the West Wiltshire District Plan and Policy H1 of the West Wiltshire District Plan - 1st Alteration (Revised Deposit).

The proposed access road, by reason of its restricted width, poor alignment and substandard junction with Dursley Road is considered unsuitable to serve as a means of access to the proposed development.

W/00/00765 – Two Detached Bungalows with garages and ancillary works – Refused 06/07/2000 for the following reason:

The proposal by reason of the siting of the bungalows, would be detrimental to the residential amenities, in particular, loss of privacy and general disturbance of adjacent dwellings in Dursley Road. The proposal, hence, will be contrary to Policy H1 of the West Wiltshire District Plan and Policy H1 of the West Wiltshire District Plan - 1st Alteration (Deposit Draft) July 1998.

## **5. Proposal**

The proposal is for the erection of two single storey dwellings to the rear of 2 semi-detached properties in Dursley Road, Trowbridge. The proposal also includes access and parking arrangements.

## **6. Planning Policy**

West Wiltshire District Plan 1st Alteration 2004 –  
C31a Design  
C38 Nuisance  
H1 Further Housing Development within Towns

Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

National Planning Policy Framework (NPPF) requires development that is sustainable and in accordance with the policies of the development plan to be approved, unless material considerations indicate otherwise.

## **7. Consultations**

Trowbridge Town Council - object due to overdevelopment, unsuitable access and adverse impact on neighbouring amenity

Wiltshire Council Highways – No Objection subject to a condition regarding access

Network Rail – No Objection in principle

## **8. Publicity**

The application was advertised by site notice/press notice /neighbour notification. Expiry date: 16th May 2013.

Neighbourhood Responses – 1 letter of objection have been received with the following comments (summarised):

- The access between the two existing properties is very narrow
- My gate opens directly into the path of any vehicles using the access and there is a 6ft fence either side obscuring my view
- The agent told me that the last application was for his disabled granddaughter and now I see that the two properties would be let.
- How long before the site becomes a block of flats
- If allowed there would be 8 vehicles using the restricted access onto Dursely Road which is surely a serious safety concern.

## **9. Planning Considerations**

### **9.1 PRINCIPLE**

The site is located within the Town Boundary of Trowbridge where through Policy H1 allows housing development within the built up areas of Trowbridge subject to the following criteria:

- A) Siting, layout and design considerations are satisfactory and they are in keeping with the character of the surrounding area.

- B) They would not create inappropriate backland or tandem development;
- C) They provide adequate services for the disposal of surface water, without increase of flood risk to downstream riparian owners;
  - Ca) They provide adequate water supplies, sewerage and sewage treatment, without adversely affecting the environment;
- D) They do not result in the loss of an open area or visual gap important for recreation or amenity reasons.
- E) They protect and conserve important nature conservation interests.
- F) They provide safe and convenient connection to existing and planned pedestrian, cycle and public transport networks, the highway and, where appropriate, rail facilities, without creating transport problems;
- G) They do not conflict with any other Structure Plan or District Plan 1st Alteration policies.

The proposed dwellings are considered in principle to be appropriate however the issues highlighted above will be looked at below.

### 9.2 DESIGN ISSUES & IMPACT UPON THE WIDER AREA

It is considered that the proposed bungalows by reason of their location away from the existing street scene would not have an adverse impact upon the character and appearance of the area as glimpses of the proposed dwelling would be seen via the proposed access and they would be screened by the existing two storey dwellings.

The proposal sees two single storey dwellings built with brown concrete tiles, red facing bricks and UPVC windows and doors all of which are considered to be appropriate to their setting which see similar materials. It is acknowledged that the dwellings surrounding the property are predominantly two storey, however as the proposed dwelling would not be seen within the existing street scene, the single storey element is considered to be appropriate.

It is therefore considered that the siting, layout and design are in-keeping with the character of the surrounding area, the proposal can provide adequate services for the disposal of surface water and sewerage without adversely affecting the environment and it would not result in the loss of an open area or visual gap important for recreation or amenity reason. It is considered that as permission has already been given for one dwelling the proposal would not create backland or tandem development. The proposal is therefore considered to comply with the relevant parts of Policy H1 and Policy C31a Concerns have been raised from the Town Council regarding overdevelopment, however the plans clearly show two dwellings with sufficient parking spaces and amenity space and therefore would not constitute overdevelopment.

### 9.3 IMPACT UPON AMENITY

It is considered that the proposal would not have an adverse impact upon neighbouring amenity in terms of overlooking or overshadowing as the proposed dwellings are single storey. The proposed dwellings lie approximately 13 metres to the neighbouring boundaries which see fences approximately 1.8 metres high and approximately 20 metres to the neighbouring dwellings. As a rule of thumb, it is considered that there should be an approximate distance of 21 metres between windows that serve habitable rooms such as living rooms and bedrooms which is found in this particular development. The amenity space for the proposed dwelling is also to the rear and therefore would not be overlooked by neighbouring properties. As such it is considered that the future occupants of the dwelling under consideration would not be overlooked by existing neighbouring properties and it is considered that the proposal would comply with Saved Policy C31a.

### 9.4 ACCESS AND HIGHWAYS

The proposed access measures 3.2 metres which is considered to be more than adequate for use by cars as a typical family saloon car measures 2 metres. It is acknowledged that the increase in the number of dwellings on the site will exacerbate the potential conflict between vehicles associated with the existing dwellings and the proposed development however it would not directly affect the users of the adjacent highway or present an unacceptable risk of obstruction at the access. As such it is considered that the proposal would not be detrimental to highway or pedestrian safety. The proposed parking and access arrangements are considered to comply with highway safety standards and is in accordance with the relevant parts of Policy H1 and guidance in the NPPF and the Car Parking Strategy.



Concerns have been raised regarding the safety of neighbouring residents using their pedestrian gates which open up on to the proposed access, however this is not considered to be a concern as vehicle speeds will be very low.

#### 9.5 OTHER

An area of concern that has been brought to the attention of the Local Planning Authority is that the previous dwelling was to be used by a disabled person. However this issue was not taken into consideration when determining the previous application as it relates to personal circumstances which are not material considerations.

**Recommendation:        Permission**

**For the following reason(s):**

**The decision to grant planning permission has been taken on the grounds that the proposed dwellings by reason of their location, single storey nature and design would not have an impact upon the existing street scene or neighbouring amenity and would not cause any significant harm to interests of acknowledged importance having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C31a, C38 and H1 and guidance found in Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy**

**In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.**

**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     The development hereby permitted shall be carried out in accordance with drawing numbers 2013-16: 01, 02, 03, 04 received on 8th April 2013 only

REASON: For the avoidance of doubt and in the interests of proper planning

- 3     The materials to be used in the construction of the external surfaces of the development hereby permitted shall be as stated in the application form received by the Local Planning Authority on 8th April 2013 unless otherwise agreed in writing by the Local Planning Authority.

REASON :In the interests of visual amenity and the character and appearance of the area having regard to Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004

- 4     Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements having regard to Saved Policy C31a and C38 of the West Wiltshire District Plan 1st Alteration 2004

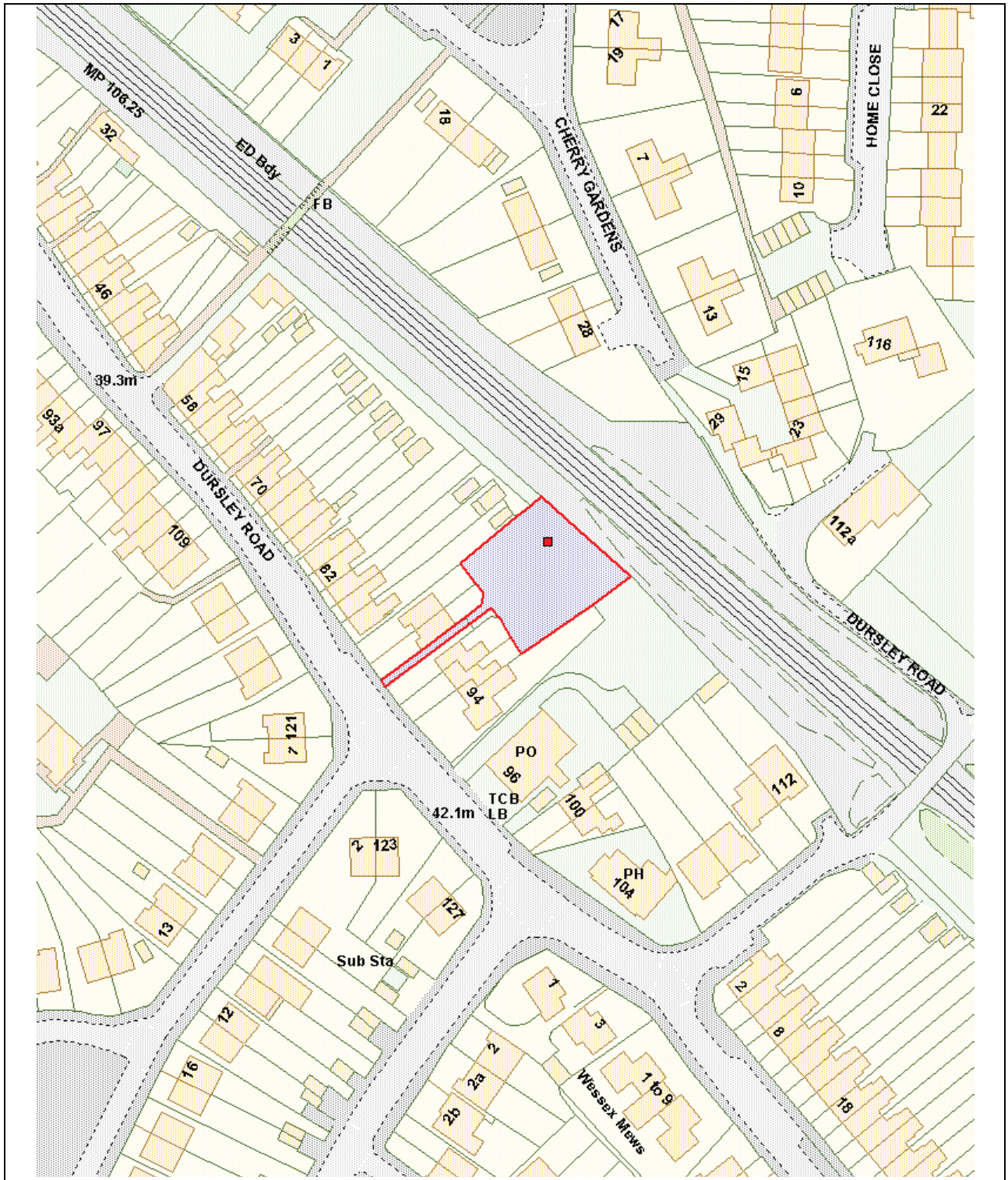


- 5 No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on drawing number 2013-16 03 received on 8th April 2013 unless otherwise agreed in writing by the local planning authority. The parking and turning areas shall be maintained for those purposes only at all times.

REASON: In the interests of highway safety having regard to advice in the National Planning Policy Framework and the Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy.

<b>Appendices:</b>	
<b>Background Documents Used in the Preparation of this Report:</b>	

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## REPORT TO THE WESTERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	12.06.2013		
<b>Application Number</b>	W/13/00578/FUL		
<b>Site Address</b>	1 Foxglove Drive, Hilperton, Trowbridge, Wiltshire, BA14 7SQ		
<b>Proposal</b>	Two storey extension		
<b>Applicant</b>	Mr & Mrs R. Young		
<b>Town/Parish Council</b>	Hilperton		
<b>Electoral Division</b>	Hilperton	<b>Unitary Member:</b>	Ernie Clark
<b>Grid Ref</b>	386150 159719		
<b>Type of application</b>	Full Plan		
<b>Case Officer</b>	Mrs Kate Sullivan	01225 770344 Ext 01225 770244 kate.sullivan@wiltshire.gov.uk	

### Reason for the application being considered by Committee

Councillor Clark has requested that this item be determined by Committee if the application is recommended for approval due to:

- \* Scale of development
- \* Visual impact upon the surrounding area
- \* Relationship to adjoining properties
- \* Design - bulk, height, general appearance

### 1. Purpose of Report

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

Neighbourhood Responses

One letter of objection has been received.

Parish/Town Council Response

Hilperton Parish Council objects to the proposed scheme.

### 2. Report Summary

The main issues to consider are:

- \* Impact on the host building
- \* Impact on the neighbouring amenity
- \* Impact on the protected trees

### 3. Site Description

The host dwelling, although built along with the properties in Foxglove Drive, fronts Wyke Road. Wyke Road's character is made up with a variety of different house styles with the adjacent property being a bungalow.

Within the garden of the host dwelling are two protected trees.

#### **4. Relevant Planning History**

78/00069/OUT - Outline application for the construction of roads, services and erection of dwellings – Permission 12.05.1978

95/00292/OUT – Residential development and recreation area (outline) – Permission 06.11.1998

#### **5. Proposal**

The application is for a two storey side extension to the dwelling. The extension would be set back behind the bay window in line with the existing dwelling and the ridge height would sit at the same height. Windows would be inserted in the front and rear elevations at ground and first floor levels. There would be no windows in the side elevation.

The proposed materials would match the existing dwelling.

#### **6. Planning Policy**

West Wiltshire District Plan 1st Alteration 2004

C31a Design

C38 Nuisance

National Planning Policy Framework, 2012

#### **7. Consultations**

##### Town/ Parish council

It is felt that the proposed extension will overshadow neighbouring properties; it will be incompatible with the design of existing buildings; it will block natural daylight, and it will be overbearing to the windows of existing buildings. It is also felt that the extension is excessive in its bulk and scale, particularly on the elevation on which it is proposed to be built.

#### **8. Publicity**

The application was advertised by site notice and neighbour notification.

Expiry date: 10 May 2013

Summary of points raised:

- Overshadowing the neighbouring properties
- Incompatible with neighbouring buildings
- Blocking natural daylight
- Overbearing to the existing (adjacent) buildings windows

#### **9. Planning Considerations**

##### Impact on the host building

The proposed extension would be well designed and would result in a balanced dwelling. The materials would be suitable for the host dwelling.

##### Impact on the neighbouring amenity

The extension would bring the side wall of the host dwelling closer to the boundary with the neighbouring property; however, the window which is currently at first floor level and serves the en-suite has been removed from this proposal.

Wyke Road, which this property fronts is characterised by a mixture of property styles and sizes and it is not considered that this extension would harm the street scene. It is noted that this property would become larger than the other dwellings on Foxglove Drive; however, its orientation on the site is to the main road.

The properties orientation faces east and therefore the proposed extension would not overshadow the neighbouring bungalow. The view from the side window of the bungalow would be restricted, however, this is not the principal window for the front room of this dwelling and properties do not have a right to a view.

The applicant disputes the reduction of light to the neighbouring property given the distance of 7 metres from the extension to the neighbouring dwellings window.

The neighbour has raised the accuracy of the block plan. The measurements have been checked on site and are accurate.

A letter has been received from the Applicant raising concern as to the grounds on which the application has been called in to the planning committee and the relationship between the neighbour and the Parish Council, whereby until recently the neighbour served on the Parish Council. This however is not a material planning consideration.

#### Impact on the protected trees

There are two trees in the curtilage of the dwelling house that are protected with Tree Preservation Orders. These are not located in the area of the proposed extension and therefore are not considered to be harmed by this proposal.

#### Conclusion

The proposed extension would not be incongruous in this location and is not considered to harm the neighbouring amenity or the protected trees and complies with policy.

**Recommendation:        Permission**

#### **For the following reason(s):**

**The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies C31a and C38.**

**In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to ensure that there would be no harm to the character and appearance of the neighbouring amenity.**

#### Subject to the following conditions:

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

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

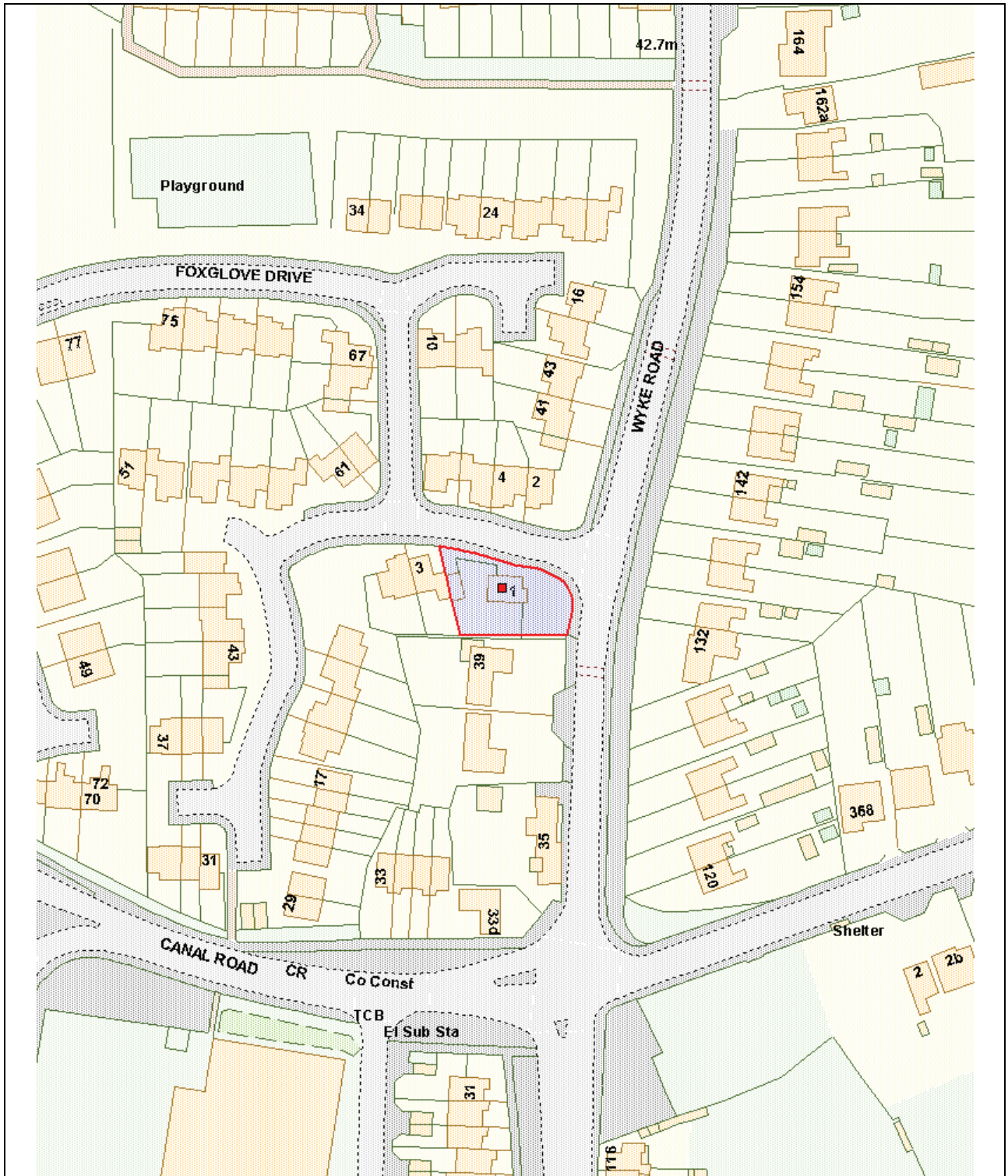
- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Drwg No. 1073-P01 received on 2 April 2013  
Drwg No. 1073-P02 received on 2 April 2013  
Drwg No. 1073-P03 received on 2 April 2013  
Drwg No. 1073-P04 received on 2 April 2013

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.

<b>Appendices:</b>	
<b>Background Documents Used in the Preparation of this Report:</b>	





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