

AGENDA

Meeting: Northern Area Planning Committee
Place: Council Chamber - Council Offices, Monkton Park, Chippenham,
SN15 1ER
Date: Wednesday 13 November 2013
Time: 6.00 pm

Please direct any enquiries on this Agenda to Kirsty Butcher, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713948 or email kirsty.butcher@wiltshire.gov.uk

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Membership:

Cllr Christine Crisp	Cllr Mark Packard
Cllr Bill Douglas	Cllr Sheila Parker
Cllr Mollie Groom	Cllr Toby Sturgis
Cllr Chris Hurst	Cllr Anthony Trotman (Chairman)
Cllr Peter Hutton (Vice-Chair)	Cllr Philip Whalley
Cllr Howard Marshall	

Substitutes:

Cllr Desna Allen	Cllr Howard Greenman
Cllr Glenis Ansell	Cllr Simon Killane
Cllr Chuck Berry	Cllr Jacqui Lay
Cllr Mary Champion	Cllr Nick Watts

AGENDA

Part I

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

1 **Apologies**

To receive any apologies for absence.

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

To approve and sign as a correct record the minutes of the meeting held on 23 October 2013.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chairman.

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 6 November 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 Appeals** (*Pages 13 - 14*)

An appeals update report is attached for information.

7 **Planning Applications** (*Pages 15 - 16*)

To consider and determine planning applications in the attached schedule.

7a **N/13/01067/DEM and N/13/01094/LBC - Chippenham Railway Station**
(*Pages 17 - 26*)

7b **N/13/03635/FUL - Dockers Yard, Calstone** (*Pages 27 - 36*)

8 **Urgent Items**

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

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None

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NORTHERN AREA PLANNING COMMITTEE

**DRAFT MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING
HELD ON 23 OCTOBER 2013 AT COUNCIL CHAMBER - COUNCIL OFFICES,
MONKTON PARK, CHIPPENHAM, SN15 1ER.**

Present:

Cllr Christine Crisp, Cllr Bill Douglas, Cllr Mollie Groom, Cllr Chris Hurst, Cllr Peter Hutton (Vice-Chair), Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Anthony Trotman (Chairman), Cllr Nick Watts (Substitute) and Cllr Philip Whalley

Also Present:

Cllr Jane Scott OBE

129 **Apologies**

Apologies were received from Cllr Marshall and Cllr Packard.

Cllr Packard was substituted by Cllr Watts.

130 **Minutes of the previous Meeting**

The minutes of the meeting held on 2 October 2013 were presented.

Resolved:

To approve as a true and correct record and sign the minutes.

131 **Declarations of Interest**

There were no declarations of interest.

132 **Chairman's Announcements**

There were no Chairman's announcements.

133 **Public Participation and Councillors' Questions**

The Committee noted the rules on public participation.

134 **Planning Appeals**

The Committee noted the contents of the appeals update.

135 **Planning Applications**

Attention was drawn to the late list of observations provided at the meeting and attached to these minutes, in respect of applications **7a** and **7b** as listed in the agenda pack.

136 **13/02605/FUL - The Kingfisher, Chippenham**

Public Participation

Dr Eva Detko and Mr Peter Eccott spoke in objection to the application.
Nick Charlton spoke in support of the application

The officer introduced the report which recommended that authority be delegated to the Area Development Manager to grant planning permission subject to the signing of a Section 106 agreement; and subject to planning conditions.

The Committee noted negotiations between the applicant and officers which had resulted in a change in the design to 2 storey dwellings with a lower roof pitch.

The Committee then had the opportunity to ask technical questions and it was confirmed that the proposal resulted in a 30% reduction in current parking space. There had been no survey on how many vehicles used the car park, however highways officers had considered the application and raised no objections. Attention was drawn to the late observations where the statement requiring a maximum of 30 spaces was found to be incorrect. Officers confirmed that there were no concerns over privacy and were confident no light would be taken from surrounding gardens.

Members of the public then address the Committee as detailed above.

The Local member, Cllr Peter Hutton spoke in objection to the application. He raised concerns over the lack of local engagement, the design being out of character and the impact of the reduction in parking spaces on the neighbouring roads, in particular on emergency access to Barons Mead where there was a predominantly elderly population.

A motion to recommend refusal due the, size, scale and layout and the design being out of character with the area, making reference to policy C3(i) was proposed and seconded.

In the debate that followed the Committee discussed whether the application was out of character with the street scene and the impact of the reduction in parking spaces.

Resolved:

To REFUSE planning permission for the following reason:

Policy C3(i) of the North Wiltshire Local Plan 2011 states that new development should respect the local character and distinctiveness of the area. It is considered that the proposed development, by reason of its siting, scale, mass, design, and density would represent an overdevelopment of the site, to the detriment of the character and appearance of the local area. Furthermore, the design of the proposed development and its relationship with Hungerdown Lane is out of keeping with the character and appearance of the street scene to the detriment of the area. As such the proposal fails to accord with Policy C3(i) of the adopted North Wiltshire Local Plan 2011 and section 7 of the NPPF.

137 **13/01495/FUL - Hill Hayes Lane, Hullavington**

Public Participation

Don Quinn, Mr Dave Martin and Caroline Stephens spoke in objection to the application.

Richard Wearmouth spoke in support of the application.

Sian Neill, Clerk to Hullavington Parish Council spoke in objection to the application

The officer introduced the report which recommended that permission be granted subject to conditions.

He noted that the application had been deferred from 11 September meeting for a site visit that allowed members to understand the location and landscape issues. A new fencing proposal had been submitted that was deer proof and more agricultural in appearance.

The Committee then had the opportunity to ask technical questions of officers and it was confirmed that any subsequent application would be considered on individual merits, should the Committee be minded to approve the application it would be a material consideration on any application made for the adjacent fields. The footpath on the west side of the application did not intrude on the site. Landscaping plans included filling gaps in the hedge line. No response had been received from the MOD or the CAA to the consultation.

Members of the public then had the opportunity to address the Committee as detailed above.

The local member, Cllr Jane Scott OBE spoke in objection to the application, explaining that, whilst not against the principle of solar farms, she felt the location of this site was inappropriate. She highlighted the importance of receiving a response from the MOD given the potential future use of the airfield as part of the rebasing programme, and drew attention to the landscaping not shielding during the winter months. If the Committee were minded to approve the application she asked that the fields be sown to manage the weeds and allow grazing and the roads and verges to be returned to their existing state.

In the debate that followed the Committee discussed the need to have a reply from the MOD and the CAA to the consultation and for remedial work to be completed on roads and verges.

Resolved:

To DELEGATE to the Area Development Manager to grant planning permission subject to receipt of written acknowledgement from the Ministry of Defence and the Civil Aviation Authority to confirm they had seen the consultation, and for the rewording of conditions 4 and 8 below in consultation with the Chairman of Area Planning Committee, for the following reason:

The proposed development, by reason of its siting, size, scale, design and materials, will not adversely affect the character or appearance of the host landscape or the setting of the Cotswolds AONB, nor will it result in detriment to highway safety once operational. As such, the proposal accords with Policies C2, C3, NE4, NE15 and NE16 of the adopted North Wiltshire Local Plan 2011 and Sections 10 and 11 of the National Planning Policy Framework.

Subject to the following conditions:

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

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

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

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

- 3 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first use of the facility or 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.

- 4 No development shall commence on site until full construction details of both access points for the construction phase and operation phase have been submitted and approved in writing by the Local Planning Authority. These details shall include how the design incorporates the swept path (for lorry of 16.6m). The access shall be properly consolidated and surfaced (not loose stone or gravel) for a minimum of the first 10m. A scheme for discharge of surface water from site (including surface water from access) incorporating sustainable details and details for piping of the ditch. The development shall not be first brought into use until surface water drainage and piping of the ditch has been constructed in accordance with the approved scheme. The access shall be maintained as such thereafter. No development shall commence on site until the access has been constructed in accordance with the submitted plans.**

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

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

REASON: In the interests of highway safety.

- 6 No development shall commence on site until visibility splays have been provided between the edge of the 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 the points on the edge of the carriageway 60 metres either side of the entrance from the centre of the access in accordance with the approved plans. Such splays shall thereafter be permanently maintained free from obstruction to vision above a height of 1m above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

- 7 No part of the development hereby permitted shall commence until the parking area and turning area shown on the temporary construction compound and location (Figure 3) has been surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times during the construction phase and removed and the land restored to its former condition on or before the date six months from the development being first brought into use. The same compound shall be provided in advance of the first removal of buildings/solar panels from the site during the decommissioning phase and removed within three months of the land having been restored to its former condition.

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

- 8 No development shall commence on site until a full condition survey of the agreed site access along Hill Hayes Lane has been carried out and approved in writing by the highway authority and compliant with Section 59 of the Highways Act. A further survey of the same route shall be carried out within 1 month of the first use of the development and agreed in writing by the highway authority. Any damage to the highway surface resultant of the construction works shall then be repaired within a period of 3 months of the first use of the development hereby permitted and the works approved in writing by the Local Planning Authority. The same process shall be following during the course of the decommissioning phase.

REASON: In the interests of highway safety.

- 9 No development shall commence on site until full construction details associated with the of the drawing titled 'Extents of required road widening' numbered Figure HU 03 related to Appendix A of the approved 'Construction Traffic Management Plan' have been submitted and approved in writing by the Local Planning Authority. The road widening works shall be completed in accordance with the approved details prior to the development works commencing at the site.

REASON: In the interests of highway safety.

- 10** No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site between the times of completion of development and commencement of decommissioning.

REASON: In the interests of the appearance of the site and the amenities of the area.

- 11** 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 in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication "Guidance Notes for the Reduction of Obtrusive Light" (ILE, 2005)", 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 and no additional external lighting shall be installed.

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

- 12** The development hereby permitted shall be carried out in accordance with the Flood Risk Assessment (Wessex Solar Energy, May 2013) and the surface water run-off management (SUDS) measures detailed therein. The scheme shall be fully implemented and subsequently maintained, in accordance with the timing / phasing arrangements embodied within the scheme or within any other period as may subsequently be agreed in writing by the Local Planning Authority.

REASON: In the interests of flood prevention.

POLICY: National Planning Policy Framework paragraphs 100-103.

13 Prior to commencement of development, a Landscape and Ecological Management Plan shall be submitted to and approved in writing by the Local Planning Authority. This plan shall include the following elements:

- **Protection of existing trees and shrubs**
- **Establishment of hedgerows, trees and shrubs to be planted**
- **Establishment / restoration of grassland habitats**
- **Long-term management of all hedgerows, ponds, and restored / created grassland**
- **Features to be installed for the benefits of protected / BAP fauna**
- **Ecological monitoring to inform future management at the site**

The development shall be carried out in accordance with the agreed Landscape and Ecological Management Plan and the site managed in accordance with the approved plan unless otherwise agreed in writing by the Local Planning Authority.

REASON: To protect and enhance biodiversity at the site

14 Within six months of the date 25 years after commencement of development or the date on which the facility permanently ceases to be operational, whichever is the sooner, all apparatus, buildings, hard standing and fencing shall be permanently removed from the site and the land restored to its former condition.

REASON: In the interests of preserving the long-term character and appearance of the site and its setting.

15 The development hereby permitted shall be carried out in full accordance with the submitted Construction Traffic Management Plan (Wessex Solar Energy, August 2013), including the following:

- a) **Loading and unloading of plant and materials;**
- b) **Access route and site entrance arrangements;**
- c) **Storage of plant and materials used in constructing the development;**
- d) **Wheel washing facilities;**
- e) **Measures for the protection of the natural environment;**
- f) **Hours of construction, including deliveries; and**
- g) **The parking of vehicles of site operatives and visitors.**

The construction traffic route shall be via Norton. No traffic

relating to the proposal shall access the site via Hill Hayes Lane from Hullavington (except in the event of an emergency). Any departures from the approved plan shall be agreed in writing by the Local Planning Authority in advance.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

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

Figure 1.1 - Site Location Drawing
Figure 1.2 0 Site Boundary and Indicative Layout
Figure 4.1 - Indicative Mounted Panel Dimensions - Crystalline
Figure 4.2A - Hullavington Inverter Building
Figure 4.2B - Hullavington Control Building
Figure 4.3 - Indicative Access Track Cross-Section
LL87.03A - Landscape Masterplan

Received 15 May 2013

Figure 4.4 V2 - Indicative Security Fence Details

Received 15 July 2013

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

INFORMATIVES:

- 1 Any alterations to the submitted and approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.
- 2 The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

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

- 3 Please note that the Planning Office does not have the facility to receive material samples. Please deliver material samples to site, with a notification to the planning office where they are to be found.**

138 **13/01436/LBC - Stonehaven, The Green, Biddestone**

Public Participation

Mrs Carolyn Madley spoke in support of the application.

Cllr Ashley Juniper, Biddestone Parish Council spoke in support of the application.

The officer introduced the report which recommended that listed building consent be refused.

They noted the existing 2 roof lights as being acceptable but an increase to three would result in awkward positioning, an over-cluttered look and further loss of historic fabric.

The Committee then had the chance to ask technical questions and it was confirmed that the roof lights were difficult to see from public highways but were visible from private land. A larger roof light on a lower roof was being changed to a smaller one and all other work was seen as an enhancement.

Members of the public then had the opportunity to address the committee as detailed above.

The local member, Cllr Jane Scott OBE, spoke in support of the application, noting the building was being renovated to a high standard.

In the debate that followed the Committee discussed the need for amended plans to show the existing roof lights as they are with the addition of a smaller roof light to the shower room.

Resolved:

That listed building consent is DELEGATED to the Area Development Manager to grant subject to receipt of amended plans that are satisfactory to the Area Development Manager showing retention of the existing roof lights plus the addition of one smaller roof light for the following reason:

The addition of a third, smaller roof light would not be detrimental to the aesthetic and historical value of the heritage asset and is in accordance with paragraphs 131, 132 and 134 of the National Planning Policy Framework 2012.

139 **Urgent Items**

There were no urgent items.

(Duration of meeting: 6.05 - 8.15 pm)

The Officer who has produced these minutes is Kirsty Butcher, of Democratic Services, direct line 01225 713948, e-mail kirsty.butcher@wiltshire.gov.uk

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**Wiltshire Council
Northern Area Planning Committee
13th November 2013**

Forthcoming Hearings and Public Inquiries between 30/10/2013 and 31/05/2014

Application No	Location	Parish	Proposal	Appeal Type	Date
13/01146/FUL	Land at Ashley, Box, Corsham, Wiltshire, SN13 8AN	Box	Temporary Agricultural Workers Dwelling, Erection of an Agricultural Building & Formation of Hardstanding (Revision of N/13/00225/FUL)	Informal Hearing	20/11/2013

Planning Appeals Received between 11/10/2013 and 30/10/2013

Application No	Location	Parish	Proposal	DEL or COMM	Officer Recommendation	Appeal Type
13/00726/FUL	Pond Cottage, West Yatton, Yatton Keynell, SN14 7EW	Yatton Keynell	Garage Conversion, Rear Single Storey Extension, Single Storey Detached Replacement Garage Annexe to Side & Extension of Driveway Over Adjoining Garden	DEL	Refusal	Written Representations

Planning Appeals Decided between 11/10/2013 and 30/10/2013

Application No	Location	Parish	Proposal	DEL or COMM	Appeal Decision	Officer Recommendation	Appeal Type
12/03568/S73	Fir Tree Cottage, Hook, Swindon, Wiltshire, SN4 8EA	Lydiard Millicent	Use of Existing Residential Annex as Self Contained Dwellinghouse (Class C3) - Resubmission of 12/00318/S73A	DEL	Allowed with Conditions	Refusal	Written Representations

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Agenda Item 6

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Agenda Item 7

INDEX OF APPLICATIONS ON 13/11/2013

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
7a	N/13/1067/DEM and N/13/01094/LBC	Chippenham Railway Station Cocklebury Road Chippenham SN15 3QE	Proposed Foot Bridge Following Demolition of Existing Foot Bridge	N/13/01067/DEM - No objection N/13/01094/LBC - Permission
7b	N/13/03635/FUL	Dockers Yard, Calstone	Change of Use From Agricultural to Equine & Erection of Stables & Menage	Permission

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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	13 th November 2013
Application Number	N/13/1067/DEM and N/13/01094/LBC
Site Address	Chippenham Railway Station Cocklebury Road Chippenham SN15 3QE
Proposal	Proposed Foot Bridge Following Demolition of Existing Foot Bridge
Applicant	Network Rail Infrastructure Limited
Town/Parish Council	CHIPPENHAM
Grid Ref	392013 173691
Type of application	Full Planning
Case Officer	Brian Taylor

Reason for the application being considered by Committee

The applications have been called to committee by the Division Member Cllr Caswill in order that the impact of the proposed bridge can be assessed

1. Purpose of Report

To consider the above applications and to recommend that Listed Building Consent be GRANTED subject to conditions and that NO OBJECTION is raised to the Demolition Notification.

2. Report Summary

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

- Principle of development
- Impact upon the listed building and the Conservation Area
- Benefits of improved accessibility to the platform at the railway station

The application has generated support from Chippenham Town Council;

(Previous applications for a bridge in this location were granted listed building

consent. However this proposal has been amended to take account of land ownership issues. The previous application not only received support from the Town council but also from Community Accessibility from rail travel (CART), Wiltshire centre for Independent Living (CIL) The Salisbury and District Branch of the Multiple Sclerosis Society and nine individuals and an objection from the Chippenham Civic Society on grounds of design.)

3. Site Description

There is an existing pedestrian footbridge on the site of this proposal. It is of utilitarian design, constructed of steel and supported by brick pillars. It is not contemporaneous to the listed railway platform and buildings, although it is by its proximity and attachment considered to be a listed structure. The current footbridge provides pedestrian access across the railway line, it does not provide access to the platform (which can only be accessed via a footbridge at the opposite end of the railway station) and it is accessed via steps only. The route across the railway line is difficult for those who may be infirm or have pushchairs and prams and impossible for those using wheelchairs. Similarly access to the platform for those users is difficult using the station footbridge – access for wheelchair users is only possible with the assistance of station staff.

Whilst the footbridge is rather utilitarian, the station buildings are low lying and elegant listed structures typical of the Victorian Great Western Railway Architecture. The existing footbridge rises well above the existing buildings (as any replacement will). As the station is located at a high point in Chippenham, the existing structure is visible from vantage points well away from the station, including, for example, from the ‘Little George’ junction along Old Road to the north and the Monkton Park Offices of Wiltshire Council.

There are a number of grade II listed buildings within the immediate vicinity of the footbridge – the station buildings, platforms and canopies; the former British Rail Office in the car park on the southern side of the station buildings (reputed to have been used by I.K. Brunel) and the weighbridge office (on the Old Road side).

4. Planning History

Application Number	Proposal	Decision
11/03802/DEM and 11/03798/LBC	Demolition of Existing Footbridge and Erection of a Replacement & Associated Works (Prior Notification and Listed Building consent	No Objection/ Permit

5. The Proposal

It should be noted that two ‘applications’ are for consideration in this report. Listed building consent has been applied for as the existing and proposed bridge are physically attached the listed structures of the station. The second ‘application’ is a

notification under Part 11 of the Town and Country Planning (General Permitted Development) Order 1995. This part of the Act enables statutory undertakers (in this case Network Rail) to carry out works authorised by another Act of Parliament (in this case the Great Western Railway Act of 1835) without permission. There are certain circumstances where Network Rail has to notify the local authority and seek 'prior approval' (specifically where works to a bridge are proposed). The local authority cannot refuse to give prior approval (or impose conditions) *unless* the development could be reasonably carried out elsewhere or where the design or appearance would 'injure the amenity of the neighbourhood'.

The proposal is to replace the existing footbridge. The replacement bridge will incorporate lifts on the southern side of the railway and on the platform of the station to improve accessibility to the train services. Access will still be possible across the railway line from the southern side (Station Road) to the northern side of the railway (Old Road), but there will be no lift on the northern side.

Network Rail has worked with local accessibility groups for some years to bring forward this scheme. There have been pre-application discussions with Officers of Wiltshire Council. All parties agree that improved accessibility to train services at Chippenham Station is a welcome, indeed essential, development. The main issue of discussion has been the design and appearance of the bridge. Network Rail have made great efforts to provide a design, within the technical constraints, that will compliment the listed building and this prominent location.

This is an amended scheme for a scheme approved by Wiltshire Council in 2011. Due to a land ownership issue the stepped access on the southern side of the railway has had to be amended to avoid oversailing the old 'milk stand'. This has the effect of bringing the structure closer to the listed railway buildings.

The proposal is for a footbridge supported by two lift towers and one support column. The lift towers themselves are 9.5 metres high, clad in stone to up to the bed of the footbridge (approximately 4.5 metres) and the upper part clad in zinc cladding (which will weather to a dull grey). The southern lift tower is 2.6 metres by 3.2 metres in footprint, the central platform tower slightly smaller at 2.0 metres by 3.2 metres. In addition to the two lift shafts there are stairways at the northern and southern ends and to the central platform. Sufficient space has been left at the northern side of the bridge to install a further lift tower at some future date should funds become available.

In comparison the existing bridge is at its highest point around 6.0 metres. The existing station buildings are between 4.0 and 5.0 metres high.

6. Planning Policy

North Wiltshire Local Plan 2011: Core Policy C3, HE1 and HE4

The site lies within a conservation area and the building is listed (grade II)

Central Government planning policy : National Planning Policy Framework

7. Consultations

Chippenham Town Council: Support the application

8. Publicity

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

9. Planning Considerations

Principal of Development

This proposal is for what is termed operational development and Network Rail would normally be able to carry out such works without consent (subject to a procedure of 'notification'). However in this case because the station is listed and the bridge is located in such close proximity (and the existing bridge is being removed) listed building consent is required in addition to the normal 'notification' procedure. There has been from the outset general consensus that the removal of the existing bridge is not of itself objectionable. It arguably has a certain utilitarian charm, but has no real architectural or historic merit. In general the removal of the existing bridge has been welcomed. There has also been unanimous support for the principal of improved accessibility for the central platform and train services. Letters of support received on the earlier applications for this proposal explain the difficulties of accessing train services for those who are mobility impaired and those using wheelchairs. The principal of a new bridge is therefore acceptable. The concerns that have been raised throughout the pre-application process and the consultation process on these applications generally relate to the design and appearance of the new bridge.

Design and Impact of the Listed Buildings.

The Council's conservation and urban design officers were involved in the pre-application discussions with Network Rail, prior to the original submission as detailed in the supporting documentation submitted with the application. This documentation records the concerns expressed by officers in relation to the proposals originally submitted. The main thrust of officer's comments was that any replacement bridge needs to be well designed, not draw attention away from the listed buildings on the station and perhaps be of a modern, lightweight design.

In relation to the current proposals the conservation officers have expressed concern again about the design approach taken – intimating that this is an opportunity lost.

The replacement footbridge will be in the same location as the existing footbridge, which is within a few metres of the listed main station entrance building and former British Rail office on the south side, and a few metres from the listed weighbridge office and Old Road Tavern on the northern side. Any new bridge will inevitably have an impact on the setting of these listed buildings so it is imperative that the new structure is not overbearing and harmful to the setting of the listed buildings.

In pre-application discussions officers provided examples of innovative and exciting designs for footbridges elsewhere on the rail network. There are, for example, modern glass lifts in other railway stations such as Liverpool Lime Street.

From a design perspective the bridge is a little uninspiring, arguably adding little to the site nor reflecting the significance of the heritage assets or their setting. The replacement bridge will be around three metres higher than the existing, and the lift towers are of course more substantial than the existing bridge support piers. It is arguable whether constructing this footbridge at Chippenham station would preserve or enhance the historic significance of the station and setting of the listed buildings. The change in orientation of the southern stairway has brought the construction closer to the existing listed platform buildings. However, the lighting posts are to be omitted to the scheme which will avoid a cluttered appearance.

Since the previous scheme was considered Government Policy has changed to the extent that, in relation to Listed Buildings (or Heritage Assets as they are collectively referred to), PPG5 has been replaced by the National Planning Policy Framework (NPPF). However the general thrust of the policy remains unchanged in many cases. Members will be aware of the general national policy regarding the protection of Listed Buildings, however, it is worth referring to the following paragraphs:

“132. When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset’s conservation. The more important the asset, the greater the weight should be. Significance can be harmed or lost through alteration or destruction of the heritage asset or development within its setting. As heritage assets are irreplaceable, any harm or loss should require clear and convincing justification. Substantial harm to or loss of a grade II listed building, park or garden should be exceptional. Substantial harm to or loss of designated heritage assets of the highest significance, notably scheduled monuments, protected wreck sites, battlefields, grade I and II* listed buildings, grade I and II* registered parks and gardens, and World Heritage Sites, should be wholly exceptional.

133. Where a proposed development will lead to substantial harm to or total loss of significance of a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:

- the nature of the heritage asset prevents all reasonable uses of the site; and
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation; and
- conservation by grant-funding or some form of charitable or public ownership is demonstrably not possible; and
- the harm or loss is outweighed by the benefit of bringing the site back into use.

134 Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal, including securing its optimum viable use.”

The Council's Conservation Officer has commented that:

“The existing footbridge is unobtrusive and does not dominate the setting of the heritage assets. The proposed footbridge is far larger than the existing bridge and is utilitarian in its design and materials. The new bridge would dominate the skyline around Chippenham station and would cause substantial harm to the setting of the heritage assets.”

She concludes that:

“The proposed replacement footbridge would not sustain or enhance the significance of the heritage assets, nor would it make a positive contribution to the local character and distinctiveness as because of the overlarge bulk, materials and impact on the sight lines to heritage assets on the sky line (paragraph 131).”

However, the NPPF does go on to say that where there is harm to the heritage asset this has to be weighed against the public benefit. In this instance if there is a 'public benefit' it is the improved accessibility to the platform. This is discussed below.

Accessibility

As before the concerns expressed about the design and impact on listed buildings must be balanced against the very real and demonstrable benefits the footbridge would bring to users of the station and the wider community. With regard to the previous application 9 and there is no reason to expect that this has changed) a number of supporters welcomed the proposal quoting their own personal experiences of accessing the platform at Chippenham Station. From a number of these it is clear that those unable to use the existing station footbridge to access the platforms have to make contact with the station in advance to make arrangements; need the assistance of station staff to access the platform; access the platform by crossing the railway via a 'barrow crossing' (pedestrian level crossing). This is both inconvenient and unnerving experience. The improvement to the accessibility of the station must be taken into account when considering the acceptability or otherwise of the proposals.

The Council's Conservation officer is of the view that the public benefits do **not** outweigh the harm caused, as there are alternative ways in which access could be achieved, and she refers to a number of schemes elsewhere on the network. She recommends that the proposal ought to be refused. However, Network Rail have indicated that this is the only way in which they can achieve improved access working with the constraints imposed and resources available to them.

The earlier approved application was only acceptable because of the public benefit the improved access achieved. This revised proposal arguably has a greater impact

on the listed building, but the benefits of access are considered significant enough to outweigh any perceived harm to the surrounding listed buildings that may result. The improvement to accessibility will have significant benefits to the local community. The lack of convenient access to the station platforms at Chippenham is a significant barrier for many rail users (and potential rail users)

10. Conclusion

Officers believe that the proposed footbridge in its current form potentially fails the test to enhance the conservation area and it is likely to have a degree of harmful impact upon the listed buildings and their setting – due to the size and bulk of the lift towers and the somewhat utilitarian design of the bed of the footbridge. They have sought to persuade Network Rail to adopt a more contemporary approach, which is less bulky and more elegant. However, it is recognized that there are numerous technical and financial restrictions that constrain Network Rail's ability to address all the concerns raised. On balance, the significant improvements to the local community that the lift access to the rail platforms is likely to bring would on balance justify accepting any harm that the bridge might have.

It is recommended that listed building consent be granted and that no objection is raised to the prior notification.

RECOMMENDATION

In respect of 13/1067/DEM:

NO OBJECTION for the following reason:

The proposed demolition of the existing footbridge is considered to have a neutral or positive impact upon the setting of the Listed Building and the Chippenham Conservation Area. The replacement footbridge is considered likely to cause some harm to the Conservation Area and setting of listed building. However, the significant benefit to the community and users of the railway station through the creation of an accessible footbridge to the platform and rail services is considered to outweigh any harm that may be caused by the construction of the footbridge. The proposal is considered therefore to comply with the requirements of The National Planning Policy Framework and Policies C3, HE1 and HE4 of the North Wiltshire Local Plan 2011.

Subject to the following condition:

1. No development shall commence on site until details of the materials to be used on the lift towers and finish and colour of the footbridge to be used on the development 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.

In respect of Listed Building Consent 13/01094/LBC

Listed Building consent be GRANTED for the following reason:

The proposed demolition of the existing footbridge is considered to have a neutral or positive impact upon the setting of the Listed Building. The replacement footbridge is considered likely to cause some harm to the setting of listed building. However, the significant benefit to the community and users of the railway station through the creation of an accessible footbridge to the platform and rail services is considered to outweigh any harm that may be caused by the construction of the footbridge. The proposal is considered therefore to comply with the requirements of The National Planning Policy Framework.

Subject to the following conditions:

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

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

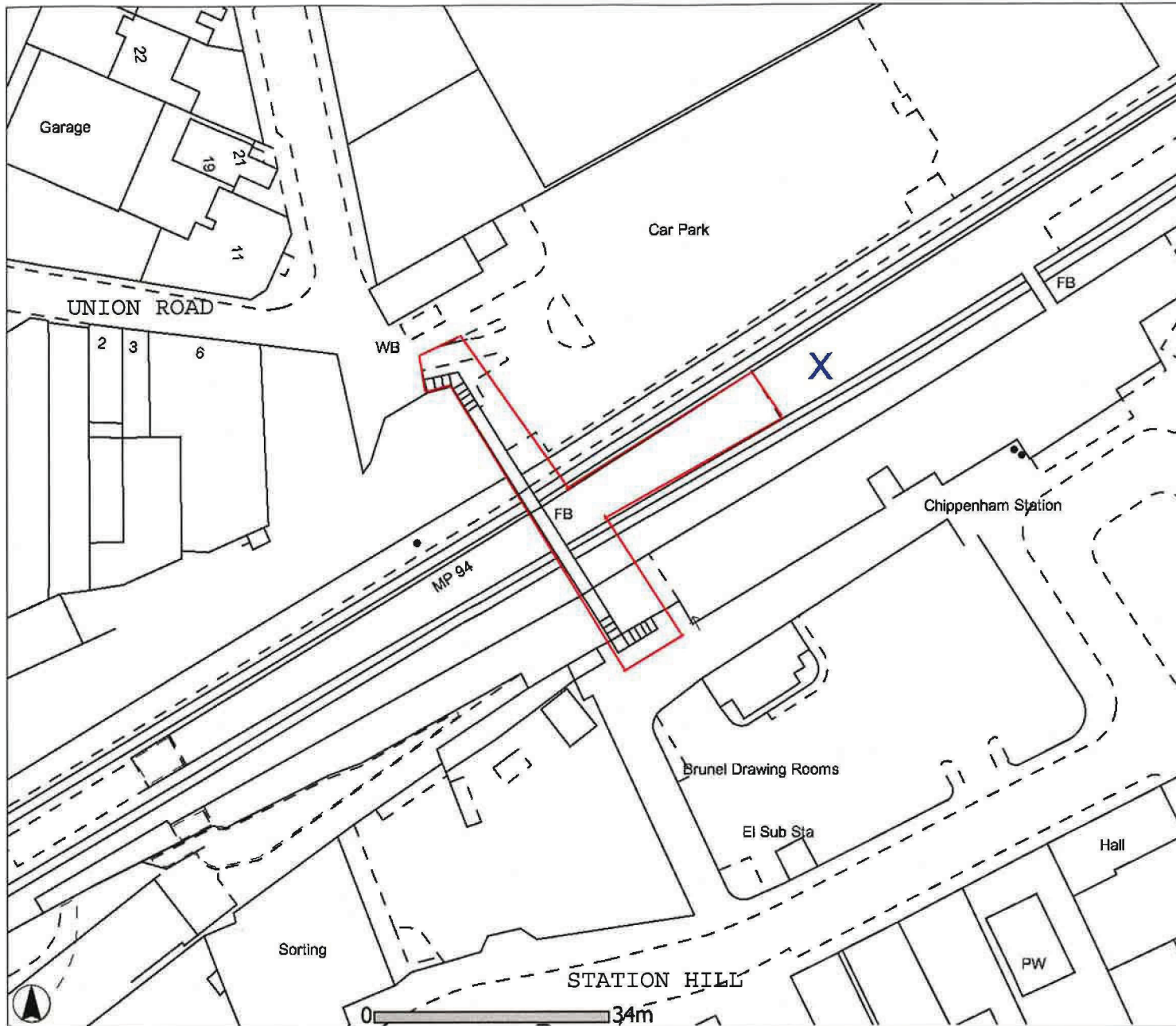
2. No development shall commence on site until details of the materials to be used on the lift towers and finish and colour of the footbridge to be used on the development have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

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

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

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

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LOCATION PLAN Chippenham Station Footbridge

Plot Scale 1:850

Plot Date 10/4/2013



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REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	13 November 2013
Application Number	13/03635/FUL
Site Address	Dockers Yard Greens Lane Calstone Wiltshire SN11 8QQ
Proposal	Change of Use From Agricultural to Equine & Erection of Stables & Menage
Applicant	Mrs D Sands
Town/Parish Council	CALNE WITHOUT
Grid Ref	402636 169545
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application has been called in by Cllr Hill in order to consider the scale and design of the proposed development, as well as its impact on the AONB and highway network.

1. Purpose of Report

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

2. Report Summary

The main issues in considering the application are:

- Principle of development
- Impact on the character and appearance of the area and AONB
- Impact on the privacy and amenity of existing neighbours
- Impact on highway safety
- Impact on site drainage

The application has attracted a total of 27 public objections, including revised comments in respect of the amended plans. No objection is raised by the Council's Highways Officer, subject to conditions; however an objection has been raised in respect of the current proposal on drainage grounds. No comments have been received from the Parish Council.

3. Site Description

The land known as Dockers Yard comprises around 4ha of agricultural land spanning between the A4 main road East of Calne and Greens Lane, a narrow unclassified road to the South. Greens Lane is used primarily for access to the limited number of properties scattered along its length, which terminates in a dead end to the southeast of the site. The land slopes gently down toward its southeast corner, adjoining an area that has previously been converted to equestrian/horse grazing use to the immediate East. At present, there is no made up vehicular access to the land, which currently forms part of the wider holding with the land to the West, and the land is enclosed by a mature hedge boundary to the North and East, with a post-and-wire fence at its southern edge. The site is located in the open countryside and within the North Wessex Downs Area of Outstanding Natural Beauty.

4. Planning History

There is no planning history relevant to the site.

5. The Proposal

It is proposed to change the use of the land to equestrian, creating a new secure access onto Greens Lane and erecting a new stables and ménage. Following negotiation, the scheme has been amended in several significant respects, including the siting of the building and ménage, design of the stables and amount of hard standing surrounding them. The site is to be accessed from Greens Lane via a new splayed entrance leading to a pair of five-bar gates recessed from the highway by some 5m. The splay widens from 4.5m at the gates to 13m at the highway edge and is to be surfaced in a suitably consolidated material, yet to be agreed. But for a 5m-deep apron to the front of the stables, however, the residual area traversing the land West of the stables up to the ménage to the North is to be surfaced in Grasscrete. This plastic grid system, inlaid into the existing turf, will provide a total area of 160m², sufficient for the manoeuvring of vehicles/horseboxes as necessary.

The stables are to be arranged so as to back onto the eastern site boundary, comprising a series of 3no. 3.6 x 3.6m loose boxes flanked by a modest tack room and larger feed and bedding store. The block is to be arranged over an L-plan; with separate manure storage enclosure situated a short distance from the northwest corner of the building. The stable block is to measure 18.6m in length and 7.4m at its widest, with the majority section being dictated by the 3.6m depth of the boxes. Horizontal timber boarding is to be used to clad the external walls of the building, with a 15° pitched roof over to be surfaced in black Onduline corrugated sheeting incorporating three separate translucent panels to afford additional natural light to the boxes. The doors are to be of traditional vertical timber construction, with an open front to the hay store wing. Overall, the building will adopt a scale of 2.1m to eaves level and 3.1m to its ridge.

Adjacent to the northern end of the stables, it is proposed to create a ménage, to be laid out similarly alongside the East site boundary, 20m wide and extending 40m northwards, toward the A4. The area is to be enclosed by a 1.2m timber post-and-rail fence, incorporating dual gates at its southern end, and surfaced in a top layer of various silica sands, fibres and rubber over a permeable membrane, with foundation of crushed limestone below. Integral drainage is to be

provided as a series of parallel 100mm-diameter perforated pipes, into which surface water is to drain through the upper levels and over an impermeable membrane. These pipes are then to converge and discharge into a soakaway at the southeast corner of the site. The remainder of the land – approximately 88% of the total – is to be left as general grazing land in association with the proposed equestrian use.

6. Planning Policy

The following planning policies are relevant to the application:

Policy C3 of the adopted North Wiltshire Local Plan 2011 (Development Control Core Policy)
Policy NE4 of the adopted North Wiltshire Local Plan 2011 (Areas of Outstanding Natural Beauty)
Policy NE15 of the adopted North Wiltshire Local Plan 2011 (The Landscape Character of the Countryside)
Paragraphs 103, 109 and 115 of the National Planning Policy Framework

7. Consultations

Calne Without Parish Council – no comments
Highways – no objection, subject to conditions
Drainage – objections, however noted mitigation may be possible

The Wiltshire & Swindon Biological Records Centre has noted the multitude of badger records within c.60-500m of the site between 1966 and 2003.

8. Publicity

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

17 letters of objection received, including representations on behalf of the AONB and the North Wiltshire & Swindon CPRE.

Following the receipt of amended plans, the consultation period was subsequently extended and 10 further comments were received.

Summary of key relevant points raised:

- Visual impact on the open countryside
- Impact on the character of the wider AONB
- Inappropriate use of land in an AONB
- Impact on highways
- Effect on residential amenity
- Drainage and flood risk

Concerns have been raised in respect of the impact of the development on private views and, consequently, the value of property. As neither is a material planning consideration, it is necessary to detach these issues from legitimate considerations such as the impact on the landscape and wider AONB.

9. Planning Considerations

Principle of development

In principle, private equestrian uses are considered acceptable in this type of location, as exemplified by the proliferation of similar schemes in the wider vicinity of the site. Such proposals are particularly prevalent amongst areas of land, like this, that have relatively little agricultural merit due variously to their size, access, relief and drainage. For this reason, the relatively minimal loss of agricultural land for the purposes of equestrian use, most of which is to comprise grazing land largely consistent with agricultural practice, is considered justified in this instance.

Impact on the character and appearance of the area and AONB

Following negotiation, the scheme has been amended in several significant respects, including the siting of the building and ménage, design of the stables and amount of hard standing surrounding them. The entire arrangement has been brought closer to the southeast corner of the site, conserving to a greater extent the open aspect that characterises the land and reducing the amount of hard standing required. The introduction of Grasscrete to the majority of the turning space will mean that this is barely apparent in visual terms, whilst providing a fully permeable surface to both support vehicles and protect the ground from damage.

In terms of design and materials, the stable building proposed is typical of a small-scale private facility and certainly will appear less imposing than the American-style barn originally shown. The scale has been reduced to an absolute minimum and the use of a traditional natural timber finish will enable the building to weather to a regressive colour. Likewise, the ménage is enclosed by a traditional post-and-rail fence and, whilst easily distinguished by the onlooker from the immediate surroundings, will not appear unduly prominent or out of place in this setting, nor will it significantly affect the wider landscape.

The scheme should be taken in context with the proliferation of dwellings further southeast along Greens Lane, in which context the building will be seen when viewed from the A4 to the North. Although certainly apparent from a number of viewpoints in the immediate vicinity of the site, the scheme will not appear as unduly prominent in the wider landscape, including that of the AONB, by reason of its modest scale and type of use. The risk of 'clutter' (e.g. vehicles, lights, jumps, etc) undermining this simple appearance is a relevant consideration, however, and to this end suitable conditions are recommended.

Impact on the privacy and amenity of existing neighbours

It is not considered that the level of activity associated with a private facility of this type and scale should pose any significant threat to the residential amenity of neighbouring properties in respect of noise disturbance, etc. The area is, however, characterised by its relatively quiet and rural setting, with little light pollution. Suitable conditions are therefore recommended to ensure that the site is not brought into commercial livery use, which would attract far more activity, and to prevent the installation of lighting, which could prove intrusive to nearby properties as well as impacting negatively on the general character of the AONB.

Impact on highway safety

The access and highway implications of the scheme have been examined and are considered acceptable. The proposed splayed access will afford adequate turning space and visibility, allowing a single vehicle to pull off of the highway entirely for the gates to be

opened, thus avoiding obstruction. It is also noted that the Grasscrete to be installed provides a sufficiently robust surface on which to manoeuvre a vehicle and/or horsebox in all weathers, enabling both site access and egress in a forward gear. Greens Lane is an adopted, although unclassified, road supporting several properties and therefore the minimal level of vehicular movements anticipated as a result of this proposal is considered acceptable. For these reasons, the Council's Highways Officer has confirmed that no objection is raised, subject to conditions to secure an upgraded access.

Impact on site drainage

It is acknowledged that the site may have in the past been subject to limited and localised flooding during extreme weather events and, with such events likely to increase in frequency and severity, it is reasonable to require adequate measures to offset the impact of the development and, if possible, gain some improvement in this respect. For this reason, the proposal in its current form has attracted an objection from the Council's Drainage Engineer on the basis that the proposed soakaway is unlikely to be adequate due to the heavy clay soil. However, the consultee has confirmed that a suitable solution could be realised in principle by incorporating the drainage from the stables and hard standing with that from the ménage and redirecting this to a nearby watercourse. The Grasscrete area and manure store could then drain at their own rates, providing a net improvement to the overall resilience of the site. Whilst the proposal does not make adequate provision in this respect at the present time, therefore, it is reasonable to impose a condition to secure a suitable alternative arrangement prior to any future use of the development, effectively preventing implementation of any permission until the site can be adequately drained.

Conclusions

In summary, it is considered that the proposed use is typical of its setting, with many private equestrian facilities established in such areas of the countryside, including designated landscapes such as AONBs. The revisions to the design of the stables make adequate concession to the building's private use and the proposed cladding will weather to a regressive appearance in the context of the wider landscape. The ménage and areas of hard standing are also typically associated with a development of this type and are not out of character in terms of their proportion or appearance. Adequate arrangements have been made for safe access to and egress from the site, and it is considered that subsequent approval of a suitable scheme of drainage will mitigate against the risk of flooding, so that the proposal is consistent with both national and local planning policy.

RECOMMENDATION

That planning permission is GRANTED, 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 brought into use until details of the finish to external timber, including any paint or stain to be used on the external walls and window joinery have been inspected on site and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being first

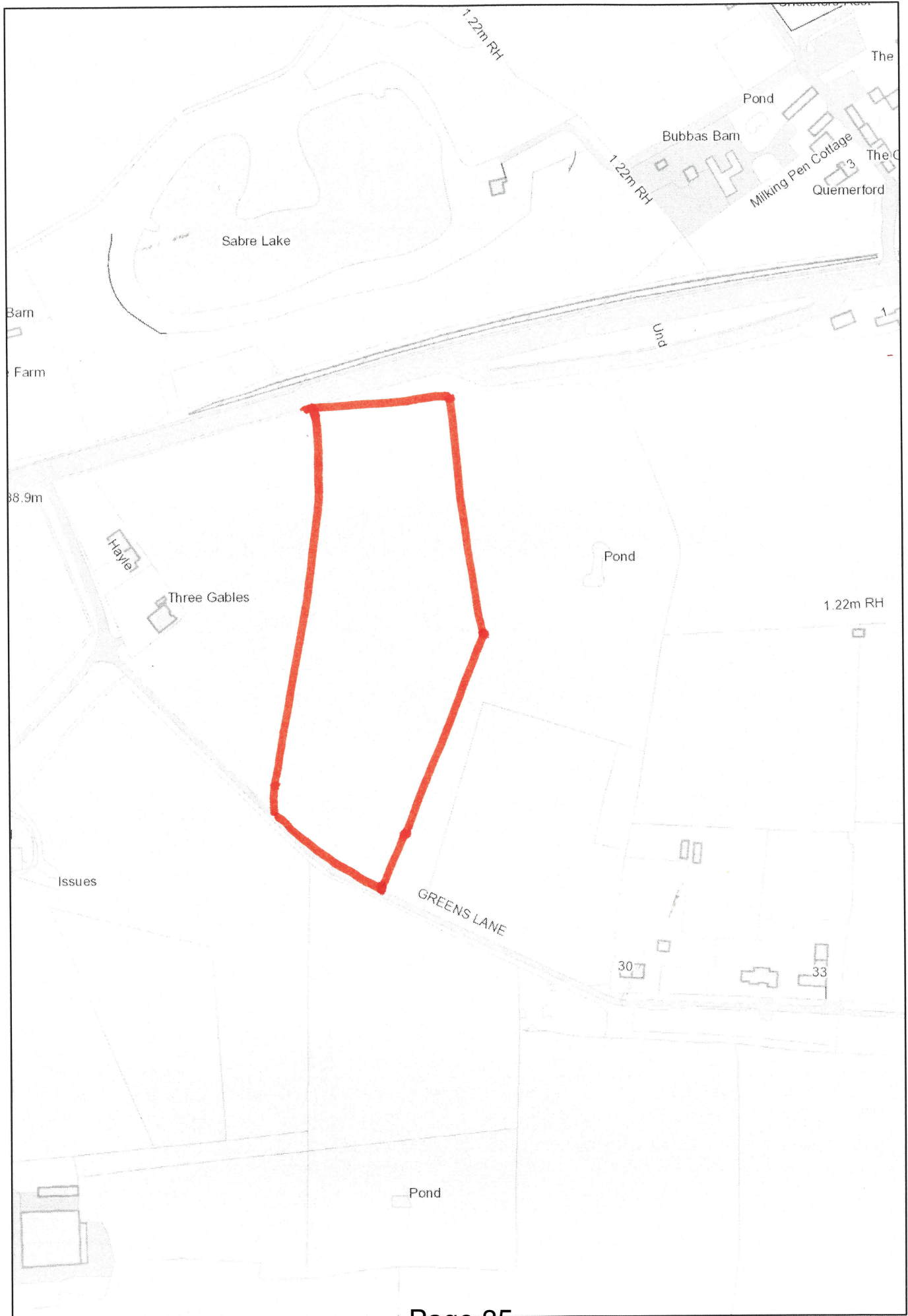
	<p>brought into use and maintained as such thereafter.</p> <p>REASON: In the interests of visual amenity and the character and appearance of the area.</p>
3	<p>The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter. The access shall be made to drain away from the highway, details of which should be approved in writing by the Local Authority.</p> <p>REASON: In the interests of highway safety.</p>
4	<p>Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.</p> <p>REASON: In the interests of highway safety.</p>
5	<p>No external lighting shall be installed on site unless approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.</p> <p>REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.</p>
6	<p>No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.</p> <p>REASON: To ensure that the development can be adequately drained.</p>
7	<p>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.</p> <p>REASON: In the interests of highway safety and to protect the living conditions of nearby residents.</p>
8	<p>No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site overnight.</p> <p>REASON: In order to protect the living conditions of nearby residents and the rural character of the area.</p>
9	<p>No fences or jumps shall be erected on the site without the prior approval in writing of the Local Planning Authority.</p>

	REASON: In order to protect the rural character of the area.
10	<p>The development hereby permitted shall be carried out in accordance with the following approved plans:</p> <p>1085 Sheet 1 rev 2 - Proposed Plans and Elevations and Location Plan 1085 Sheet 2 rev 2 - Proposed Block Plan</p> <p>Received 7 October 2013</p> <p>REASON: For the avoidance of doubt and in the interests of proper planning.</p>

Appendices: Site Location Plan

Background Documents Used in the preparation of this Report: None

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