

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	26 th January 2011		
Application Number	10/03160/FUL		
Site Address	Land to rear of Farrells Field, Cold Harbour Lane, Yatton Keynell		
Proposal	Small scale development of two B1 office building with associated parking and landscaping		
Applicant	Mr Avent		
Town/Parish Council	Yatton Keynell		
Electoral Division	ByBrook	Unitary Member	Cllr Jane Scott
Grid Ref	386947 175974		
Type of application	Full		
Case Officer	Simon T. Smith	01249 706633	simon.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Scott has requested that this application be considered by the Development Control Committee so that the scale of development together with its potential impact upon the surrounding area may be considered.

1. Purpose of Report

To consider the above application and to recommend that, subject to the submission of required surveys of the site to demonstrate the absence of protected species to the satisfaction of the Council Ecologist, the planning application be DELEGATED to the Area Development Manager for Planning Permission to be granted subject to conditions.

The Parish Council objects to the application. 49 letters of objection have been received and a further 7 letters objecting to the revised plans. In addition a petition objecting to the application with 94 signatories has been received.

2. Main Issues

The application is for the development of two B1 office buildings with associated parking and landscaping. The key points to consider are as follows:

- Implications on DC Core Policies C3, C4, NE15 and national policy within PPS4
- Principle of development
- Visual impact of proposal vs. local employment
- Impact upon residential amenity
- Other matters

3. Site Description

The application site is positioned to the East of Yatton Keynell village and directly abuts the Settlement Framework Boundary and the residential development known as Farrells Field. The site is currently a 5310m² open field and is accessed from the adjoining fields also under the control of the applicant.

4. Relevant Planning History		
Application Number	Proposal	Decision
86/2358/OL	Industrial estate, light industrial units, car parking and landscaping	Refused 12/01/87
88/0022/OL	Industrial estate	Granted
89/1198/F	Industrial estate	Granted
91/2616/F	Change of use of light industry to associated industrial uses	Granted
92/2248/F	Industrial units	Granted 15/03/93
93/0109/F	Change of use of light industrial to associated industrial uses	Granted 15/03/93

5. Proposal

The proposal is for layout out of B1 office development, complete with parking and new access from B4039. The office development is to take the form of two separate two-storey blocks of 465m² each. Each block is identical in appearance and layout (albeit handed) and approximates a central position on the site with access road and parking provision either side. Additional landscaping is proposed for all boundaries, with the deepest belt of planting proposed to the West adjoining the boundary with the Farrells Field residential development.

6. Consultations

The Town/Parish Council

In respect of the original plans, object on the following grounds:

- Proposed development is of a scale that is out of proportion with the existing village
- Proposed buildings present a far more uniform and regular non-domestic character that offers only limited variation in roof and appearance
- Development would profoundly alter the character and appearance of this entrance to the village.
- Does not comply with Policies C3 and BD4 of the adopted North Wiltshire Local Plan
- Business establishments have decreased over years in Yatton Keynell, but the development would provide employment for 140 and is clearly out of proportion with village.
- Poor and infrequent transport links to Chippenham would limit accessibility to proposal. Cycle and pedestrian links are limited.
- Potential increase in traffic - close proximity to school and doctors surgery – B4039 is a busy road with increased traffic volumes likely to cause an impact upon highway safety and therefore contrary to Local Plan policy.
- Site is not allocated for employment development in local plan.

- No evidence of demand for employment development on this location – significant vacant accommodation at nearby Bumpers Farm and other locations.
- Development would not take account of surrounding development and landscape and would be contrary to Policy NE15 of adopted Local Plan.
- Aware of 1993 permission – however at that time the adjoining sites were used for Countrywide Farm store and associated workshops, but are now development for residential purposes. The previous permission has no validity as a precedent.

Comments still awaited in respect of revised plans reducing number of offices blocks to 2 units.

Highways

In light of the fact that the site is located outside of the Settlement Framework Boundary to Yatton Keynell, object on the grounds of sustainability.

However, in the event of the proposal satisfying other policies within the adopted Local Plan, advise that a visibility splay of 2.4m x 90m should be demonstrated in both directions.

Land Drainage Engineer

There is a history of drainage problems on the highway at Tiddlywink and the adjacent development at Farrells Field when this development required drainage pipe work installation in a southerly direction. This drainage disappears into a swallow hole and has been forgotten. I would like to see details how they intend dealing with surface water.

Environmental Health

No adverse comments provided development is for office use only.

Wessex Water

The development is located in an area with both foul and surface mains drainage. The developer will need to agree a point of connection with Wessex Water prior to the commencement of development.

Pipelines Agency

Government pipeline does cross a small section of the site. The development will need to be made aware of the requirements for a way leave around the infrastructure where development would be expressly prohibited by separate legislation.

Council Ecologist

An ecological survey has been carried out which has identified that the site has the potential to support nesting birds, commuting/foraging bats, amphibians and reptiles. No further survey work has been carried out to confirm their actual presence/absence. Recommends that the application is supported by sufficient ecological information to assess the sites value as a habitat.

7. Publicity

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

In total 49 letters of objection received. 94 signatories in form of a petition objecting to the proposal. The revised plans have resulted in 7 specific letters of objection. Main issues:

- Large buildings at the entrance to Yatton Keynell inappropriate
- Scale of development is not small and is out of proportion to Yatton Keynell
- Drainage problems exacerbated.

- Highway safety compromised as a result of additional traffic close to school and doctors surgery – overflow of parking onto main road and surrounding residential area
- Loss of natural habitat for birds and animals
- Impact upon privacy of nearest residential properties
- Lack of accessibility to site
- Previous permissions are historic and relate to a time when the site was set in a very different context (in particular Farrells Field was not built at that time). Therefore have no bearing and do not set a precedent.
- Reduction in building numbers does not alter previous objections – development is still inappropriately large in context of Yatton Keynell village

8. Planning Considerations

Principle of development

The application site is positioned on agricultural land immediately adjoining the southernmost extent of the Settlement Framework Boundary to Yatton Keynell. In this context, Policy BD4 of the adopted North Wiltshire Local Plan 2011 is applicable.

Policy BD4 does envisage that the principle of new business development on land that adjoins villages would be acceptable provided the scale, form and character of the development is appropriate to the village and there is no adverse impact upon the surrounding highways. Accordingly, the prime purpose of this policy is to allow for the possibility of appropriate new employment opportunities to be created for residents of those villages deemed to already possessing a range of local services (ie. as is denoted by the drawing of a Settlement Framework Boundary around such villages, defined within the adopted Local Plan).

This site has been the subject of proposals for development in the past, culminating in the 1993 permissions for light industrial units. Although never implemented and granted some 17 years ago under different planning policy, the principles underpinning such planning policy remain substantively unchanged. Therefore, despite its age, the previous planning history of the site is a material to the determination of this application. The fact that the context to the site has since altered (primarily the creation of Farrells Field estate in place of the previous workshops) is not considered to be critical since the correct application of planning policy only requires a consideration with the application site's relationship with the Settlement Framework Boundary itself. The likely level of impact upon residential amenity is correctly assessed against separate policy.

The principle of development of this site for employment purposes is considered to be established. The relative success or failure of the scheme therefore rests upon the appropriateness of its form, scale and impact upon residential amenity. Such matters are considered below.

Visual impact of proposal vs. local employment

Amongst other requirements, Policy BD4 requires new business development to be both "small scale" and be appropriate to the village in scale and character. For the purposes of assessing the visual impact of the proposal, these requirements are largely similar. In the absence of any definition within the Local Plan, it is left to individual interpretation as to what "small scale" is, and whether a proposed development is appropriate to the character of settlement.

To this extent, it is judged that whilst Yatton Keynell is one of the smallest villages within the District, the southern entrance to the village is rather dominated by the Farrell's Field residential development. Although there are a number of buildings evident along B4039 prior to reaching the sign for Yatton Keynell (which coincides with the Settlement Framework Boundary), the Farrells Field development does play the role of a definitive and highly distinguishable threshold between countryside and (built up) village. Its built form is both immediate to the B4039 and in depth from the road frontage.

It could be argued that even quite intensive development on the application site would simply have the effect of moving the already highly defined threshold between village and its countryside hinterland slightly further out. However, this approach is considered to be a mistake, and is the reason why revised plans have been submitted (reducing the number of office units from 3 to 2 and consequent reduction in parking space). Revised plans attempt to provide a degree of transition or “feathering” of the transition between countryside and built form of the main village.

The success or failure of such a reduction in built form so as to achieve a “feathered” entrance to the village as opposed to a blunt one, is of course open to individual debate. Indeed, objectively, the proposal still results in a dramatic visual change from present green field to built development. However, this is a situation that would, to one degree or another, result from most proposals for development being considered against Policy BD4 and in this particular instance the proposal, as is now configured, would allow for development of a reduced scale (both from the previously submitted plans and that permitted in 1993) set in a site that would be highly landscaped with a significant degree of such along all boundaries. The design of the buildings themselves, approximating a domestic height and alluding to accommodation created from converting a rubble stone barn, is thought to aid a site performing the function as an entrance to Yatton Keynell.

To consider whether the proposal is “small scale” and appropriate to Yatton Keynell in terms of the amount of new employment floorspace being created, as opposed to its visual effect considered above, is equally problematic. Yatton Keynell is a relatively small village virtually devoid of any/all existing employment floorspace, therefore rendering this proposal for 930m² new floorspace as undeniably a significant addition. To use this as the only measure of schemes acceptability, however, would be to precisely ignore the positive benefits of provide employment opportunities where there is currently none.

Echoing adopted Local Plan policy C4, National planning policy advice in PPS4: Planning for Sustainable Economic Growth (2009), whilst acknowledging the need to take account of the quality and character of the area within which a development would sit, does state (at EC10.1):

Local planning authorities should adopt a positive and constructive approach towards planning applications for economic development. Planning applications that secure sustainable economic growth should be treated favourably.

Clearly, there is very little development that is more sustainable, in the broadest sense of the word, than development that would provide opportunities for local employment within a village where there is currently very little.

Impact upon residential amenity

The application is submitted on the basis that the new accommodation would be used for (B1) office purposes only. The B1 Office use class is often defined as only encompassing activity that can be undertaken in a residential area without unacceptable impact upon amenities. In the event of planning permission being granted, suitably worded planning conditions can confirm provide adequate control over those uses permitted.

The concerns of the nearest neighbours are acknowledged and sympathised with as many views from Farrells Field will alter from open fields to built development, car parking access road. However, a change to a view across land is simply that. It would not constitute a detriment to living conditions that the planning system can take account of. Indeed, the proposal does include a sizeable depth of landscaped land between Farrells Field and the car parking/office buildings that is considered adequate to protect against any potential noise and disturbance from the increase in activity. There is also sufficient distance to Cold Harbour cottages to the East of the site.

The Council’s Environmental Health Officer has raised no objections to the proposal.

Other matters

Concerns have been raised regarding the accessibility of the site and how “sustainable” development upon it might be. To an extent this matter is acknowledged by the Highway Officer, who raises concerns over the factual positioning of the site in open countryside and the relative lack of opportunity to access the site other than via the private car. However, as is noted above, the site directly adjoins a village identified within the Local Plan as being suitable for such development, and in such locations, Policy BD4 does indeed envisage the principle of such development to be acceptable. To this extent it is reasonable to assume that a proportion of any future employees would come from Yatton Keynell itself.

Subject to the provision of adequate visibility splays at the junction with B4039, the Highway Officer does not raise objections to the proposal on the grounds of highway safety. Similarly, the suggested on site parking provision has not been raised as an objection. In this context, and notwithstanding the concerns raised by local residents and the Parish Council, it is not considered to be reasonable to refuse planning permission on these grounds alone.

Drainage and flooding has been raised as a concern by local residents. It is considered entirely possible for planning conditions to be imposed that would require a scheme for surface and foul water disposal to be agreed prior to the commencement of development. Connection to mains drainage is available, subject to agreement with Wessex Water.

9. Conclusion

Planning policy does not provide clarity as to what constitutes “small scale” or appropriate business development on the edge of villages. An assessment has been made that while acknowledging the dramatic visual shift from the present condition of the site as a green field to built form, does conclude that the form and scale of development would not be so incompatible in the context of forming the southern gateway to Yatton Keynell village, that would result in a reason to refuse planning permission.

10. Recommendation:

Subject to the submission of required surveys of the site to demonstrate the absence of protected species to the satisfaction of the Council Ecologist; then:

DELEGATE to the Area Development Manager for

Planning Permission to be GRANTED for the following reason:

Whilst acknowledging the dramatic shift from the present condition of the site as a green field to built form, it is considered that the form and scale of development would not be incompatible in the context of adjoining residential development and forming the southern gateway to Yatton Keynell village. As such the proposal is of an appropriate form and scale in accordance with Policies C3, C4 and BD4 of the adopted North Wiltshire Local Plan 2011 and national planning guidance in PPS4.

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

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

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

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

REASON: In the interests of highway safety.

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 4.5 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 90 metres to the north and 90 metres to the south 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 900mm above the level of the adjacent carriageway.

REASON: In the interests of highway safety.

7. The development hereby permitted shall not be first brought into use/occupied, until the cycle parking facilities shown on the approved plans have been provided in full and made available for

use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

8. The site shall be used for offices only and for no other purpose (including any other purpose in Class B1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

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

9. No materials, goods, plant, machinery, equipment, finished or unfinished products/parts of any description, skips, crates, containers, waste or any other item whatsoever shall be placed, stacked, deposited or stored outside any building on the site without the prior approval in writing of the Local Planning Authority.

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

10. 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 lighting approved shall be installed and shall be maintained in accordance with the approved details.

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

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

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

12. The development hereby approved shall not be first brought into use/ occupied until the recycling facilities shown on the approved plans have been provided and made available for use. These facilities shall be maintained in accordance with the approved details thereafter.

REASON: To ensure the provision of satisfactory facilities for the storage of refuse and recycling.

13. No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use/first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

14. No development shall commence on site until details of the works for the disposal of sewerage have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

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

