

Date of Meeting	11 January 2018
Application Number	17/06733/FUL
Site Address	The Meadow, Crockerton BA12 7DU
Proposal	Change of use of existing buildings and part of site to a nursery school, to include proposed works to existing buildings.
Applicant	Mrs D Pirie
Town/Parish Council	LONGBRIDGE DEVERILL
Electoral Division	WARMINSTER WITHOUT – Cllr. Fleur De Rhe-Philippe
Grid Ref	386 141
Type of application	Full Planning
Case Officer	Steven Vellance

Reason for the application being considered by Committee:-

Councillor Fleur De Rhe-Philippe has requested that if officers are minded to approve this application, it should be reported to the Planning Committee for the consideration of the following:

The environmental, highway impacts and car parking

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved.

2. Report Summary

The main issues to consider for this application are:

The principle of the development; access and highway safety and parking impacts; ecological impacts; drainage matters and neighbouring amenity impacts.

In summary form, Longbridge Deverill Parish Council object, whereas, the Council's highway authority, ecologist, drainage engineer, education childcare team and Wessex Water are either supportive or do not raise any objections. No neighbour objections/representations have been received.

3. Site Description - The application site relates to a 0.3 hectare parcel of land used for equestrian stabling and agricultural land located in the open countryside accessed off the A350 about 200m to the south east of Crockerton, 600m to the north of Longbridge Deverill and 1.8km south of Warminster. The site is occupied by a single storey timber clad 80sq.m stable building and a 40 sq.m barn; which are 3.5 metres in height which are accessed / served by an existing vehicular access on the eastern side of the A350. The applicant also owns circa 1.5hecatres of land around the stabling which is known as Hayden Meadow and would remain in agricultural use.

The inserts below illustrate the application site parameters as well as additional land within the applicant's ownership. The site photograph shows the access off the A350 and stable building.



The site is not at risk of flooding and is zoned as Flood Zone 1 – land which has the lowest probability of flooding (quantified as less than 0.1%). Apart from glimpsed views of the stable from the access off the A350, the site is well screen by a well-established treed boundary which is partly illustrated below:



4. Relevant Planning History

W/04/01868/FUL - Replacement stable (old stable to be demolished) Approved - 11.11.2004

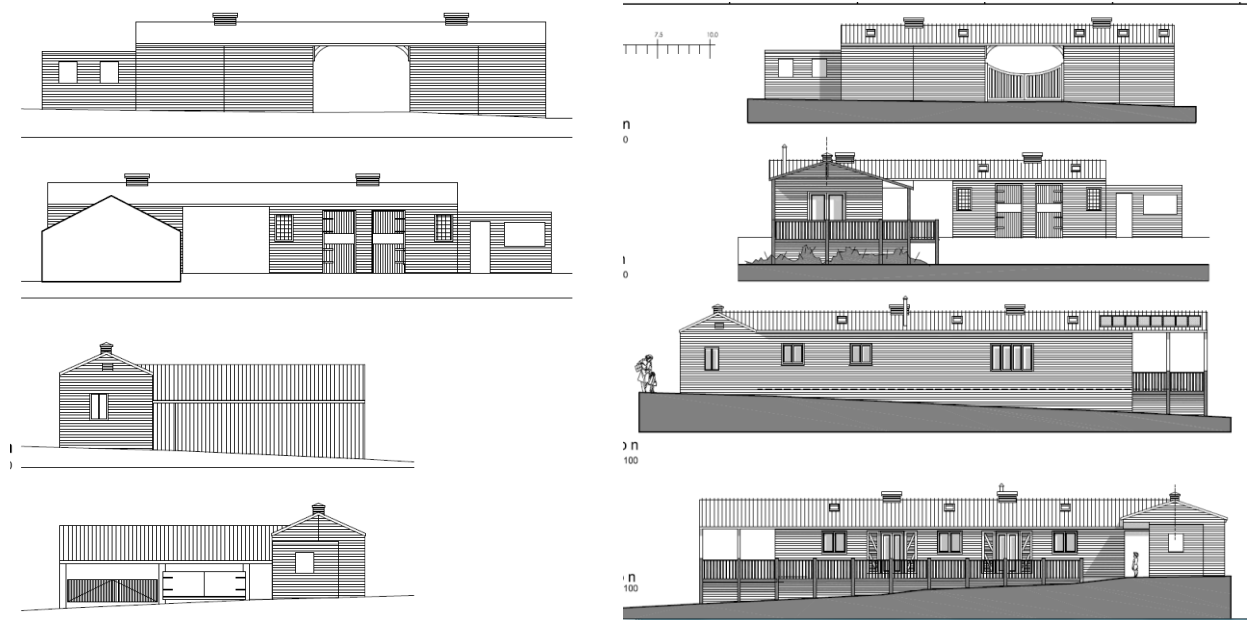
5. The Proposal

This application seeks full detailed planning permission for the change of use, extension and alteration of the existing stabling and site from equestrian use to a D1 nursery school (The D1 is a reference to the Use Class under Town and Country Planning Legislation, being non-residential institutions including nurseries). Under this application the applicant proposes to retain part of the existing stable building demolish the existing 40sq.m barn and extend onto the rear by some 25 sq.m.

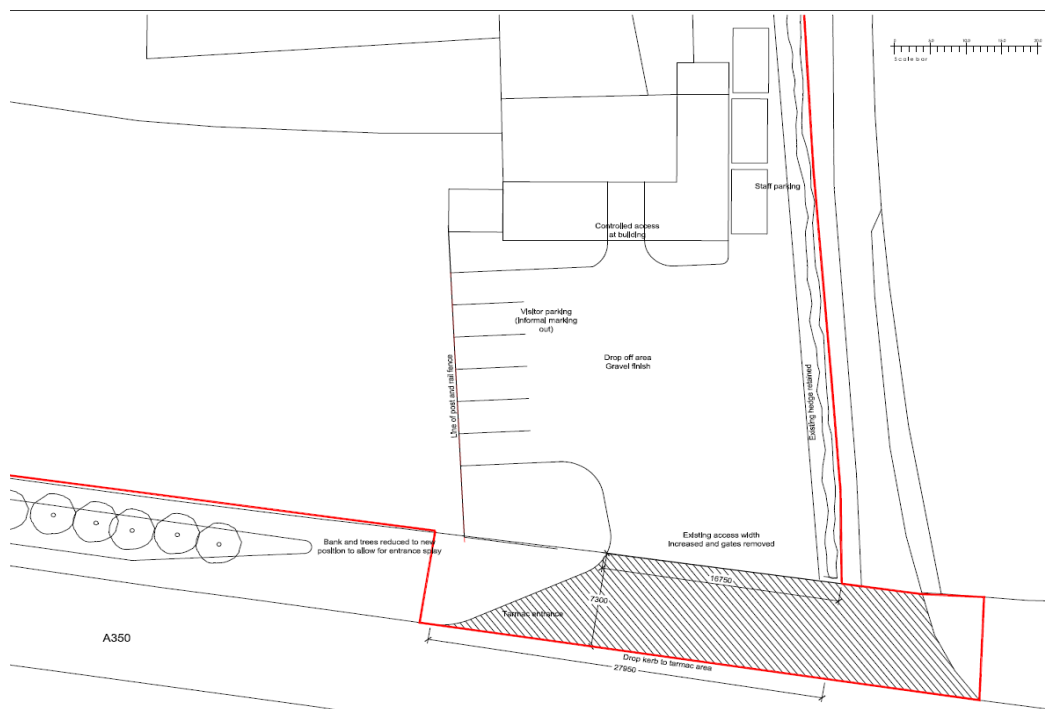
The proposed nursery would extend to some 85 sq.m and would be designed to accommodate 24 places with 3 full time employees and 1 part time member of staff. The business hours are proposed to be 8am-6pm Monday-Friday with no Saturday, Sunday or Bank Holiday hours of opening. As set out within the applicant's planning statement, the proposed nursery at the

Meadow site would aim “to provide children with a natural, wholesome learning experience where they will learn about the importance of sustaining our environment, growing and harvesting their own food and caring for the animals that live on the land”.

The new extension would be designed in complimentary building materials through using timber cladding under a corrugated sheet roof. The inserts below illustrate the existing (left) and proposed elevations (right).



The existing access would be widened to 16.7m and a stretch of unprotected western boundary trees would be removed to improve visibility following advice provided by the highway authority to safely accommodate additional vehicular traffic movements generated by the proposed nursery. Seven parking spaces would be provided on site.



6. Local Planning Policy

Wiltshire Core Strategy (WCS): CP1 – Settlement Strategy; CP2 - Delivery Strategy; CP3 – Infrastructure Requirements; CP31 – Warminster Community Area; CP48 - Supporting Rural Life; CP50 - Biodiversity and Geodiversity; CP51 - Landscape; CP57 - Ensuring High Quality Design and Place Shaping.

Wiltshire Local Transport Plan 2011- 2026 – Car Parking Strategy
Cranborne Chase and West Wiltshire Downs (CC&WWD) AONB Management Plan.

The National Planning Policy Framework (NPPF) and National Planning Practice Guidance (NPPG) are also material considerations.

7. Summary of Consultation Responses

Longbridge Deverill Parish Council: Object on the basis of the following: Concerns are raised over the number of vehicles accessing and leaving the site via very busy and fast A350 main road. The proposed turning space and parking within the site for dropping off and picking up children is very limited and this may lead to vehicles waiting and/or parking on the main A350 road. There is no access to the site by foot.

Wiltshire Council Highways Officer: No objections subject to a planning condition requiring the visibility improvement works, tree removal and on-site parking are completed prior to the nursery being brought into use. The site is served off the primary highway route A350. There is an established paired access arrangement serving existing equestrian use on the site, alongside a separate adjoining land use. The access to the application site is currently gated, and of insufficient width to allow two vehicles to pass. It is however noted that there is no personal injury accident record associated with the use of the existing access.

Following the negotiated and necessary improvements now being put forward as part of the application, the 24 childcare place nursery would not result in highway concerns. It is important to secure sufficient space in and out of the site for vehicles to enter/park/emerge without any prospect of vehicles having to wait on the A350. It is recognised that the applicant proposes to widen the access and permanently remove the gates which will achieve that end. The applicant also proposes to improve junction visibility and formalise improved on-site car parking/picking up/setting down and alterations to kerbing over the access frontage with the A350.

The proposed maximum number of children that would attend this proposed nursery is acceptable.

Wiltshire Council Childcare Co-ordinator: Supportive.

Wiltshire Council Ecologist: No objections subject to conditions. The proposed scale and nature of the development means there would be limited impact on the Special Area of Conservation. The application is supported by an ecology report which recommends ecological enhancement measures for bats and birds. These are supported and should be conditioned. No external lighting should be installed on site without prior approval from the LPA.

Wiltshire Council Drainage Officer: Supportive subject to conditions. The site is in flood zone 1 and is not an area at risk of flooding. Conditions are necessary to secure acceptable surface water and foul water discharge/treatment.

Wessex Water: No objections but advised that the site lies within a non sewered area and new water supply connections would need to be made.

Cranborne Chase and West Wiltshire AONB Partnership: No comments.

8. Publicity

The application was publicised via individual neighbour notifications and a site notice. Following the public notification exercise, no neighbour or third party responses were received.

9. Planning Considerations - Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

9.1 Principle of Development - As reported within section 7 of this report, the Council's Childcare Co-ordinator fully supports the application and positively welcomes the extra child care spaces that the scheme would provide. The childcare officer reports that following Central Government's introduction of 30 hours of free nursery entitlement for three and four year olds for working parents (from September 2017), there is a substantial and consequential increased demand placed on childcare facilities (when compared against the former 15 hour provision). It is anticipated that the extra allocation of nursery hours will increase the demand for nursery provision across the County and place a strain on current places. This proposed development would offer additional options to families living within the Warminster Community Area and its immediate environs.

9.1.1 It is fully appreciated that although the site is located outside of defined settlement limits, it is well serviced and in close proximity to several villages and Warminster. Officers are furthermore fully aware of the pressing need to deliver more childcare nursery school facilities locally and with the Council's childcare co-ordinator's support, this is given significant weight. The demand that is being placed on existing nursery establishments is likely to increase when the projected number of houses the Warminster Community Area will deliver in the plan period are considered (CP2, CP3 and CP31 all refer).

9.1.2 The proposed nursery would re-use an existing serviced site access located off the main A350 highway. The vast majority of the applicant's landholding would remain as agricultural land which would be used as part of the childcare education and nurturing plans. The application's site plan confirms that the surrounding open meadow land would not be developed. Instead, the aim of the nursery would be to offer children the opportunity to have an outdoor learning environment. The nursery building would re-use and extend the existing stable structure and retain its modest stable aesthetic constructed from natural timber cladding with a corrugated sheet roof.

9.1.3 WCS CP48 is of material consideration in that it positively aims to support the rural economy and the re-use of existing buildings with non-residential development in particular supported so long as the development proposals do not lead to insensitive or damaging new uses. The following criteria are relevant to note and weigh up as part of the planning balance:

“Criterion i) requires that the building(s) is / are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building”.

9.1.4 The subject stable building is a structurally sound which was constructed following the approval of application W/04/01868/FUL and would be modestly and sympathetically altered and extended. A relatively small sized barn would be removed as part of the development proposals to accommodate the additional 25sq.m of nursery floorspace, which is considered proportionate and acceptable in principle. The applicant intends to upgrade the existing structure by using complimentary materials which would sit well within its rural environment.

9.1.5 *Criterion ii) requires that the use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.*

In response to this policy requirement, officers are satisfied that the proposed development would not harm the character or appearance of the landscape, nor impact on neighbouring amenity.

9.1.6 *Criterion iii) requires that the building can be served by adequate access and infrastructure.* This aspect is discussed in more detail within paragraph 9.2 with officers considering that the development would not introduce any highways concerns or substantive grounds for refusal.

9.1.7 *Criterion iv) requires that the site has reasonable access to local services.* This is considered to apply for the Meadow Nursery site which would benefit from an improved access off the A350 and its siting close to Warminster and several villages.

9.1.8 *Criterion v) discusses buildings that are heritage assets, which is not applicable to this particular site or application.*

9.1.9 On the basis of the above, the principle of the proposal is accepted by officers. However the following chapters appraise the highway safety, ecology and land drainage matters and neighbouring impacts.

9.2 Access and Parking Considerations – Seven dedicated on-site car parking spaces would be provided to service the needs of members of staff, visitors and the parents of infants. Policy CP64 of the Wiltshire Core Strategy refers to the Council’s adopted Car Parking Strategy which sets out the ‘maximum’ parking standards for staff, visitors and parents for primary schools, as detailed below:

Use class	Land use	Standard
Education Centres	Staff	2 per 3 staff
	Visitors	1 per 7 staff
	Parent – Infants	1 per 12 pupils
	Parents – Primary	1 per 20 pupils

Wiltshire Council Maximum Parking Standards relating to primary schools

9.2.1 Based on the above maximum standards, the proposed 24 space nursery would generate a maximum parking need for 2 car parking spaces for the parents of infants, 0.5 a space for visitors. In addition to the above, and in recognising of the location of the site and the importance attached to avoiding cars waiting on the A250, officers consider it is appropriate to over provide for on-site car parking with 3 car parking spaces – 1 for each full-time member of staff. After liaising with the Council’s highway team, your officers advise that the proposed parking provision is acceptable and that the development would not result in any additional adverse impacts. A planning condition is recommended to limit the number of nursery places so that the establishment does not generate additional traffic generation and parking demand beyond that which has been appraised under this application. Any future plan to expand the number of nursery places would require separate planning permission and would need to be subject to a separate highway and parking assessment.

9.2.2 Whilst officers acknowledge the highway and pedestrian safety concerns which have been raised by the Parish Council, members are advised that the Council’s highway officer is satisfied that the development is acceptable in highway terms.

9.2.3 The applicant proposes to widen the existing access to accommodate additional vehicular movements that the use would generate. The entrance area to the site would have a designated drop off zone and designated visitor car parking spaces. Staff car parking would be provided adjacent to the nursery building separate from visitor and parent parking. The lack of a pavement and the concerns raised by the Parish Council whilst noted and understood, it is not considered strong enough justification to warrant a refusal decision. Through acknowledging the type of facility being proposed, officers do not consider it would be appropriate to encourage infants with or without chaperones to walk along the A350 – even if there was a pavement. The Council’s highway officer is satisfied that with the proposed visibility improvements at the access and securing the parking provision and drop off facility no objections are raised. The Head of Highways also reports that there have been no personal injury accidents at this location and the proposed development is acceptable in highway safety terms.



9.3 Ecology – After reviewing the applicant’s ecology assessments, the Council’s ecologist is satisfied that the development would accord with CP50 and through the use of planning conditions the development could deliver ecology betterment in terms of incorporating bat and bird enhancement measures.

9.4 Drainage - The Council’s drainage officer also raises no objections. Planning conditions are recommended to address surface water and foul water drainage treatment.

9.5 Impact on the Surrounding Area and Neighbouring Amenity - The site location is rural by its very nature and in recognition of Core Policy 51 *“Development should protect, conserve and where possible enhance landscape character and must not have a harmful impact upon landscape character, while any negative impacts must be mitigated as far as possible through sensitive design and landscape measures”*.

9.5.1 The scheme aims to achieve the stated policy requirements by utilising in the main the existing footprint of the stable building and propose a modest, sympathetic extension to be constructed in complimentary materials. In this particular case, the immediate and surrounding landscape would not be detrimentally affected. Officers acknowledge that the site is located within the Cranborne Chase and West Wiltshire Downs AONB, however, the development proposals are considered complimentary to the safeguarding policies enshrined with the AONB Management Plan and the proposed development would represent an acceptable re-use of an existing developed site.

9.5.2 WCS CP57 requires new development to have regard to the compatibility of adjoining buildings and uses and to avoid harmful impacts through the loss of privacy, amenity, overshadowing and pollution (e.g. Light intrusion and noise). In terms of appraising neighbouring impacts, the proposed development would be sited approximately 100 metres to the east of the nearest neighbouring residential property, which is considered to be a significant distance to ensure there is no substantive detriment to amenity and privacy. In terms of lighting, the installation of any exterior lighting would be controlled via a planning condition, as recommended by the Council’s ecologist.

9.5.3 On the basis of the above, officers are satisfied that the proposed use would not result in harm to neighbouring amenities or detrimental harm to the character of the area.

10. Conclusion (The Planning Balance) – Officers conclude that this proposed development accords with the relevant WCS Policies and that the design and use is appropriate and acceptable in terms of the surrounding context. The scheme would provide a needed and valuable nursery facility to support local families.

RECOMMENDATION: Approve 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 be carried out in accordance with the following approved plans: Drawing 10203-P01 Rev B - Existing Location Plan received on 03.11.2017; Drawing 10203-P02 Existing Elevations received on 03.08.2017; Drawing 10203-P03 Existing floor Plans received on 03.08.2017; Drawing 10203-P04 Rev B Proposed Block Plan received on 03.11.2017; Drawing 10203-P05 Proposed elevations received on 03.08.2017; Drawing 10203-P06 Proposed floor Plan received on 03.08.2017; Drawing 10203-P07 Existing site plan received on 03.08.2017; Drawing 10203-P08 Proposed Site (Land Identification) Plan received on 26.09.2017

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

3. The development hereby approved shall not be brought into use (in relation to the conversion and extension to the stable building) until a scheme for the discharge of foul water has been submitted to, approved in writing by the Local Planning Authority, and completed.

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

NOTE: If the applicant proposes to use an existing system, the applicant is hereby required to confirm that it is adequate and has the necessary capacity to accommodate the proposed increased use.

4. The development hereby approved shall not be brought into use (in relation to the conversion and extension to the stable building) until a scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365 and location of top ground water level to ensure that the base of any soakaway is at least 1m of unsaturated soil above the agreed top water level of ground water taking into account seasonal variations, has been submitted to, approved in writing by the Local Planning Authority, and completed.

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

5. No part of the development hereby approved shall be brought into use until the access, drop off area and parking spaces have been completed in accordance with the details shown on the approved plans. Thereafter, the areas shall be maintained for those purposes at all times for the lifetime of the development.

REASON: In the interests of highway safety.

6. No part of the development hereby approved (in relation to the conversion and extension to the stable building) shall commence until the exact 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.

7. No part of the development hereby approved (in relation to the conversion and extension to the stable building) shall be brought into use until the access has been widened, the existing gates have been permanently removed and the visibility improvement works along the western site boundary (as illustrated on plan drawing 10203-PO4 Rev B) have been completed to achieve improved visibility from a point measured 2.4m back into the access measured from the carriageway edge, to a point measured 210m to the nearside carriageway edge in a northerly direction. The visibility splay thus provided shall thereafter be maintained.

REASON: In the interests of highway safety.

8. The maximum number of children at the nursery shall be 24, as stated within the accompanying Design and Access Statement.

REASON: To define the terms of the permission and the interests of highway safety and because this permission is granted having regard to the particular circumstances advanced in support of the application.

9. The development shall be carried out in strict accordance with the measures stipulated in the Discussion and Conclusions section of the approved Extended Phase 1 Ecological Survey Report (produced by Stark Ecology Ltd and dated November, 2017) with respect of the need to time the works during the winter and outside of the nesting birds season (which is March to August inclusive).

REASON: To ensure appropriate mitigation for nesting birds, and to ensure compliance with wildlife legislation, Core Policy 50 of the Wiltshire Core Strategy and the NPPF.

10. No part of the development hereby approved (in relation to the conversion and extension to the stable building) shall commence until the exact details of the ecological enhancement and mitigation measures for bats and birds as recommended in the Discussion and Conclusions section of the approved Extended Phase 1 Ecological Survey Report have been submitted to and approved in writing by the Local Planning Authority. Details must include the number, specification and location of the features to be incorporated within the development and this shall also be shown on a site plan. Thereafter, the ecological enhancement measures for roosting bats and nesting birds shall be installed in accordance with the approved details and plan.

REASON: To ensure appropriate compensation for nesting birds and enhancement for bats in accordance with Core Policy 50 of the Wiltshire Core Strategy and the NPPF.

11. No new external lighting shall be installed at the application site without prior written approval from the local planning authority. Any plans for new lighting must be submitted to the local planning authority for consideration and approval and must include details of mitigation measures to minimise the potential for impacts on foraging and commuting bats at the site. Thereafter, new lighting must be installed and operated in strict accordance with the approved lighting plan.

REASON: To ensure appropriate mitigation for bats, and to ensure compliance with wildlife legislation and Core Policy 50 of the Wiltshire Core Strategy.

12. Notwithstanding the provisions enshrined within The Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending those Orders with or without modification) the development hereby approved shall be used as a nursery school falling within use class D1 and for no other purpose (including any other purpose in Class D1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended) (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 and site location.

Informatives

1. Pursuant to conditions 3 and 4, the surface water and foul water discharge treatment needs to satisfy Environment Agency guidelines. Non domestic supplies required for firefighting or commercial use would require a separate assessment with network modelling subject to design requirements. The applicant should make contact with Wessex Water to agree new water connections.