

# REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	30 <sup>th</sup> March 2011		
Application Number	10/04672/FUL and 10/04673/CAC		
Site Address	Land at Station Hill, Chippenham, SN15 1EQ		
Proposal	Demolition of Buildings, Structures and Boundary Wall. New build A1 Unit proposed as a convenience store, including parking		
Applicant	Mr Heard, Llanfear LLP		
Town/Parish Council	Chippenham		
Electoral Division	Chippenham Monkton	Unitary Member	Councillor Caswill
Grid Ref	391995 173645		
Type of application	FULL and Conservation Area Consent to demolish		
Case Officer	S T Smith	01249 706 633	simon.smith@wiltshire.gov.uk

## Reason for the application being considered by Committee

Councillor Caswill wishes for the application to be considered by the Development Control Committee so that the visual impact of development, its relationship to adjoining properties, the design, bulk, height and general appearance, its environmental and highway impact, car parking and potential impact of the proposal upon existing local retail facilities may be considered.

### 1. Purpose of report

To consider the above application and to recommend that subject to the receipt of satisfactory revised plans in respect of boundary walling/railings treatment of new convenience store building, the application be DELEGATED to the Area Development Manager for Planning Permission and Conservation Area Consent to be GRANTED subject to conditions.

### 2. Report summary

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

- Principle of development
- Impact upon highway safety
- Impact upon visual amenity and landscape character

Eight (8) letters objection received together with a petition containing approximately 1000 signatures. The Chippenham Town Council raise no objections to the proposal subject to a new application being submitted for the advertising. The Chippenham Civic Society support the application.

### 3. Site Description

The application site is the former Royal Mail Delivery depot situated at the crest of Station Hill, Chippenham. Following the relocation of Royal Mail, the site is now used as a private pay and display car park with the depot offices currently remaining empty.

Station Hill was substantively formed by Brunel's railway station on the Great Western Railway. Although now largely characterised by formal car parking and bus drop arrangements, the original station building, and importantly Brunel's drawing office building, remain. The station, its footbridge and the office building are listed Grade II. The entire site and its surrounds are contained within the Chippenham Conservation Area.

<b>4. Relevant Planning History</b>		
<b>Application Number</b>	<b>Proposal</b>	<b>Decision</b>
<b>07/00573/COU</b>	<b>Temporary change of use and works to car park</b>	<b>Permission</b>

## **5. Proposal**

The proposal can be disaggregated into two elements. Firstly, the change of use of the existing building on the site to form offices. Secondly, on the remaining open area of the site for the construction of a new A1 convenience store including parking and maneuvering space for deliveries.

## **6. Planning Policy**

The adopted North Wiltshire Local Plan: policies C3; C4; HE1; HE2 and R2

Central government planning policy: PPS4

## **7. Consultations**

**Chippenham Town Council** – No objections subject to a further application being submitted in respect of the advertisements.

### **Chippenham Vision –**

*The Chippenham Vision has considered this application in detail. While it welcomes the redevelopment of the site and the majority of the proposals put forward it strongly objects to the proposals for any parking in front of the proposed convenience store.*

*The Chippenham Vision Masterplanning Group has reviewed the proposals drafted by Julian Kashdan-Brown to amend the parking configuration but the Board feels that the retention of any parking on the Station Hill Road side of the store is completely inappropriate for the following reasons:*

*There is extensive parking, including short term free parking within very close proximity of the development.*

*The Chippenham Vision commissioned a detailed public realm study from Ben Hamilton Baillie in 2009 which was approved by the Vision Board, which set out a clear proposal for the future enhancement of the area. (Page 47 of the report included as separate attachment). This focused on improving pedestrian flow, pedestrian safety, improved links through to the town centre, traffic calming measures and significantly improving the quality of the urban realm. The proposed development on Station Hill blocks and prevents the future implementation of those proposals.*

*The Chippenham Vision therefore objects to this application.*

### **Urban Design Officer**

*Although this proposal generally offers a means to breathe new commercial life into this currently under-used central site, I remain very concerned at what I feel is an unnecessarily split parking*

arrangement associated with the foodstore. This arrangement will in my view cause extensive parking manoeuvres and reversing in what could otherwise be a 'pedestrian friendly' and visually appealing area directly in front of the foodstore main entrance.

The built elements of the proposals include a generally pleasing front elevation of the office refurbishment and foodstore overall, and the overall form and general location of buildings enhances the streetscene well. I do, however, have a number of detailed concerns including the following:

- *Listed buildings directly opposite the sorting office yard are not mentioned in the D&A Statement as important parts of the immediate context. The architecture of Station Hill and this part of Cocklebury Road is far less 'disparate' than the examples of Hathaway Retail Park and the Westinghouse office on the other side of the railway cited in the statement. This development site is surrounded by listed buildings and demands a high quality architectural response.*
- *It is unclear if there are two entrances to the store and it is not clear where the entrances are (signage is not over doors but may be better placed there to give them emphasis). The green backboard to signage on the foodstore also dominates the cornice continuity. Lettering directly on the render finish is preferred or use of the opaque glazed panels for limited signage. Does there need to be a foodstore sign towards the railway? The end wall sign will be visible from the footbridge and car park opposite.*
- *Flanking walls in and around the foodstore side parking area are a potential security/graffiti problem. Greater use of railings here may improve this, as would the use of stonework instead of light render for remaining walls.*
- *No levels are shown on the drawings. This is of particular concern where there is a proposed wall around the office parking at the Railway Station end, levels suggest it would be simple to climb over as the path rises here towards the milk dock and footbridge. More detail of the wall heights and any railings over is needed for this area.*
- *Generally the wall materials involve too much render. The scheme needs some element of ashlar Bath stone (see Brookfield House) or brick. This could appropriately be the tower and walls adjacent to the highway*
- *The proposed green totem is not appropriate signage in the Conservation Area and is unacceptable, particularly as this is the main focus of the view up Station Hill.*
- *The 12m delivery vehicle backs directly up to a wall and gate so no rear access appears possible when in this delivery position. Rearrangement similar to my overlay sketch attach would overcome this.*
- *There is no disabled width access to the ramp up onto the offices terrace.*
- *Disabled spaces should have additional width on both sides.*
- *Roof plant is not shown on elevations or 3D images. Can the height of this and any flues be detailed please.*
- *The labelling of office parking numbers includes duplication are 7 or 8 office parking spaces proposed?*
- *There is very cramped reversing space out of office parking spaces 6 and 7. A layout similar to that shown instead on page 10 of D&A Statement is preferred (although with accessibility to spaces).*
- *The side of the stair up to the office entrance terrace could be incorporated into the flank wall at the back of the footway, with a parapet for any handrail. This will visually link this element and avoid exposed ends of treads to the street.*
- *There is no furniture to control unauthorised parking on paved areas.*

**Highway Officer** – No objection

**Network Rail** – No objection

**Wessex Water** – no objection. Requests that an informative is inserted into the decision notice drawing the applicants attention to the public foul sewer crossing the site and the requirement for a 6.0m easement.

## 8. Publicity

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

Chippenham Civic Society support the application. Believe the proposal would be an important ingredient in the regeneration of Station Hill. One (1) further letter received expressing support for the principle of development but expressing concern over the appearance of the proposed convenience store relative to the listed rail station buildings.

Eight (8) letters objection received together with a petition containing approximately 1000 signatures.

Summary of key relevant points raised:

- Would create too much traffic on Station Hill
- Would keep customers out of town centre
- Would cause unnecessary pollution and litter
- Impact upon residents wishing to gain access to houses at Monkton Park estate
- Impact upon trade of local shop at Monkton Park (MS2 store)

## 9. Planning Considerations

### Principle of development

The application site is situated within an area considered to be part of the Secondary Retail Frontage of the town centre of Chippenham, as defined by Policy R2 of the adopted North Wiltshire Local Plan 2011. Whilst seeking to ensure that retailing remains the primary function of the town centre, Policy R2 does acknowledge that other activities such as offices, community and leisure uses can also contribute to a vibrant and active centre to a town.

Critically, this policy fully accepts that this site as being part of Chippenham town centre. It must therefore be concluded that a proposal for new A1 retail development on this site would be appropriate – and indeed absolutely desirable given the policies expressed desire to retain retail as the primary function within a town centre. In this context the proposal would not undermine the vitality or viability of Chippenham town centre.

For the same reasons, the re-use of the existing building on the site for B1 office would fully comply with adopted Local Plan policy.

Guidance provided with PPS4 reinforces this conclusion.

### Impact upon highway safety

The proposal seeks to provide for a total of eighteen (18) car parking spaces on the site. Ten (10) of those spaces are to be for the use of the convenience store arranged in two rows, with the remaining eight (8) for the office. Deliveries to the convenience store are intended to take place within the space between the new store and the office building with all manoeuvring to take place within the site. The position of the access is to approximate the existing situation.

The highway Officer has not objected to the proposed number or arrangement of parking provision on the site, nor to the proposed delivery arrangements. Despite the strong objections received from local residents regarding the potential for additional traffic to be generated by the proposal on Station Hill, neither has the Highway Officer objected to the adequacy of the local road network to safely deal with the such traffic. On the technical assessment of such matters, and in the absence of an expert view to the contrary, there appears to be no reason to diverge from this advice. Indeed, intuitively it is likely that a large amount of the convenience store's trade is likely to be generated by the significant footfall already present in the locality due to the close proximity to the

rail station. Equally, car-borne traffic, whilst inevitable, might also be in large part already passing the site.

Notwithstanding the required technical assessment of the highway implications of development, there remains a need to also consider the proposed parking arrangement in the context of its visual impact in the Conservation Area and listed rail station. This aspect of the proposal is considered below.

#### Impact upon visual amenity and landscape character

All consultees are at pains to point out that at a fundamental level development of this site would provide both a commercial and visual enhancement to a currently underdeveloped area. To this end there is a universal desire to facilitate such development and not to hinder it. Although not a policy document, the Chippenham Conservation Area Appraisal 2007 does note the view at the top of Station Hill toward the rail station as *“poor and unwelcoming introduction to the area with the post office compound wall obscuring views of the station buildings.”*

Nevertheless, concerns have been raised by the Council’s Principle Urban Designer with regard to the split parking arrangement, which in his view would cause extensive parking manoeuvres in what would otherwise be a “pedestrian friendly” and visually appealing area directly in front of convenience store and adjoining rail station environs. This is a view shared by The Chippenham Vision board.

Alternative parking solutions have been helpfully suggested by the Urban Design Officer effectively removing all parking from the land immediately in-front of the new store, but all would involve either a reduction of parking provision on the site or transference of parking onto the public highway (involving build-outs into the road to create a linear lay-by/pull-in type arrangement).

Both consequences to the suggested alterations would cause difficulties for the applicant. It is understood that a reduction in overall parking numbers would drive the potential operators/occupiers away from the scheme, thus reducing the likelihood of this much needed development taking place. Similarly, a reduction of parking numbers and/or a movement toward an on-street parking solution would both cause an objection to be raised by the Highway Officer on the grounds of highway safety. In particular, the use of lay-by type parking would be to introduce increased traffic movement close to an existing pedestrian crossing.

The ability to safely park sufficient numbers of vehicles off the road on this site, as has been required by the Council’s Highway Officer, has in effect resulted in the layout now before the Council for consideration. Taking these apparently competing views into account, it is considered that the layout does represent the best compromise between good urban design and the need to achieve a safe from of development for vehicles and pedestrians.

Although acknowledging the concerns of the Council’s Principle Urban Designer, in many other respects the proposed development is considered to present a scheme that would respect the Conservation Area and the listed rail station and its hinterland. For example, the positioning of the new convenience store building is deliberate to take advantage of a visual and “desire” line between Brunel’s drawing office and the former sorting office building; the removal of the existing boundary wall around the site to encourage the routing of pedestrians heading to the town centre via Station Hill rather than the retail blank Monkton Hill and to allow for views of the rail station buildings, as noted by the Chippenham Conservation Area Appraisal 2007; the intentional architectural simplicity (and materials – being a largely render finish) of the new convenience store building so as not to compete or impinge upon the listed buildings at the rail station; the resolution and improvement of the existing sorting office building as a building with a presence to the public realm.

It is understood that more detailed design issues raised in respect of boundary treatments and height of the parapet wall to the convenience store (so as to shield pronounced views of roof

mounted plant from the rail station platforms and footbridge) are to be the subject of revised plans that will be made available prior to the meeting of the Development Control Committee.

Ultimately, Policy HE1 of the adopted North Wiltshire Local Plan 2011, *inter alia*, requires new development to either preserve or enhance the character or appearance of the Conservation Area. The proposal most certainly meets that requirement. This singular policy requirement renders the fact that opinions have been expressed that there is a better way of achieving development on this site as merely incidental. Such opinions are not a reason to refuse planning permission.

### Other issues

Concerns have been raised by local residents regarding the potential impact upon the level of trade currently enjoyed by the local shop found in the heart of the Monkton Park estate. Such concerns are entirely understandable since that shop is undoubtedly regarded as a local facility by those who live on the estate. However, in this instance, there is simply no ability to take account of commercial interests in determining this application. Planning policy and guidance is clear and unequivocal on the matter. Indeed, as considered earlier in the report, the site is defined as being part of the town centre. It is precisely locations such as this that this form of development is directed to take place.

Several of the submitted drawings demonstrate suggested signage and advertisements for the new convenience store. They cannot form part of the application and a separate application for Advertisement Consent will be required before their erection.

The demolition of existing out-buildings, loading bay and boundary walls on the site is considered to be acceptable in the event of planning permission for redevelopment of the site being regarded as acceptable by the Development Control Committee.

### **10. Conclusion**

The application is for retail and office development that are entirely appropriate in this town centre location. Notwithstanding the concerns of the Council's Principle Urban Designer, the proposal is considered to represent the best compromise between good urban design and the requirement for a safe form of development, as has been advised by the Council's Highway Officer. The proposal is considered to enhance the character and appearance of this part of the Chippenham Conservation Area, in complete compliance with adopted Local Plan policy.

The concerns of local residents are acknowledged, but they do not, unfortunately, amount to a justification to refuse Planning Permission or Conservation Area Consent to demolish the existing buildings and walling on the site.

### **11. Recommendation**

Subject to the receipt of satisfactory revised plans in respect of boundary walling/railings treatment; raising of the convenience store parapet wall; canopy treatment of new convenience store building; then:

#### **In respect of 10/04672/FUL**

Planning Permission be GRANTED for the following reason:

The application is for retail and office development that is an entirely appropriate form of development in this town centre location. The proposal is considered to represent the best compromise between good urban design and the requirement for development that ensures highway safety. The proposal is considered to enhance the character and appearance of this part of the Chippenham Conservation Area, and as such would meet the requirements of Policy HE1, HE2 as well as Policies C3, C4 and R2 of the adopted North Wiltshire Local Plan 2011.

**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 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.

Plans

Location plan 1:1250 P000  
Site Plan 1:200 P001  
Ground floor plan P002  
First floor plan P003  
Proposed elevations - sheet 1 P004  
Proposed elevations – sheet 2 P005  
Demolition plan P100  
All date stamped 29/12/10

Agreement in principle for convenience store frontage car park to be relocated off site in future P006  
Date stamped 15/03/11

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

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

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

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

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

5. 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.

6. The development hereby permitted shall not, at any time, be subdivided into a larger number of units.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additional units on the site.

7. 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.

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

REASON: In the interests of public health and safety.

#### INFORMATIVES

1. This permission does not permit the display of any advertisements which require consent under the Town and Country Planning (Control of Advertisements) (England) Regulations, 2007 or under any Regulation revoking and re-enacting or amending those Regulations, including any such advertisements shown on the submitted plans.

2. The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

#### **In respect of 10/04673/CAC**

Conservation Area be GRANTED for the following reason:

The proposed demolition of existing and out-buildings and boundary wall is considered to be acceptable in the context of planning permission being granted for redevelopment of the site under reference 10/04672/FUL and would be in complete accordance with the requirements of Policy HE1 and HE2 of the adopted North Wiltshire Local Plan 2011.

Subject to the following conditions:

1. No works for the demolition of the building(s) or any part thereof shall commence on site until a valid construction contract has been entered into under which one of the parties is obliged to carry out and itself complete the works of development of the site for which planning permission/listed building consent has been granted under application reference 10/04672/FUL or such other application(s) approved by the Local Planning Authority; and; evidence of the construction contract has first been submitted to and approved by the Local Planning Authority.

REASON: In the interests of the visual amenity of the locality, which is within a designated Conservation Area.

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