

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	20 th April 2011		
Application Number	10/03993/FUL		
Site Address	Roundhouse Farm Outbuildings, Marston Meysey, Wiltshire, SN6 6LL		
Proposal	Change of use to storage and distribution		
Applicant	Moreton C Cullimore (Gravels) Ltd		
Town/Parish Council	Marston Meysey Parish Council		
Electoral Division	Cricklade & Latton	Unitary Member	Councillor Peter Colmer
Grid Ref	413128 196488		
Type of application	FULL		
Case Officer	Lydia Lewis	01249 706 643	Lydia.lewis@wiltshire.gov.uk

Reason for the application being considered by Committee

Councillor Colmer has submitted a request for the planning application to be considered by the committee to assess the environmental and highway impact of the proposal. The application was deferred from the 9th March Planning Committee to enable the case officer to seek further clarification regarding the site's drainage.

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 the consideration of this application are as follows:

- Principle of development;
- Impact upon highway safety and sustainability;
- Impact upon noise and disturbance;
- Impact upon flood risk; and
- Impact upon ecology

The application has generated objection from Marston Meysey Parish Council; Campaign for the Protection of Rural England; County Highways and 6 letters of objection from the public.

3. Site Description

The application site lies just south of the C116 (Cricklade to Kempford Road), in open countryside approximately two miles north east of Cricklade and a quarter of a mile south of Marston Meysey. The former Roundhouse Farmhouse is located to the east of the site. The Round House, a grade II listed, residential dwelling is situated some 120 metres to the south. A public right of way runs within the site, along the western boundary.

The site comprises three buildings and a former stables.

Building 1 has a floorspace of 767.43 square metres, is a steel portal framed asbestos cement clad building with an eaves height of approximately 5.1 metres and doors of approximately 4.7 metres wide and 4.5 metres high.

Building 2 has a floorspace of 164.73 square metres and is a steel framed shed believed originally to have been a hay barn which had been adapted to a grain drying store. This is also constructed with steel portal frame and corrugated metal cladding, with internal eaves height of approximately 5.46 metres and doors approximately 3.9 metres wide.

Building 3 has a floorspace of 865.88 square metres and is constructed of two sheds joined together and incorporated into one building. This is constructed with portal frame, asbestos cement roof cladding, and block and concrete panel walls. It has an eaves height of approximately 3.2 metres and a door approximately 4.5 metres wide to one bay.

The former stables block is attached to building 1 and has a floorspace of 115.10 square metres. This is constructed of block walls and a corrugated metal sheet clad roof and has approximately ten stalls.

The total floorspace of the site is approximately 1,913.14 square metres and the site area extends to approximately 0.56 hectares.

4. Relevant Planning History		
Application Number	Proposal	Decision
06/2860/COU	<p>Change of use of buildings to vehicle workshop (B2) – Refused for the following reasons:</p> <ol style="list-style-type: none"> 1. <i>The site is in a rural location remote from services and not well served by public transport.</i> 2. <i>The building is in a generally poor condition and not in sympathy with the rural character of this part of the countryside. The continuation and re-use of the building is therefore considered not to respect the local character, distinctiveness and setting of the area.</i> 3. <i>The proposed use is likely to result in the increased use of a substandard access with a resulting prejudicial effect upon highway safety.</i> 4. <i>Insufficient information has been submitted with the application to assess the effect the proposal would have upon the bats and their habitat.</i> 5. <i>The use of the building for B2 use class would be likely represent an unacceptable level of noise and disturbance to the occupiers of the nearest dwelling (Roundhouse Farmhouse).</i> 	Refused
02/02413/COU	<p>Change of use of units 1, 2, 3, 4 and 5 to B1 – Refused for the following reasons:</p> <ol style="list-style-type: none"> 1. <i>The site is in a countryside location remote from services and not well served by public transport. The proposal</i> 	Refused

01/02907/COU	<p><i>would, therefore, generate additional journeys by private car.</i></p> <p>2. <i>The buildings are unattractive, in generally poor condition and not in sympathy with the rural character of the countryside.</i></p> <p>Change of use to B1 (Business) – Refused for the following reasons:</p> <p>1. <i>The site is in a countryside location remote from services and not well served by public transport. The proposal would, therefore, generate additional journeys by private car.</i></p> <p>2. <i>Any increased use made of the sub-standard access generated by the proposed development would be prejudicial to road safety.</i></p> <p>3. <i>The buildings are unattractive, in generally poor condition and not in sympathy with the rural character of the countryside.</i></p>	Refused
92/1534/S73	Retrospective change of use of former grain store to B1(c) purposes	Approved
87/2580/F	Change of use of grain store building to agricultural engineering workshop	Refused

5. Proposal

The applicant seeks consent for change of use from agricultural to storage and distribution (use Class B8). The development is speculative but it is anticipated that at least 2 employees would be required on site.

No external alterations are proposed.

The application form states that the proposed hours of operation are 07:00 to 18:00 Monday to Friday and 08:00 to 17:00 on Saturdays with no Sunday working. There is a slight discrepancy in the application documents with the supporting statement stating that the opening hours would be 08:00 to 17:00 Saturday **and** Sunday.

8 parking spaces and 2 disabled parking spaces are proposed to the front of the site.

The following documents have been submitted in support of the application:

- Bat Roost Inspection – Final report 25 November 2010.
- Noise Impact Study, dated 2nd May 2000
- Flood Risk Assessment, dated January 2007
- Planning Statement, dated October 2010
- Building Survey Report, dated 10th January 2011

6. Planning Policy

North Wiltshire Local Plan:

C3 – Development Control Policy
C4 – Business Development Core Policy
NE9 – Protection of Species
NE18 – Noise and Pollution
T1 – Minimising the Need to Travel
BD5 – Rural Business Development

Central government planning policy

Planning Policy Statement 4 – Planning for Sustainable Economic Growth
Planning Policy Statement 7 – Sustainable Development in Rural Areas
Planning Policy Statement 9 – Biodiversity and Geological Conservation
Planning Policy Guidance 13 – Transport
Planning Policy Guidance 24 – Planning and Noise
Planning Policy Statement 25 – Development and Flood Risk

7. Consultations

Conservation Officer - The proposals show ten parking spaces at the front of the site just inside the boundary with the road. There are no indications of signage, lighting or surface materials for the area and in order to support this application, it is asked that should consent be granted conditions be added to ensure minimal alteration to the external appearance of the buildings and site in order that the impact on the character and appearance of the area is minimal and is not detrimental to the setting of the listed building beyond the site. Any external lighting should be minimal and agreed by the Local Planning Authority. Any external signage, either attached to buildings, boundaries or posts should be minimal, non-illuminated and agreed by the Local Planning Authority. Details of the car park surfacing. Some kind of system which allows plants to grow through so that it is not a hard surface is anticipated. Any alterations to fencing and gates should be approved by the Local Planning Authority. The existing hedgerow should be maintained and, where possible, improved by laying, in order to screen the site.

County Highways – There is a history of similar applications on this site which were refused. The current permission of B2 use of one of the units was a specific use permission for the repair of shopping trolleys and this use ceased several years ago (pre 2006 when the last application was made).

The site is located in open countryside and the only bus service in the vicinity provided only a once daily shopping journey to Swindon or Cirencester. They are not suitable for journey to work purposes in connection with the proposed use.

It is recommended that the application is refused for the following reason:

- The proposal, located remote from services and not well served by public transport, is contrary to the key aims of Planning Policy Guidance 13 which seeks to reduce growth in the length and number of motorised journeys.

County Highways have considered the additional information received from the applicant and wish to maintain this objection as it is considered unlikely that the majority of employees will live near enough to walk or cycle to this site.

Council's Agricultural Advisor – It is understood that the buildings previously served the farmland at Roundhouse Farm. Following planning permission the farmland is now in use for gravel extraction. It is understood that there is no continuing agricultural activity on the farmland. At present the buildings are wholly unused for agriculture. The nature of their construction suggests that they served a small arable and beef unit, with buildings 1 and 2 equipped for grain and building 3 suited for use by livestock.

It is considered that all the buildings are still capable of agricultural use, both for arable enterprises and for livestock. The question then is what the demand would be for such use. Clearly the main source of demand was from the use of the agricultural land at Roundhouse Farm. That demand has now ceased, with the use for gravel working. The Council's Agricultural Advisor is not aware of any continuing local demand for off-site buildings from other farmers. In the event that such demand existed then it would usually be met on-farm through new buildings. There is often seasonal demand for grain storage; however, the nature of the storage at the subject site is small scale.

Overall, the buildings are small scale and capable of agricultural use, however, demand for such use is likely to be extremely limited.

Environmental Health – The noise impact study submitted with the application has no relevance to this specific proposal. It is the 2000 noise report for the proposed mineral extraction at Roundhouse Farm.

It is recommended that the hours of operation suggested in page 6 of the accompanying statement be incorporated into a suitably phrased condition, with the exception of Sunday use. Sundays, should be treated the same as Bank Holidays and therefore operations should be restricted to Monday to Saturday only.

It is recommended that the physical control and management measures stated on page 9 of the statement be incorporated into a suitably phrased condition to be attached to any consent. Provided the points summarised above are conditioned, no adverse comments on noise grounds are raised.

District Ecologist – Having reviewed the available information, the findings of the bat survey are agreed and no objections are raised in relation to ecology.

Environment Agency – The buildings are located in Flood Zone 2 (medium risk) therefore no objections in principle are raised to the proposed storage use at the site. However, flood risk does need to be considered carefully as the site is extensively surrounded by Flood Zone 3b (functional floodplain), which carries a risk of user's being stranded on site should a flood occur.

It is not considered that the proposed development will increase flood risk at the site or to third party land. It will not increase the vulnerability use of the building or extend the building footprint. Given the proposed storage use, it is unlikely that people will be on site should a flood occur. Therefore conditions are recommended relating to finished floor levels, a Flood Warning and Evacuation Plan, development to be carried out in accordance with the Flood Risk Assessment and details of Surface Water Draining.

The above comments are based on there being limited users on site due to the storage use. The Council may wish to consider limiting permitted development rights, specifically for change of use, as some B1, B2 uses are likely to increase the number of users on site and make evacuating the site an unviable option from a safety point of view.

The Environment Agency appreciate that the proposed conversion will not increase flood risk as stated in the FRA. However, PPS25 encourages opportunities to reduce flood risk wherever possible through the use of SuDs. Notwithstanding this, the site is in a sensitive location overlying Source Protection Zone 1 (SPZ1 – the inner catchment for a local borehole supplying potable drinking supplies). Drainage needs to be carefully considered and the Environment Agency would

expect surface water to be treated before it is introduced into the ground. Foul drainage should be directed to mains sewer as indicated on the application forms. The LPA should seek confirmation from the Sewerage Undertaker that they are happy to accept these flows. If this is not the case the Environment Agency must be re-consulted as non-mains systems are generally not accepted in SPZ1.

further consultation response has been received stating that the Environment Agency have a general policy against the use of non-main drainage systems in SPZ1. The water abstraction at Meysey Hampton (for which SPZ1 this site falls into) is from the Oolites. These Oolites are overlain in this area by a considerable thickness of Oxford clay (probably in excess of 50m at this site). The clays in this location are overlain by terrace gravel deposits. Because of the presence of this clay which is highly impermeable, it is unlikely that any discharge from the development will discharge into the terrace gravel deposits. However, the aquifer in the terrace gravel deposits is likely to occur at a shallow depth, and as such the site should still be considered as being located in a sensitive location.

The agent has advised that there will not be any increase in foul drainage facilities from the existing single toilet in the building, and there is unlikely to be a significant increase in users. On this basis, and taking into account the geological context outlined above, the Agency would not have an objection in principle to the use of a septic tank. However, please be aware that the preferred option would still be to discharge to mains sewer and no evidence has been submitted to demonstrate that this is not feasible. A condition is recommended regarding foul drainage.

Thames Water – Does not require a build over agreement.

Marston Meysey Parish Council – There have been a number of planning applications at this site which are believed to have a bearing on the current application: 92/1534/S73, 01/2907/COU, 02/2413/COU, 06/2860/COU, and 07/1905/CLE.

Footpath MMEY6 travels along the western side of the site. No mention is made of the impact of the planning proposal on the footpath which is a key access to the Wildlife Conservation Area with reed beds to which the Roundhouse Farm sand and gravel quarry is to be restored. There would be a serious safety issue for walkers sharing the site within HGVs and the proposal would not provide a quiet and peaceful access to the nature reserve.

Vehicle Parking is shown as 'existing' the parking area shown on the site map is part of the curtilage of Roundhouse Farmhouse.

Sewage is shown as mains sewer, there is no mains sewer. The site floods. There is a hedgerow on the site adjacent to the C116 and there are a row of mature trees along the entrance road to the Roundhouse, a listed building which are an important part of the local landscape character. The proposed gross internal floor space is 1,913.14 square metres, as opposed to 767.43 square metres for which restricted B1(c) was retrospectively granted. This is an increase to 2.5 times. The site is in a rural location remote from services and not well served by public transport. The buildings are in a generally poor condition and not in sympathy with the rural character of this part of the countryside. The proposed use of these buildings of significant scale is likely to result in the increased use of a substandard access with a resulting prejudicial effect on highway safety.

The proposal would likely represent an unacceptable level of noise and disturbance to the occupiers of a listed building The Roundhouse. The proposal would result in a significant number of commercial vehicle movements on the site and therefore an unacceptable risk of accidents to members of the public using the footpath. A number of errors, omissions and suppositions in the supporting document have been noted. In summary these include:

- The site is connected to the A419 via the C116 and C124.
- The adjacent Roundhouse Quarry is designated to be restored to reed beds and a Wildlife Conservation Area

- Building 1 was granted permission solely for trolley repairs and no other purpose within B1(c).
- The site is extremely visible from the surrounding countryside.
- At least 3 of the bus services shown no longer exist.
- The buildings are in various stages of dilapidation.
- There are definitely bats on the site.

Creating 2 or even a few low income jobs cannot be considered as a positive contribution to the local economy and does not outweigh the harm associated with this form of development. There is a substantial local business accommodation available in the area at Cirencester, Cricklade, Fairford and Lechlade plus various localised industrial estates. No material harm to local economic prospects will therefore occur if planning permission is refused.

The following revised comments have been received from the Parish Council following the submission of a number of supplementary information:

'Principle of Development'

The applicant has not met the requirements of Policies C3, BD5, BD6. The applicant has not submitted a structural survey, which we consider should be accompanied by an asbestos report given that asbestos has been identified on the site. The report should provide full details of the structural work necessary as set out in BD6 10.13. The survey report of the buildings clearly states that the purpose of the report is to assess the suitability for change of use and is not a structural survey. Indeed the survey details that the building will need to be upgraded in order to be serviceable, this will include substantial replacement of cladding, roofing materials and utilities and perhaps more dependent on the condition of the asbestos.

The buildings themselves do not have any architectural merit, they are an eyesore in this open countryside location. The harm caused by retaining these buildings far outweighs the benefit in relation to the wider strategic plans for the site and those of the Cotswold Water Park. Policies C3, BD5, BD6.

In terms of sustainability, this is not a suitable location and is in excess of 8 mls to Cirencester and 14mls to Swindon which would be the likely feeder centres. There would not be a direct benefit in terms of employment to Marston Meysey. There are units located in Fairford, 3 mls away which is the closest town provided in a complex some of which are empty providing a far more sustainable location. Policies C1, C3, BD5, BD6.

Highway Safety

We consider the access to be inadequate given the heavy traffic on this road primarily HGV vehicles. The access to the gravel pit is some 200 yards away and found necessary to have a vision splay of a significant distance in both directions. We do not understand why the Council objected to the access in the last 3 applications but not in this instance.

The proposed use of this access will compromise the safety of pedestrians walking the footpath through the site, as the site will be intensified far greater than any previous use. Policies C3, BD5, BD6

Existing & Developing Character of the Area

The proposed development site is located within the Cotswold Water Park, as part of the evolution of the wildlife area formed from the gravel pits the gravel company regularly consult with the CWP

ecologist in relation to reed beds and the creation of wildlife habitat in order to provide continuity and benefit from their expert advice. The proposed development is not in line with the aims of the strategic policy of the CWP, indeed the gravel pit operators are going to great expense to create an environment for nature conservation and will provide substantial benefit to the public whilst walking the footpath. The proposed development will harm the character of that currently developing in relation to leisure and recreation. Policies NE6 NE7.

Drainage / Environmental Impact

The applicant states on the planning application form that the foul drainage will be connected to an existing main sewer. This is not the case. It is our understanding that there is no main sewer.

The surface water disposal is also an issue in this instance as HGV vehicles are associated with a B8 'Use' of storage and distribution and because of this surface water will drain into the watercourse, especially as the benefit of interceptors are not provided.

The Noise Impact Study was produced in May 2000. This is 11 years ago. The immediately surrounding environment has changed since this time. The Clean Neighbourhoods and Environment Act 2005 has also been introduced and the Permitted level of noise (England) Directions 2008 have also been introduced, no reference has been made to either. No consideration has been given to the movement of materials on site where it is a requirement for a fault lift truck to have its beeper on during the periods of movement. The site is so close to Roundhouse Farm that the accumulative effect of this noise can be quite disturbing. The Noise Impact Study is in relation to gravel extraction and does not detail any possible risks to or from the proposed development site or provide any mitigation measures. Policies C3, BD5, BD6, HE4

The Flood Risk Assessment was produced in January 2007 it does not take into account current Government Policy Guidance or legislation. PPS 25 Development and Flood Risk was amended 29th March 2010. The Flood Risk Regulations were introduced 2009. The work for the 2007 document was produced in 2006, this is before the 2007 floods specifically in this area. No account has been taken into consideration the change in topography to the surrounding site. Indeed the FRA does not include the site (as shown on the maps included). This indicates that the assessment was not carried out specifically to identify issues relating to this particular area of the site.'

Campaign for the Protection of Rural England – object commenting specifically on transport, listed buildings and landscape issues.

Transport and Access – The C116 is a fairly narrow rural road with little or no verges and deep ditches on either side. It is not a safe route and is already used by mineral workings, agricultural suppliers or commercial / private. Any further increase would be detrimental to local residents and further damage the environment through verge and road degradation.

Listed Buildings – The former Canal worker's circular house and adjacent canal bridge are Listed Buildings. They along with Footpath 6 which runs directly south from Marston Meysey to this bridge, and the former canal crossing, form an important historic entity. The towpath of the disused and partially filled Wiltshire and Berkshire canal form major features of the distinctive low lying wet landscape and the agricultural history of this part of North Wiltshire.

If change of use to B2/B8/A1 were permitted the opportunity to recreate the canal / historic buildings complex as a whole, and as part of a potentially greater restoration scheme for tourist and visitor venue use, would be lost and not recoverable. The area is one with sparse population and despite the minerals workings still retains an overriding sense of tranquillity.

Landscape - In the longer term it is intended that after the gravel workings have ceased, in phases, the area will revert to a rural setting albeit of reed beds and ponds rather than wetland meadows. The adjacent land, to the south and east, is designated under the Minerals extraction agreement as a restoration area of reed beds, trees and shrubs as a wildlife haven. This, under a

S73 Agreement in December 2009 relating to restoration works, was to have been fully restored by the end of December 2010. So far only one third of the area has been restored. Moreover the access to the proposed site area would be by an internal track, from a gate used by the minerals company, running west parallel to the C116 and along part of what is the restoration area. This would suffer from the proximity of the internal road bringing the noise, visual intrusion and dust accompanying any commercial use of the site, all of which would be detrimental to the success of the wildlife aspiration.

8. Publicity

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

6 letters of objection have been received in response to the application publicity. The comments raised are summarised below:

- A public footpath MMEY6 runs through the site. Recently, an order was made diverting MMEY10 limiting access to the restored gravel pit. This resulted in a number of objections and it is likely that further restrictions on the use of existing footpaths will also be strongly contested.
- Noise and disturbance to occupiers of Roundhouse Farmhouse, the Roundhouse, to users of MMEY6 and to those wishing to enjoy a Wildlife Conservation Area;
- Negative impact on the adjacent Wildlife Conservation Area
- Would result in a significant number of commercial vehicle movements to / from the site and give rise to a significant number of accidents to members of the public using MMEY6.
- The site is in a rural location and is not served by public transport. The proposal would therefore give rise to a significant number of journeys by private car and by commercial vehicles;
- The buildings referred to in the application appear to be in poor condition and are not in sympathy with the rural character of the countryside or planned Wildlife Conservation Area. The continued use / re-use of these buildings does not respect the current character of the area or future character of the area;
- The scale of use proposed is likely to result in increased use of an inadequate site access and this may worsen highway safety;
- In the past, several similar applications have been made with the objective of using the site for non-agricultural purposes. All were dismissed with the exception of a retrospective application relating to the limited use of one building in 1992. Circumstances have not changed significantly and the reasons for rejection given previously are still valid;
- The site is on the outskirts of Marston Meysey and its many listed buildings;
- It might be argued that at present the site is compatible with the gravel workings nearby but this will not be the case when reed beds have been planted and the restoration to a Wildlife Conservation Area has been completed; and
- The buildings are claimed to be in good condition but the photograph provided by the estate agents clearly shows that they have no aesthetic appeal.
- Unacceptable impact on the grade II listed Round House and Marston Meysey Bridge;
- If there was a genuine appetite for local industrial land the application would not be speculative;
- The bat survey is incomplete;
- The parking spaces are not existing and are part of the farmhouse property not part of the farm site;
- The applicants account of public transport is mis-leading; and
- 3 lorries left the road within 200 metres of the entrance when building 1 was being used for trolley repairs.

9. Planning Considerations

Principle of development

Policy BD5 of the North Wiltshire Local Plan is of particular relevance to this application and states that development proposals for business uses (Use Classes B1, B2 and B8) in the countryside will be permitted where development:

- i) Involves the re-use of existing rural buildings suitable for conversion, where the architectural and historical interest of the original building is not compromised; or
- ii) Involves limited new building located within or well related to an existing group of building's which respects local building styles and materials, and is in keeping with its surroundings; or
- iii) Involves the limited expansion or replacement of an existing premises, where the development would be more acceptable and sustainable than might otherwise be achieved through conversion;

And in all cases;

- iv) The proposal does not lead to dispersal of business uses that would be detrimental to town and village vitality and economic viability; and
- v) Due consideration is given to the impact on the road network in the vicinity of the development.

The reasoned justification to this policy states that whilst proposals in the open countryside, remote from settlements, are not normally appropriate, opportunities for the re-use of existing, or new / replacement buildings may be acceptable where the development is of appropriate scale and situated within or are well related to an existing complex of buildings. Buildings suitable for conversion comprise those that are not ruinous and where conversion would not perpetuate a rural eyesore, nor lead to over intensive development or unsightly external storage. A new / replacement building may be viewed as being more acceptable and sustainable if for instance the development would bring about an environmental improvement in terms of the impact of the development in its surroundings and landscape. A proposal which is extensive in size and scale, or which is unsympathetic to its surroundings will not be considered appropriate in this context.

The proposed development must be compatible with the rural surroundings and may provide opportunities to promote the local rural economy through change of use to business uses which can have a positive impact on local employment.

Policy EC12 of PPS4 states that local planning authorities should approve planning applications for the conversion and re-use of existing buildings in the countryside for economic development, particularly those adjacent or closely related to towns or villages, where the benefits outweigh the harm in terms of a number of criterion including (v) the suitability of the building(s), and of different scales, for re-use recognising that replacement of buildings should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion.

The applicants have confirmed that the site has been marketed for over 2 years by Alder King LLP. A 'Schedule of Interest' has been submitted in support of the application. This details all of the enquiries into the lease of the buildings from 02/08/08 to the time of submitting this application for a variety of uses including A1, B1, B2, B8, D1, D2 and sui generis. These could not be progressed due to planning restrictions

A Building Survey Report has been submitted in support of the application. This concludes that the property is suitable for B8 use (storage and distribution), provided that the materials for storage will not degrade subject to the normal range of humidity and temperature.

The report details that some general maintenance would be beneficial for the most effective use of the site and its buildings and these include:

- Refurbishment of the electrical service and lighting installations;
- Maintenance and making secure to the doors and cladding of each of the three main buildings; and
- Refurbishment of the tar paved areas for lorry and pedestrian access.

The survey goes on to state that these outbuildings will require general improvement as part of a maintenance effort. This is typical in buildings of this age and type.

These buildings were historically associated with Roundhouse Farm which is now a sand and gravel quarry. The Council's Agricultural Advisor has considered the scheme and has confirmed that whilst the buildings are small scale and capable of agricultural use, demand for such use is likely to be extremely limited.

The buildings are large open plan buildings with wide and high doorways making them suited to the proposed B8 storage use.

The buildings are situated in a prominent location adjacent to the C116. These are agricultural buildings of a type and design which you would expect to see within a rural setting such as this and the Council would have no control over these being re-instated for agriculture. On balance, and in consideration of the above, it is considered that the re-use of vacant farm buildings for employment development would be acceptable in this case. The issue of sustainability is addressed below.

Impact upon Highway Safety and Sustainability

Policy C3 of the Local Plan states that new development will be permitted subject to a number of criteria, including inter alia: promote sustainable patterns of development that will reduce the overall need to travel and support increased use of public transport, cycling and walking; and have a satisfactory means of access, turning, car parking and secure cycle storage and not result in a detrimental impact upon highway or pedestrian safety.

Paragraph 43 of Planning Policy Guidance 13: Transport (PPG13) states that in order to reduce the need for long-distance out-commuting to jobs in urban areas, it is important to promote adequate employment opportunities in rural areas. Further stating that Local Planning Authorities should be realistic about the availability, or likely availability, of alternatives to access by car. Similarly, they should not reject proposals where small-scale business development or its expansion would give rise to only modest additional daily vehicle movements, in comparison to other uses that are permitted on the site, and the impact on minor roads would not be significant.

Footpath MMEY6 runs through the site along the western boundary. The Public Rights of Way team have reviewed the application and have advised that with the low number of vehicular movements they do not foresee a problem to users of the footpath.

The applicants have submitted a Swept Path Analysis to demonstrate that there is sufficient space for vehicles (including articulated vehicles) to leave the site in a forward gear. On this basis, County Highways have withdrawn their objection regarding highway safety. Their objection on the basis of sustainability still stands.

Conditions requiring the parking to be laid out and the turning space to be provided prior to use are recommended.

The application site is relatively closely related to the village of Marston Meysey which provides a variety of services, situated approximately a quarter of a mile to the south and linked via a public footpath. The proposal is expected to employ 2 members of staff and create approximately 2 HGV movements (two in and out) during am and pm peak periods each day (one every 30 minutes).

Previous applications for change of use to B1 and B2 have been refused on the basis of sustainability. Retrospective consent was granted for the change of use of building 1 to B1(c) (ref: 92/1534/S73), this was restricted to trolley repair. A B8 use is less intensive than either a B1 or B2 use and a number of vehicle movements would be generated through the agricultural use of the buildings.

It is certainly unusual for officers to disagree with the recommendation of the Highways team. However in this case, given the proposed use of the site, and the limited number of vehicle movements associated with such a use, the guidance contained in PPG13 and the proximity of the site to the village of Marston Meysey, it is not considered that a refusal on the basis of sustainability could be sustained. The proposed development is therefore considered acceptable in this regard.

Impact upon Noise and disturbance

Policy NE18 of the Local Plan states that development will only be permitted where it would not generate, or itself be subject to, harm upon public health or cause pollution to the environment by the emission of excessive noise, light intrusion, smoke, fumes, other forms of air pollution, heat, radiation, effluent or vibration.

A noise impact study dated 2nd May 2000 has been submitted in support of the application. The agent advises that although this does not include a specific assessment of anticipated noise from the proposed change of use, it does however highlight background noise levels which are typically experienced at the nearest residential property to the site, namely Roundhouse Farm.

Background noise levels are highlighted in Table 1 of the report – taken between 10:45 am and 11:30 am at position 1 (identified as Weystone Bridge in the site location appended to the Noise Impact Study). Position 1 is highlighted as having a background noise level range of between 36dB LA90 and 40dB LA90. The agent has stated since undertaking the Noise Impact Study the mineral extraction operations at Roundhouse Farm Quarry have now commenced and as a result a rise in background noise levels in the area is likely.

The agent has drawn the officers attention to section 7 of the Noise Impact Study headed 'Road Traffic Noise'. This section highlights that the typical average two way traffic flow on the C116 / 124 is 130 vehicles per hour with 7% being HGVs – 134 per hour if HGV movements associated with the neighbouring minerals working are counted. This section concludes that, *'considering the prevailing noise environment at the properties adjoining the C116/124 which in LA eq (1 hr) terms is dictated already by the noise from HGVs; in the very 'worst case' the noise levels would increase by 1.5 dB LA eq (1hr). Such an increase is not significant and would likely not be noticeable against the existing traffic noise climate.'*

The applicant acknowledges that additional noise associated with the proposed use from vehicles engines and from reversing vehicle alarms has the potential to impact upon residential amenity.

The applicant proposes to minimise the potential for complaint by adopting the following noise control and management measures:

- When waiting to be unloaded vehicle engines will be switched off;
- When possible, particularly during any early morning and evening deliveries, audible reversing alarms to be switched off and night silent alarms to be used; and
- Drivers to be advised not to sound horns unless in an emergency.

The applicant has confirmed that they are willing to accept a condition in relation to the above in addition to a reasonable condition relating to the restriction of working hours or noise emitted from the site.

To ensure that the amenities of neighbouring occupiers are protected conditions restricting external storage and external lighting are also recommended.

Environmental Health have considered the proposals and have raised no objections subject to the imposition of conditions relating to the physical control and management measures referred to above and hours restricted to 07:00 to 18:00 Monday to Friday and 08:00 to 17:00 on Saturdays with no Sunday or Bank Holiday working. Conditions to this effect are recommended and the proposed development would not therefore have an unacceptable impact in terms of noise and disturbance in accordance with policy NE18 of the Local Plan.

Impact upon Flood Risk

Planning Policy Statement 25: Development and Flood Risk (PPS25) states that all forms of flooding and their impact on the natural and built environment are material planning considerations. Local Planning Authorities should ensure that all new development in flood risk areas is appropriately flood resilient and resistant, including safe access and escape routes where required, and that any residual risk can be safely managed.

The buildings are situated within Flood Zone 2 (medium risk) and the site is extensively surrounded by Flood Zone 3b (functional floodplain). In accordance with the requirements of PPS25, a Flood Risk Assessment (FRA) has been submitted in support of the application.

The Environment Agency consider that the proposed development will not increase flood risk at the site or to third party land. It will not increase the vulnerability use of the building or extend the building footprint. Given the proposed storage use, it is unlikely that people will be on site should a flood occur. The Environment Agency have recommended a number of conditions relating to: finished floor levels, Flood Warning and Evacuation Plan; work should be in accordance with the FRA; and a surface water drainage scheme. They have also stated that their comments are based on there being limited users on site due to the storage use and a condition removing permitting development rights for change of use should be considered. Conditions in relation to the above are recommended, including a condition restricting the use class to B8.

The Environment Agency stated within their initial consultation response that foul drainage should be directed to mains sewer as indicated on the application forms. The Local Planning Authority should seek confirmation from the Sewerage Undertaker that they are happy to accept these flows. If this is not the case the Environment Agency must be re-consulted as non-mains systems are generally not accepted in SPZ1.

Thames Water were consulted as part of the application process and no objection was raised. The applicant has confirmed that no change to the existing foul drainage is proposed. Further discussions have taken place with Thames Water regarding whether the site is connected to the mains sewer. Whilst they are not able to confirm whether the site is connected, they have advised that the site is situated so far from the mains public sewer that it is extremely unlikely.

Further discussions have taken place with the Environment Agency and a revised consultation has been received. In summary, this states that they have a general policy against the use of non-main drainage systems in SPZ1. The water abstraction at Meysey Hampton (for which SPZ1 this site falls into) is from the Oolites. These Oolites are overlain in this area by a considerable thickness of oxford clay (probably in excess of 50m at this site). The clays in this location are overlain by terrace gravel deposits. Because of the presence of this clay which is highly impermeable, it is unlikely that any discharge from the development will discharge into the terrace gravel deposits. However, the aquifer in the terrace gravel deposits is likely to occur at a shallow depth, and as such the site should still be considered as being located in a sensitive location.

The agent has advised that there will not be any increase in foul drainage facilities from the existing single toilet in the building, and there is unlikely to be a significant increase in users. On this basis, and taking into account the geological context outlined above, the Agency would not have an objection in principle to the use of a septic tank. Their preferred option, however would

still be to discharge to mains sewer and no evidence has been submitted to demonstrate that this is not feasible. It is therefore recommended that a further condition be attached to any consent requiring the submission of a scheme for the disposal of foul drainage.

It is not considered that the proposal would not be subject to an unacceptable risk of flooding or materially increase the risk of flooding elsewhere and the proposal would therefore be in accordance with PPS25.

Impact upon Ecology

Policy NE9 states that planning permission will not be granted for development which would have an adverse effect on badgers or species protected by Schedules 1, 5 or 8 of the Wildlife and Countryside Act 1981 as amended by Section 74 of the Countryside and Rights of Way Act 2000 or Schedule 2 of The Conservation (Natural Habitats) Regulations (1994) and Protection of Badgers Act 2000.

A bat roost inspection report has been submitted in support of the application. This concludes that based on evidence found during the inspection the majority of the affected buildings are considered to be of negligible value for bats with little or nothing in the way of suitable opportunities. No evidence was found to suggest any of the affected barns support a maternity, summer or winter roost for bats. Only the single storey extension in Barn 1 has limited evidence of past use by single or low numbers of Pipistrelle and Natterer's bats. The evidence suggests this room as only ever being used as a sporadic feeding station.

The report recommends the following mitigation measures:

- Remove, block up or cover with mesh the ventilation pipe in the single storey extension thereby prohibiting future bat access to this foraging area; and
- Ensure all buildings are sealed from bird access outside the bird breeding season or do not interfere with nesting birds if present within the buildings when in operation.

The applicants' agent has confirmed that the applicant would adopt both of these recommendations if planning consent is granted.

The Council's ecologist has reviewed the above, agrees with the findings of the bat survey and has no objections in relation to ecology. A condition is recommended ensuring that the mitigation measures set out in the bat roost inspection report are implemented on site.

10. Conclusion

The agricultural buildings were historically associated with Roundhouse Farm which is now a sand and gravel quarry, and demand for future agricultural use is therefore likely to be extremely limited. The buildings are large open plan buildings with wide and high doorways making them suited to the proposed B8 storage use. Subject to conditions, the proposed development would neither have an unacceptable impact in terms of noise and disturbance nor be subject to an unacceptable risk of flooding or materially increase the risk of flooding elsewhere, nor be detrimental to highway safety, nor have an unacceptable impact on protected species in accordance with policies C3, C4, NE9, NE18 and BD5 of the North Wiltshire Local Plan 2011.

11. Recommendation

Planning Permission be GRANTED for the following reason:

The agricultural buildings were historically associated with Roundhouse Farm which is now a sand and gravel quarry, and demand for future agricultural use is therefore likely to be extremely limited. The buildings are large open plan buildings with wide and high doorways making them suited to the proposed B8 storage use. Subject to conditions, the proposed development would not: have an unacceptable impact in terms of noise and disturbance; be subject to an unacceptable risk of

flooding or materially increase the risk of flooding elsewhere; be detrimental to highway safety; or have an unacceptable impact on protected species in accordance with policies C3, C4, NE9, NE18 and BD5 of the 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 mitigation measures detailed on page 9 of the Bat Roost Inspection Final Report dated 25 November 2010 shall be carried out in full prior to the first occupation of the development and / or in accordance with the approved timetable detailed in the Ecological Assessment.

REASON: To mitigate against the loss of existing biodiversity and nature habitats.

POLICY – Planning Policy Statement 9: Biodiversity and Geological Conservation.

3. Prior to the use or occupation of the development hereby permitted, the car parking areas shown on the approved plan(s) shall be provided and shall thereafter be kept available for the parking of vehicles at all times.

REASON: In the interests of road safety.

Policy: C3 of the North Wiltshire Local Plan 2011

4. No development shall commence until details of a consolidated and surfaced vehicle turning space has been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be first brought into use until that turning space has been completed in accordance with the approved details. Such turning space shall thereafter be retained and kept clear of obstruction at all times.

REASON: To enable vehicles to enter and leave the site in forward gear in the interests of highway safety.

POLICY – C3 of the North Wiltshire Local Plan 2011.

5. The development hereby approved shall operate in accordance with the 'physical control and management measures' set out on page 9 of the Planning Statement produced by David Jarvis Associates and dated October 2010.

REASON: In the interests of the amenity of neighbouring occupiers in accordance with policies C3 and NE18 of the North Wiltshire Local Plan 2011.

6. 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.

POLICIES - C3 and BD5 of the North Wiltshire Local Plan 2011.

7. The delivery and despatch of goods to and from the site shall be limited to the hours of 07:00 am and 18:00 pm Monday to Friday and 08:00 am and 17:00 pm on Saturdays, and at no time on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY - C3 of the North Wiltshire Local Plan 2011.

8. The use hereby permitted shall only take place between the hours of 07:00 am and 18:00 pm Monday to Friday and 08:00 am and 17:00 pm on Saturdays, and at no time on Sundays and Bank or Public Holidays.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area.

POLICY - C3 of the North Wiltshire Local Plan 2011.

9. Finished floor levels of the development shall be set no lower than the existing floor levels.

REASON: - To ensure flood risk is not increased in accordance with Planning Policy Statement 25: Development and Flood Risk.

10. No part of the development shall be occupied until a Flood Warning and Evacuation Plan has been submitted to, and agreed in writing by, the Local Planning Authority.

REASON: - To reduce the risk of flooding to users of the development in accordance with Planning Policy Statement 25: Development and Flood Risk.

11. No development shall commence until details of surface water drainage based on sustainable drainage principles have been submitted to, and agreed in writing by, the Local Planning Authority. Development shall be carried out in complete accordance with those details so agreed.

REASON:- To reduce flood risk, improve biodiversity and water quality, and to protect controlled waters in accordance with Planning Policy Statement 23: Planning and Pollution Control and Planning Policy Statement 25: Development and Flood Risk.

12. The site shall be used for storage and distribution and for no other purpose (including any other purpose in Class B8 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument re-voking or re-enacting that Order with or without modification).

REASON: - The proposed use is acceptable in flood risk terms but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the number of users on site in accordance with Planning Policy Statement 25: Development and Flood Risk.

13. 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 thereafter be maintained in accordance with the approved details.

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

POLICY – C3 of the North Wiltshire Local Plan 2011.

14. 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.

- Figure 1/R1 – Site Location, date stamped 4th November 2010
- 1771 Figure 2 – Block Plan, date stamped 22nd October 2010
- 1771 Figure 1 – Site Location, date stamped 22nd October 2010
- D172/1 – Vehicle Swept Path Analysis, date stamped 22nd December 2010

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

15. The development permitted by this planning permission shall only be carried out in accordance with the approved Flood Risk Assessment (FRA) dated January 2007 and the following mitigation measure detailed within the FRA:

1. There will be no new buildings or extensions to the existing building and no new walls or other enclosures shall be built.

REASON: - In the interests of the amenity of the area, to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions / extensions or external alterations and to prevent any increase in flood risk on site or downstream of the site by ensuring there is no reduction or disruption of the floodplain in accordance with Policy C3 of the North Wiltshire Local Plan and Planning Policy Statement 25: Development and Flood Risk.

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

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

POLICY- C3

17. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

POLICY-C3

18. No development shall commence until a scheme for the disposal of foul drainage from the site shall be submitted to and agreed in writing by the Local Planning Authority. The scheme shall include a detailed assessment of the options for foul drainage disposal and their impact on the underlying groundwaters. Where significant impacts are identified, appropriate mitigation measures to protect groundwaters shall be agreed with the Local Planning Authority, and implemented for the lifetime of the development.

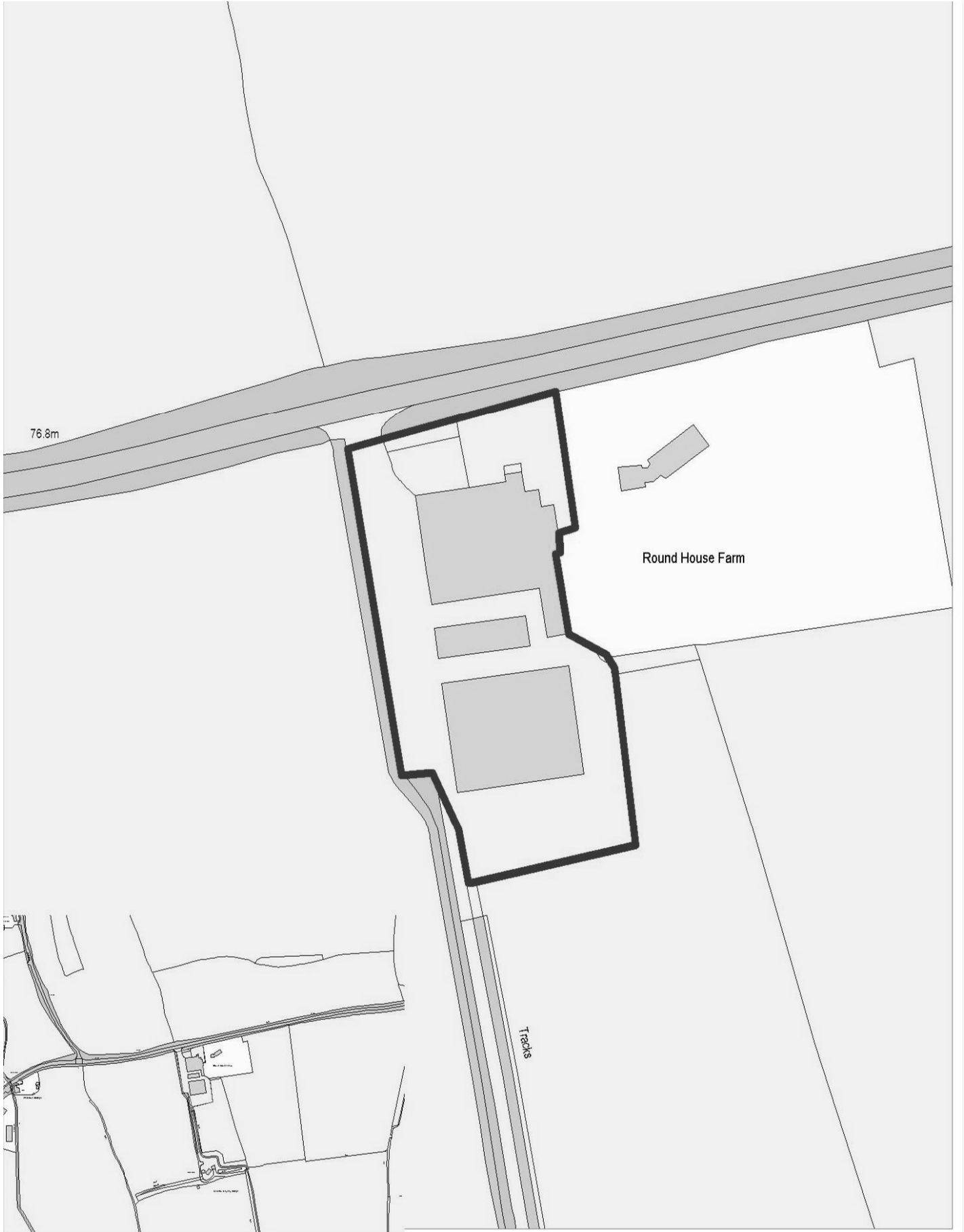
REASON: To secure an appropriate means of foul drainage disposal and prevent pollution of the water environment, in accordance with Planning Policy Statement 23: Planning and Pollution Control.

Informatives

1. The FRA has included a Flood Plan, however, a robust site specific plan must be drawn up to ensure that people are off site prior to a flood occurring as this is the primary means of protecting people at this site. The development should sign up to the Environment Agency's Floodline service (0845 988 1188) which is available in the area and can consider fitting their own flood warning system to protect the development and its contents further.
2. In seeking to discharge condition 18 of this consent, the detailed assessment must be in line with the Environment Agency's Pollution Prevention Guidance Note 5 and Circular 03/99. It must be demonstrated that the septic tank is the only viable means of foul drainage disposal before the Agency can accept this method on site because it is not the most sustainable or environmentally-friendly option.

An Environment Permit may be required for any non-mains drainage system (even if it is already existing) depending on the amount of waste being produced. More details can be found at the following link:

<http://www.environment-agency.gov.uk/business/topics/water/110593.aspx>



76.8m

Round House Farm

Tracks