

REPORT TO THE EASTERN AREA PLANNING COMMITTEE

Date of Meeting	1 st November 2012
Application Number	E/2012/0786/FUL
Site Address	Burbage Wharf, Burbage, Marlborough SN8 3BJ
Proposal	The demolition of 6 redundant buildings; the erection of 5 houses accessed off a tarmac driveway; the provision of a new garage for Wharf House; the internal rearrangement of existing cottages (retaining 3 residential units in a different layout); works associated with the above.
Applicant	Mr Ian Booth
Town/Parish Council	BURBAGE
Grid Ref	422378 163517
Type of application	Full Planning
Case Officer	Rachel Yeomans

Reason for the application being considered by Committee

This application has been called to committee at the request of the Division Member, Councillor Wheeler following support of the application by the parish council.

1. Purpose of Report

To consider the officer recommendation that the proposal be refused planning permission.

2. Report Summary

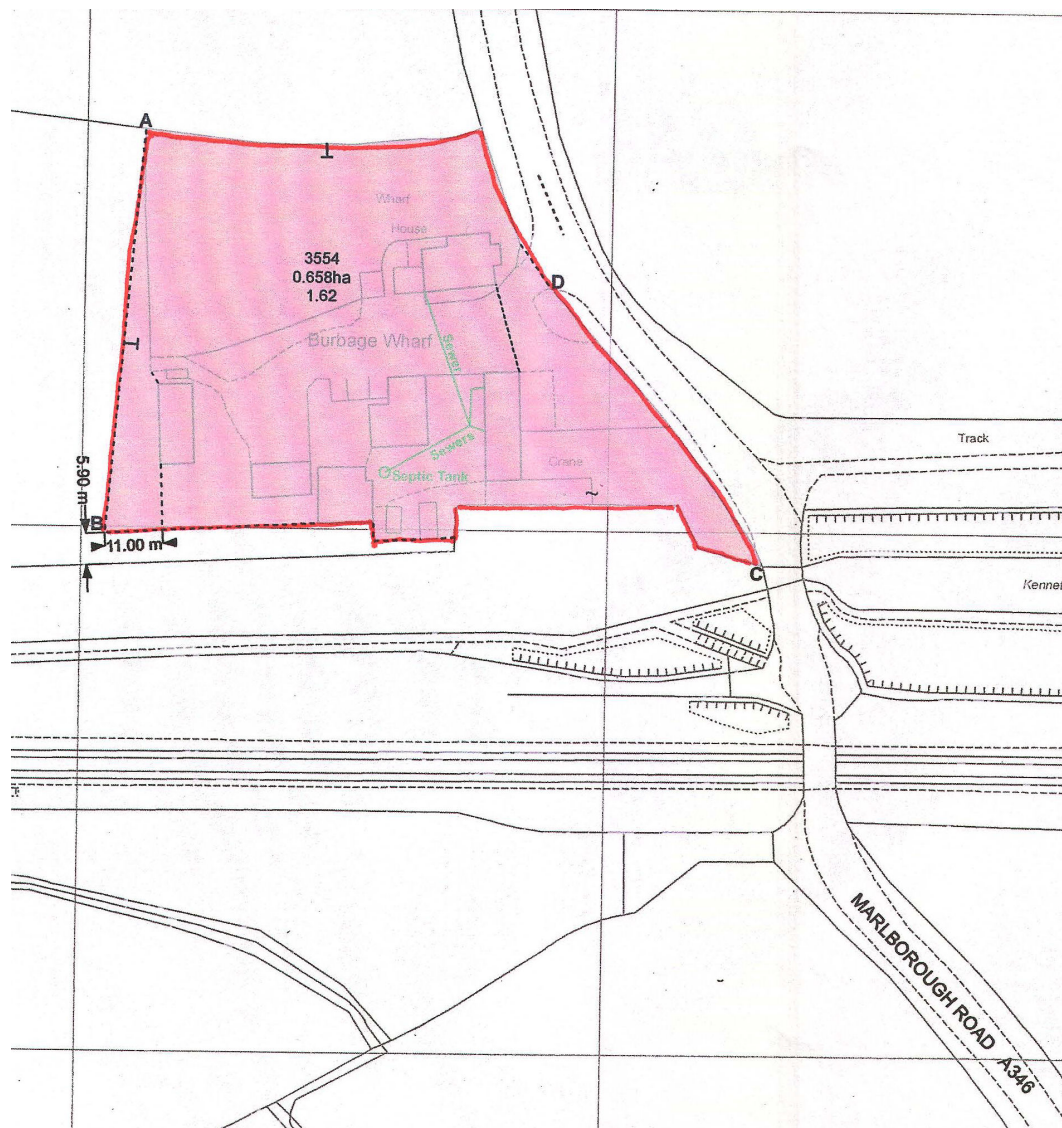
The key issues for consideration are:

- The principle of residential development in this location;
- Whether the proposals will preserve the setting of listed buildings and other non-designated heritage assets;
- Impact on visual amenity, the AONB landscape, trees and the Kennet and Avon canal;
- Highway safety;
- Impact on residential amenity;
- The lack of affordable housing;
- Impact on protect species and their habitats;
- Recreation space.

3. Site Description

The application site lies adjacent to the Kennet & Avon Canal approximately 2 miles north of the village of Burbage, with access from the A346. It is currently occupied by a terrace of three cottages, a Grade II listed crane and a detached Grade II listed Wharf Master's House along with a range of outbuildings in various states of repair, mainly situated to the south / west of the site. There are large areas of hardstanding, grassed areas and trees and shrubs particularly to the western boundary with open countryside beyond and to the south, which partially screen the outbuildings from the canal.

The site can be accessed by proceeding south from the A4 London Road in Marlborough onto the A346 towards Burbage. Proceed for approximately 4 miles, through the village of Cadley. The site can be found just before the canal bridge on the right hand side.



Site Location Plan

4. Planning History

There is no planning history relevant to the consideration of this application. However, it is important to note that pre-application advice was sought by the current applicant prior to his purchase of the site. At that time, he was advised by officers that the proposal was contrary to planning policy and did not represent sustainable development by virtue of the site's remote countryside location. Additional concerns were also raised regarding a number of issues including the impact of the proposal upon heritage assets (including the listed buildings on site) and highway safety.

5. The Proposal

The application proposes the rearrangement of the terrace of three to provide three dwellings, the demolition of all the commercial buildings with the exception of one shed and the erection of five large detached dwellings.



6. Planning Policy

The following planning policies are relevant to this proposal:

The National Planning Policy Framework, with particular reference to:

- Chapter 6: Delivering a wide choice of high quality homes
- Chapter 7: Requiring good design
- Chapter 11: Conserving and enhancing the natural environment
- Chapter 12: Conserving and enhancing the historic environment

The requirement for sustainable development is the 'golden thread' running throughout the NPPF.

Policy DP1 of the adopted Wiltshire and Swindon Structure Plan 2016.

Policies HC26, HC32, HC35, NR6 and NR7 of the adopted Kennet Local Plan 2011.

The emerging Wiltshire Core Strategy is a material consideration, having now been deposited with the Planning Inspectorate, but as this has not yet been through Examination in Public, it cannot currently be afforded significant weight. Within the document, Core Policies 1, 2, 43, 45, 57, 58 and 60 are relevant.

7. Consultations

Burbage Parish Council – Support the application as it would represent a massive improvement to this dilapidated site. The PC recognise that the site lies outside of the Development Envelope but consider that this is an exceptional case. It already has the footprint of existing building and is therefore a brownfield site. Development would be within the boundaries of the site and no new land would be required. The PC consider Burbage Wharf should be considered a hamlet, similar to Durley etc and permission be granted. [Note from planning case officer: new development of this scale would not be acceptable in principle in hamlets either.]

Wiltshire Council Highways – Object to the proposal on sustainability grounds and the fact the site does not provide safe and convenient access for pedestrians.

Wiltshire Council Ecologist - Would have concerns if the proposals affect the loft space in the existing terrace. [From the plans, it does not appear that this is the case so this could be covered by a planning condition in the event that planning permission is forthcoming.]

Wiltshire Council Conservation Officer – Provides lengthy discussion in terms of the merits of the existing site and expresses significant concerns about the design concept which would appear as a cul-de-sac of modern executive homes which pay no regard to the historic legacy of the site and would completely dominate listed buildings and other heritage assets, completely altering the character of the site to its detriment. See full comments for details.

AONB Officer – Objects to the application. The proposal has no planning policy support being in the open countryside of the protected landscape of the AONB. The NPPF confirms great weight should be given to the AONB status, which gives the highest level of landscape protection. The proposed development would change the character and qualities of this historic canal side site so that it appears as a housing development with little connection to its former use. The proposal will fail to preserve or enhance the character and qualities of the AONB contrary to the requirements of the CRoW Act 2000.

Canal and Rivers Trust – consulted late and provide initial comments relating to concerns over the visual impact on the Kennet and Avon Canal. This is not just the impact on historic canal side buildings but also the canal itself. Dwellings are proposed to turn their back on the canal, which is particularly poor and likely to result in domestic paraphernalia and features fronting onto the canal. CRT must consider the need for facilities adjacent the canal and whether the redevelopment of the wharf would result in the loss of further opportunities. The impact on canal related structures which may be damaged or affected by the proposal also needs to be considered.

Wiltshire Council New Housing Team - Notes that the site does not appear to relate to any existing settlement, so cannot comment upon its suitability for any form of residential development. However, if the site were considered to be suitable then Policy HC32 – Affordable Housing Contributions in Rural Areas (Kennet Local Plan 2011 – Saved) would currently apply. HC32 requires the equivalent provision of affordable to market housing, subject to evidence of local housing need. Looking at Wiltshire Housing Register data alone, seven households with a local connection to the area are seeking affordable accommodation. It may also be appropriate to undertake a housing needs survey in order to provide a more detailed picture of demand. Based upon the proposal for five new dwellings, two of these should therefore be affordable and designed to a standard which would meet the requirements of a Registered Provider.

[The above policy will be superseded by those of the emerging Wiltshire Core Strategy at a later date. Under the Core Strategy the requirement would be for a 40% contribution of affordable housing; this would also amount to two dwellings.]

8. Publicity

This application has been advertised by way of a site notice, an advertisement in the local press and via letter to the parish council.

One letter of support has been received from a Marlborough resident expressing concern over the run down appearance of the site. The supporter hopes the Council can work with the proposal to make it happen and does not believe anyone would want the site to remain as it is.

9. Planning Considerations

The application proposes the rearrangement of the terrace of three to provide three dwellings, the demolition of all the commercial buildings with the exception of one shed and the erection of five

large detached dwellings. The scheme is the same as that submitted at pre-application stage when the applicants were advised that the proposal would be contrary to planning policy. Officers highlighted a number of fundamental concerns regarding the site's unsustainable location, highway safety and the impact on the natural and historic environment. The applicant subsequently continued with purchase of the site and lobbied the parish council to obtain their support in advance of a planning application being submitted. The current proposal is the same as that considered at pre-application stage, with no account having been taken of comments provided by officers aimed at improving the scheme's response to its historic environment (officers advised that any scheme should be designed based upon a proper understanding of the importance of the site and its evolution).

Principle

The site lies in the open countryside in policy terms where new housing is permitted only in exceptional circumstances identified in planning policy including, for example, to provide holiday accommodation through conversion of existing buildings or accommodation for the essential needs of agriculture. None of these circumstances apply here. Planning policy is designed to protect the countryside and prevent unsustainable development in locations where dwellings would be remote from services, employment opportunities and transport links, resulting in over-reliance on the private car. The development is considered harmful to the character of the canalside and countryside location and harmful to the quality of the North Wessex Downs AONB, where it would be seen as a modern development of executive homes remote from any settlements. The development would pay no regard for the site's industrial and historic heritage and it would dominate listed buildings and other heritage assets.

The Parish Council considers that there are other material considerations which should be taken into account. In particular, they are concerned about the appearance of the site and take the view that the proposal would be an appropriate brownfield development. This view is not supported by the Council's planning policies or its officers. The existing commercial buildings are fairly utilitarian in appearance, and they are located towards the rear of the site. Although some views are afforded from the canal and bridge, the buildings are relatively low key; they benefit from some screening vegetation and generally provide a character which is reflective of the historic use of the site and the industrial heritage of the canal, where such an appearance may be expected. The expanses of concrete are grassing over and whilst the site may offer some scope for improvement (perhaps involving the removal of some buildings and general tidying up), this need not and should not take the form of that proposed.

Layout, Design and Scale of dwellings, Impact on setting of the listed buildings and other heritage assets

The proposed dwellings have been designed in an attempt to reflect historic canalside buildings and local estate properties. However, neither the layout nor the form of the dwellings has been informed by an accurate understanding of the heritage and importance of this site and its existing structures. This has resulted in large, executive-style detached homes which would not historically have been found in this location, arranged in an uncharacteristic modern 'cul de sac' layout. The layout involves houses backing onto the canal which officers consider inappropriate; this view is supported by the Canal and Rivers Trust.

The 3 storey building together with larger 2 storey buildings which extend to c. 9-9.5 metres in height would appear very tall and it is not clear what the historic basis for this is. Some of these dwellings are poorly designed – in particular, the proportions of plot 2 appear too large, with substantial expanses of roof and poor wall-to-window ratios which result in a bulky and bland appearance. The decorative appearance of other dwellings may reflect some features of estate cottages in the locality; however many of these would be more humble in scale and are unlikely to have been found in this location or in the arrangement being proposed.

In the absence of a proper justification, the scale of these buildings would appear incongruous and the numbers of units and their arrangement would completely dominate the character of the site as a whole. Consequently, the proposals are considered harmful to the character and appearance of

this site, detrimental to the setting of the listed buildings and other designated heritage assets which would be viewed in the context of the new development.

The proposals do provide sufficient space for private amenity space (gardens) and car parking.

Visual amenity, impact on the character and quality of the AONB and the Kennet & Avon Canal

The proposed development would be visible from the bridge and road which occupies an elevated position and it would also be visually prominent from the canal towpath. The proposed dwellings, for the reasons given above, are considered harmful to the character of the site, which is heritage-rich and makes a positive contribution to the AONB and the Kennet and Avon Canal. Their dominance by the five, large scale detached dwellings would not be in keeping and would fail to preserve or enhance the AONB and K&A Canal, and would be detrimental to the visual amenities of the area in general. Furthermore, it appears that the proposed dwellings may impinge on the root systems of substantial trees located to the north and west boundaries of the site.

Affordable Housing & Recreation Provision

Policy HC32 & Policy HC35 of the adopted Kennet Local Plan 2011, supported by Supplementary Planning Guidance – ‘Community Benefits from Planning’, require provision to be made on sites of this size for affordable dwellings (50%) and recreation space at a rate of 0.72 h.a. / 1000 people (or a commuted sum in lieu of such on-site recreation provision). The application does not make provision for either and is therefore considered contrary to local plan policy.

Highways

The Highway Authority object to the proposal on sustainability grounds and on the basis that the site does not provide safe and convenient access for pedestrians. The applicant’s planning statement draws out comments from the NPPF such as ‘development in one village may support services in a village nearby’; however, the current proposal for five dwellings is unlikely to provide much support for services in Burbage and any limited benefit it may have would be outweighed by the site’s unsustainable location. The site is remote from the village of Burbage and has poor links to it, particularly for pedestrians, and this would give rise to safety issues.

10. Conclusion

The application is contrary to policies contained within the adopted Kennet Local Plan 2011, the NPPF and the emerging Wiltshire Core Strategy. It also raises a significant number of issues of concern as outlined above. There is no compelling justification for permitting such a significant departure which goes against so many development requirements. Furthermore, Members should note that if they are minded to grant planning permission, this may set an undesirable precedent for other similar remote residential developments.

RECOMMENDATION

That planning permission be REFUSED for the following reasons:

1. The proposed development occupies a countryside location which is remote from services and employment opportunities, and with poor facilities for pedestrians to safely and conveniently access the site, would be unsustainable in that it would increase the need to travel, especially by private car. This would be contrary to policies HC26 and PD1 of the adopted Kennet Local Plan 2011, policy DP1 of the Wiltshire and Swindon Structure Plan 2016 and Chapters 6 and 7 of the National Planning Policy Framework.
2. The A346 Class I road, from which the proposed development would take access, is busy, winding without pedestrian facilities, only subject to the national speed limit, and is therefore inadequate and inappropriate to provide safe and convenient pedestrian access to and from the site. This is contrary to policy PD1 of the adopted Kennet Local Plan 2011 and Chapters 6 & 8 of the National Planning Policy Framework.
3. The scale, layout and design of the proposed development would fail to preserve or enhance the setting of heritage assets, the character or quality of the North Wessex Downs

Area of Outstanding Natural Beauty and the setting and appearance of the Kennet and Avon Canal. Consequently, the proposal is contrary to policies PD1, NR6 and NR7 of the adopted Kennet Local Plan 2011 and Chapters 7, 11 and 12 of the National Planning Policy Framework.

4. The proposal fails to make adequate provision for affordable homes in this area of housing need. The proposal is therefore contrary to policy HC32 of the adopted Kennet Local Plan 2011 and Chapters 6 & 8 of the National Planning Policy Framework.
5. The proposal fails to make adequate provision for children's recreation. This is contrary to policy HC35 of the adopted Kennet Local Plan 2011 and Chapter 8 of the National Planning Policy Framework.