

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	W/12/00697/FUL		
Site Address	Land West Of Codford Station, Station Road, Codford, Wiltshire		
Proposal	Change of Use to establish use classes B1(c) & B8 within existing retained buildings and associated external access, parking and yard areas. Removal of four out buildings, refurbishment of remaining buildings and provision of new toilet block facility		
Applicant	The Trustees Of The Barbara De Brye Will Trust		
Town/Parish Council	Upton Lovell		
Electoral Division	Warminster Copheap And Wylve	Unitary Member:	Cllr Christopher Newbury
Grid Ref	395284 140198		
Type of application	Full Plan		
Case Officer	Jemma Boustead	01225 770344 Ext 01225 770211 Jemma.Boustead@wiltshire.gov.uk	

Background

Members will recall that this application was deferred at the last meeting of the committee on 12th June 2013. The purpose of the deferral was:

- 1) For members to undertake a site visit;
- 2) To seek clarification of the highway status

The site visit will take place before the meeting on October 16th.

Highway Issues

In response to the concerns raised at the last Planning Committee, the agents have submitted further drawings showing a proposed lay-by to allow large vehicles to pass each other on the private access to the site and the installation of a give way sign. This would therefore ensure that vehicles do not have to wait by the level crossing which is located on a bend where Councillors were concerned that accidents may occur. The Council's Highways Officer considers that the proposed changes would bring about a substantial highway benefit and Network Rail have raised no objections to the proposed scheme.

A traffic survey has also been undertaken and was conducted on Station Road, South of the railway line and before the 'S' bend. This traffic survey showed that the proposed visibility splays are more than sufficient for the proposed use. This is supported by the Council's Highway Officer.

Concerns were raised by the planning committee regarding the traffic assessment that was submitted with the application where the site in terms of predicted traffic movements was compared against traffic generated from a poultry farm. This particular use was adopted on the advice of the Council's Highways Officer and is therefore considered to be an appropriate comparison and methodology.

Concerns by the Planning Committee were also raised regarding the amount of proposed parking spaces as this could imply a greater amount of traffic movements than described in the application. When the application was first submitted, the application saw no increase in proposed parking spaces. However to ensure that the site complies with the Council's own Car Parking Strategy where

proposed parking spaces are based upon floor area, 30 extra spaces were required and as such are now proposed. The Developer is of the opinion that the site would not require or use this amount of parking spaces.

The report below has been amended since the publication of the last agenda to include such matters as the comments of Network Rail.

REASON FOR THE APPLICATION BEING CONSIDERED BY THE PLANNING COMMITTEE

Councillor Newbury has requested that the application be called to the Planning Committee for the following reasons:

- o Scale of development
- o Visual impact upon the surrounding area
- o Relationship to adjoining properties
- o Environmental or Highway impact
- o Design - bulk, height, general appearance

1. Purpose of Report

To consider the above application and to recommend that planning permission be granted

2. Report Summary

The main issues to consider are:

- principle of development
- design issues and impact upon the immediate area
- impact on amenity
- highway and access considerations

3. Site Description

The site is identified as land west of Codford Station which is located in the open countryside and within an Area of Outstanding Natural Beauty. The site is located on Station Road, approximately 450 metres to the south of the A36. Surrounding the site to the north, east and west is agricultural land and to the south is the railway line.

The site itself is relatively flat, covers approximately 1.2 hectares and is accessed via a private roadway off Station Road. There are several buildings on the site which in their existing form provide a floor space of approximately 2,280 square metres.

The application seeks the change of use of the site for B1 (Business) and B8 (Storage and Distribution) uses which will utilise existing buildings and the existing access, parking and yard areas. The proposal also involves the demolition of four out buildings and the provision of a new toilet block.

The buildings that are proposed to be removed include 2 existing portacabin style structures, a small brick built toilet facility, a timber frame building and a temporary office accommodation. All of these buildings have been considered to be lightweight in construction and provide no worthwhile or viable employment space. The remainder of the buildings will be made good and a small brick outbuilding would be erected to provide a communal toilet area which will result in an overall total floor space of 2,210 square metres.

4. Relevant Planning History

There is little planning history on the site and the design and access statement refers to the MoD using the site as a depot. Letters from neighbours also suggest that for a temporary period Guinness used the site but it is not understood what exactly for and residents have also stated that for a period of time the site was also used to assemble cabinets for displaying fireworks in shops.

5. Proposal

The application submitted was for B1, B2 and B8, however the B2 (General Industrial) use has since been removed from the description and the proposal is now only requesting a mix of B1 and B8 uses.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004
C1 Countryside Protection
C2 Areas of Outstanding Natural Beauty
C31a Design
C32 Landscaping
C38 Nuisance
E6 Rural Employment
E8 Rural Conversions

Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

National Planning Policy Framework (NPPF) requires development that is sustainable and in accordance with the policies of the development plan to be approved, unless material considerations indicate otherwise.

7. Consultations

UPTON LOVELL PARISH COUNCIL

Object due to the traffic issues as they have been grossly underestimated and safety issues, with a sharp right angle bend immediately after the level crossing to the left of the entrance which would create many problems as vehicles leave the site. The road as you leave the A36 is extremely narrow and would be difficult for a large van or lorry to pass any vehicle coming the other way.

CODFORD PARISH COUNCIL

Concerns with impact upon the environment, road safety hazards, disturbance to the peaceful ambience of the area due to increased commercial activity

WILTSHIRE COUNCIL HIGHWAYS

No objection to a B1 and B8 use. The amended plans show that the proposal would bring about substantial highway benefits

WILTSHIRE COUNCIL ENVIRONMENTAL PROTECTION

No objections to a B1 and B8 use subject to conditions regarding deliveries and lighting

WILTSHIRE COUNCIL ECONOMIC DEVELOPMENT OFFICER

Support the change of use as it will bring a disused building back into use.

AONB LANDSCAPE AND ENVIRONMENT ADVISOR

The AONB welcomes the exclusion of B2 uses. However storage and distribution in a rural location is still a concern as such a use involves both delivery and distribution traffic that would be more appropriate to an edge of town business park.

WESSEX WATER

New water supply and waste water connections will be required to serve the proposed development. New regulations also require all new sewer connections serving more than one dwelling to be subject to a signed adoption agreement with Wessex Water before the connection can be made.

NETWORK RAIL

No objections to the amended drawings

8. Publicity

The application was advertised by site notice, press notice and neighbour notification. Expiry date: 12th April 2013

4 Letters were received and following is a summary of points raised:

Inadequate access for extra traffic, the road from the A36 narrows and two cars cannot pass, there is also an ancient bridge. There is already a lot of farm traffic including grain lorries, milk tankers and buses, no notice given to adjoining land owners, existing buildings are elderly and represent the relics of what was a temporary army ammunitions centre during two world wars, located within the AONB where industry should not be provided, it will have an impact upon the character and appearance of

the countryside area, this part of the A36 is the most dangerous with 5 major accidents where people have been killed, there was a previous proposal to change the use of the land into an Eco Centre but was not pursued because of the impact on the countryside and lack of proper access, associated noise from an increase in traffic, access is off a sharp bend, we are heading towards a twenty-four hour society so the noise 24/7 would not be appropriate to a rural setting, this urbanisation would represent poor planning, concerns with the transport assessment as the crop research station was a tiny operation with few vehicle movements on a daily basis.

9. Planning Considerations

9.1 PRINCIPLE & IMPACT UPON THE AREA

The site is located in the open countryside where Policy C1 states: Development proposals in the open countryside will not be permitted, other than those which encourage diversification of the rural economy and rural recreation, unless there is an agricultural, forestry or other overriding justification such as essential transport improvements, schemes of national importance or overriding benefit to the local economy. Acceptable mitigation measures will be implemented where appropriate.

The site is also located within an Area of Outstanding Natural Beauty where policy C2 states that Priority will be given to the landscape over other considerations and development proposals likely to be detrimental to the special landscape character will not be permitted. Proposals for new development essential to the economic and social well-being of the rural community will be permitted, having regard to highways, access, scale, design, materials, location, siting, landscaping and other appropriate environmental considerations.

The NPPF states that great weight should be given to conserving landscape and scenic beauty in AONB and Local Planning Authorities should support sustainable growth and the expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;

Policy E6 of the Local Plan supports the above statement as it states outside the Western Wiltshire Green Belt, proposals for the establishment or expansion of small scale employment enterprises in existing premises or on new sites will be permitted provided that:

- A They do not create significant highway or flood risk problems;
- B The scale, design, siting, materials of any buildings, their use and type of operation maintain or enhance, and are compatible with, the rural character of the area and do not harm acknowledged nature conservation interests;
- C The proposals are compatible with neighbouring land uses, are not detrimental to residential amenities and do not give rise to pollution issues such as excessive noise, smoke, fumes, effluent or vibration.

The site has a history of uses and the buildings are existing, therefore the impact upon the scenic quality of the landscape within the designated Area of Outstanding Natural Beauty and the open countryside is considered to be minimal. The proposed change of use is also considered to be of benefit to the rural economy and therefore is considered to comply with Policies C1, C2 and advice contained in the NPPF. The detailed parts of Policy E6 will be looked at in greater detail below.

9.2 DESIGN ISSUES

Policy C31a of the Local Plan relates to design and ensures that new development respects existing landscape features, views, patterns of movement and minimises the visual impact of roads, vehicles and parking areas. Policy E8 allows the conversion of rural buildings in the open countryside to business uses subject to the following criteria

- A The building is of substantial, sound and permanent construction and capable of conversion without extensive alteration, rebuilding, and/or extension or otherwise significantly altering its original character;
- B The proposed conversion safeguards and/or enhances the essential form, structure, character, and important traditional features of the building and the countryside;
- C It can be satisfactorily serviced and does not create highway problems;
- D It does not harm the natural environment including the water environment.

In considering such proposals the District Council will require structural surveys of buildings proposed for conversion.

A report on the condition of the existing buildings has been submitted as part of the application which highlights that the buildings that are to be converted are of substantial construction and need minimal alterations. The site also utilises existing buildings and as such the use would respect existing patterns of development meaning there would be little visual impact upon the wider landscape and would not harm the natural environment.

One building is proposed to be rebuilt and this is the communal toilet block which is proposed to be a modular building which is considered to be appropriate to its immediate surroundings. A condition requiring details of this modular building before it is constructed would be required on any approval.

There are existing trees located within the overall site, however few are located in the vicinity of the existing buildings and none would be affected by the proposed works. Further soft landscaping is proposed near to the entrance of the site following the removal of an existing toilet block which is considered to be appropriate.

The proposal is therefore considered to comply with the relevant parts of Policy E6 and Policies C31a and E8.

9.3 IMPACT UPON AMENITY

Policy C38 which relates to nuisance and states that: Proposals will not be permitted which would detract from the amenities enjoyed by, or cause nuisance to neighbouring properties and uses. Consideration will be given to such issues as any loss of privacy or overshadowing, levels or types of traffic generation, the storage of hazardous materials, the generation of unpleasant emissions such as odour, fumes, smoke, soot, ash, dust or grit, the extension of existing unneighbourly uses and the creation of an untidy site. Development will not be permitted if the amenities of its occupiers would be affected adversely by the operation of existing or proposed neighbouring uses.

The site is located over 250 metres from the nearest neighbouring residential property and as such it is considered that the proposed change of use would not have an impact on neighbouring amenity in terms of overlooking or overshadowing. Noise from the site has also been considered especially as local residents have highlighted concerns about noise from heavy traffic accessing and leaving the site and a concern raised by a neighbour regarding a 24 hour society and there being noise from the site 24/7. It is important to note that some of the residential properties back onto the rail network that is the main line between Warminster and Salisbury where a significant amount of noise currently exists. However, conditions can be attached to any approval ensuring that the site is not used and no deliveries are made to and from the site between 07:00hrs and 23:00hrs as advised by the Environmental Protection Officer.

No external lighting is proposed.

It is therefore considered that the proposal would not have an impact upon neighbouring amenity and complies with Policy C38.

9.4 ACCESS AND HIGHWAYS

Access to the site remains unchanged and the existing hardstanding area is to be made good, levelled and resurfaced and parking is to be marked out in white lining. Nine new car parking spaces are also proposed all of which are considered to be appropriate.

Concerns have been raised from residents regarding heavy vehicles leaving and entering the site and regarding the transport statement not being correct as it has states many more vehicle movements than actually happened. It is important to note that although one company may not have had many traffic movements another similar company within the same use class could move onto the site and the traffic movements may be significantly more which would not itself require the site to gain new planning permission. As the site is redundant an exact vehicle movement count cannot be undertaken and as such the transport assessment has taken an average of vehicle movements associated with similar use. In this particular case a poultry farm was used as a case study and the assessment states

that on average the vehicular trips would be reduced. The transport assessment has been looked at by the Highways Officer who raises no objections to the proposal.

Residents raised concerns regarding noise and highway problems due to existing milk tankers, grain lorries and busses that currently pass their properties, however this does highlight that large vehicles can already utilise the existing road network without detriment.

9.5 OTHER

Concerns have been raised regarding immediate land owners not being consulted on the planning application. However the Local Planning Authority only consults existing properties and do not have details of land owners of fields. However a site notice was erected at the entrance of the site and therefore the Local Planning Authority has completed its consultation process requirements.

Recommendation: Permission

For the following reason(s):

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following Conditions

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 101, 102, 103, 105, 106 received on 13th April 2012, drawing number 107A received on 18th September 2013 and drawing number 104B received on 24th September 2013.

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Class B1 and 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 revoking or re-enacting that Order with or without modification).

REASON: The proposed use has been considered to be acceptable but the Local Planning Authority wish to consider any future proposal for a change of use and its impact upon the AONB, the wider landscape and any impact upon the existing road network.

- 4 The delivery and despatch of goods to and from the site shall only take place between the hours of 07:00 hrs and 23:00hrs Mondays to Fridays and between 08:00hrs and 18:00hrs on Saturdays. Deliveries and despatch of goods shall not take place outside of these hours.

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 having regard to Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004.

- 5 The development hereby approved shall not be first brought into use until the access and parking areas have been implemented in accordance with drawing number 104A received by the Local Planning Authority on 22nd April 2013, drawing number 107A received by the Local Planning Authority on 18th September 2013 only. The areas shall thereafter be maintained for those purposes at all times thereafter.

REASON: In the interest of highway safety having regard to advice contained in the NPPF.

- 6 Prior to the communal toilet block being constructed on site, details of the exact location, material and colour of the structure shall be submitted to and approved in writing by the Local Planning Authority. The building shall then be carried out in accordance with the approved details.

REASON: To ensure that the modular building does not have an impact upon the AONB and wider landscape having regard to Saved Policies C1, C31a, C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF.

- 7 All soft landscaping works shown on drawing number 104A received by the Local Planning Authority on 22nd April 2013 shall be carried out in the first planting and seeding season following the first occupation of the buildings or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features within the AONB having regard to Saved Policies C31a and C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF

- 8 Prior to the use hereby permitted being put into the use the buildings annotated as E, F, G and I shown on drawing number 101 received on 13th April 2012 shall be demolished and the material removed from the site.

REASON: To protect the landscape quality of the AONB having regard to advice contained in the NPPF.

Appendices:	
Background Documents Used in the Preparation of this Report:	