

## REPORT TO THE NORTHERN AREA PLANNING COMMITTEE

<b>Date of Meeting</b>	<b>1 September 2010</b>		
<b>Application Number</b>	<b>10/01581/FUL</b>		
<b>Site Address</b>	<b>Lacock Working Mens Club, Chapel Hill, Lacock, Chippenham SN15 2LA</b>		
<b>Proposal</b>	<b>Extension, Alteration and Conversion of Former Working Mens Club (A4 Use) To a Mixed Use Live-Work Development Including a Photographic Gallery and Workshop/Studio. Together with Three B&amp;B Rooms (Revised Proposal)</b>		
<b>Applicant</b>	<b>Mr and Mrs Turnball</b>		
<b>Town/Parish Council</b>	<b>Lacock</b>		
<b>Electoral Division</b>	<b>Corsham Without and Box Hill</b>	<b>Unitary Member</b>	<b>Richard Tonge</b>
<b>Grid Ref</b>	<b>391497 168676</b>		
<b>Type of application</b>	<b>FULL</b>		
<b>Case Officer</b>	<b>Tracy Smith</b>	<b>01249 706642</b>	<b>tracy.smith@wiltshire.gov.uk</b>

### Reason for the application being considered by Committee

This application has been submitted to the Committee for decision at the request of Councillor Richard Tonge to consider the scale of development and its visual impact on the surrounding area.

### 1. Purpose of Report

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

### 2. Main Issues

Permission is sought for a mixed use development which has elements of residential, tourism and employment within the open countryside outside of any framework boundary and also within a Conservation Area and adjacent a Listed Building.

The main issues in considering this proposal are:

- The principle of development having regard to Policies C3, NE15, HE1, HE4 and BD5 and BD6 of the North Wiltshire Local Plan 2011 and Policy RLT10 of the Wiltshire and Swindon Structure Plan 2016
- Impact on the character and appearance of the area (including the Conservation Area)
- Impact on the setting of the adjacent Listed Building
- Impact on residential amenity
- Impact on highways

### 3. Site Description

Lacock Working Mens Club comprises an unused single storey building constant state of decline. The existing building is constructed of painted blockwork, reconstructed stone, timber cladding and profile metal sheeting.

The building comprises 286sqm and sits within the southern part of the site adjacent the boundary with the Listed Building known as The Chapel. The remainder of the site is undeveloped previously used as parking to serve the development.

Access to the site is via Chapel Hill with vehicles using the site usually accessing it via the northern part of the Hill with exit via the lower point.

The site is surrounded by residential development with the exception of its western flank beyond which is open countryside.

Lacock does not benefit from a framework boundary and the site is located within the designated Conservation Area.

### 4. Relevant Planning History

Application Number	Proposal	Decision
09/01091FUL	Change of Use (Including Extensions & Alterations) of Former Working Mens Club to Residential (Including Tourist Accommodation) and Photographic Gallery	Withdrawn
09/02039FUL	Change of Use (Including Extensions & Alterations) of Former Working Mens Club to Residential (Including Tourist Accommodation) and Photographic Gallery  This scheme permitted the conversion of the whole of the building with some single storey extension. The footprint of the building increased from 286sqm to 396sqm.	Approved

### 5. Proposal

The proposal seeks to demolish part of the existing building and convert and extend the remainder to provide a mixed use development comprising a photographic workshop, studio and gallery together with tourist accommodation at ground floor (three ensuite rooms) and residential at first floor. The residential/tourism element is proposed across the northern part of the site.

The footprint of development is not increasing per se from that previously approved given the proposed demolition of approximately half the original building. However, the additions to building amount to approximately an additional 228sqm at ground floor with approximately 88sqm at first floor level.

The work element previously approved in the form of the gallery and workshop comprised 192sqm and this is now 152sqm with bed and breakfast accommodation increasing by nearly 10sqm and residential by some 41sqm.

The residential and bed and breakfast elements are now the dominant elements of the scheme as opposed to the work (gallery/workshop) element of the approved scheme.

The scheme will be constructed of timber board cladding, stone and brick with slate and clay tiles to also be used.

The scheme was the subject of pre-application advice together with the previously approved scheme. The advice favoured the originally approved scheme and this scheme was rejected.

## **6. Consultations**

**Lacock Parish Council** – no objections.

**Conservation Officer** – acknowledges the improvement through the demolition to the setting of the Listed Building, however, this is outweighed due to the harm through the scale, design and appearance of the development on the Conservation Area.

**Environmental Health Officer** – no objections.

**Wessex Water** - no objections

## **7. Publicity**

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

- Scale of development
- Inaccessible
- Highway and pedestrian safety
- Change in emphasis from work to domestic compared to the original scheme with the business needing 27% less space whilst residential increasing by 30%
- Overdevelopment of the site
- Obscure views of the Grade II Listed Building due to the two storey element
- Letters of support from photographers are of no value due to no planning requirement

22 letters of support have been received welcoming the facility and recognising the photographic history of Lacock and its tourist benefits.

It is noted that of the letters of support only three are from residents within Lacock.

## **8. Planning Considerations**

### Principle of development

The principle of a mixed use live/work development with an emphasis on tourism and work has been accepted on this site through the grant of permission 09/02039FUL. However, the approved scheme is considered to have placed much more emphasis on the work element with some of the residential element accommodated in the original building to be converted.

The approved scheme which was principally for a conversion with extension fell broadly between Policies BD5 and BD6 which is why the scale of the extension was permitted.

The premises have been marketed with little or no interest since it was closed over two years ago. The proposed scheme by reason of its Sui Generis use and other existing A uses within Lacock, complies with Policy R6.

Policy BD5 and BD6 supports the conversion of rural buildings to employment/tourist, community and residential uses subject to no significant alterations and extensions and rebuild. However, Policy BD5 is more flexible and whilst allowing for conversions it also allows limited new build, limited expansion and limited replacement of existing premises.

The employment generation of this proposal is not yet known and as the scheme now relates to a predominant new building as opposed to converted scheme with extension.

The building is also considered to be structurally sound.

Notwithstanding that the employment creation is not yet known, it is understood that at least one job will be created and undertaken by the application, on balance the employment or work element complies with Policies BD5 and BD6 of the Local Plan together with the current direction of Government guidance contained in PPS4 "Planning for sustainable economic growth".

The tourism element of the proposal, that is the bed and breakfast (three ensuite bedrooms) and to some extent the studio, falls to be considered against Policies RLT8 and 9 of the Structure Plan 2016.

Bed and breakfast accommodation is still essentially a residential use.

The photography business is considered to be in keeping with the nature of Lacock and the museum nearby. Serviced accommodation is permitted in villages (there is no reference to the requirement for that village to have a framework boundary) or through the conversion of existing buildings or be related in scale, character and style.

The proposal is thus finely balanced in terms of its accordance with the tourism policies of the Structure Plan.

However, the major element of the scheme comprises pure "live" residential at approximately 151sqm. It is appreciated that this is a specialist form of development, however, such development, generally are required to have a significantly greater emphasis on work.

Residential development in the countryside is not supported unless required in connection with agriculture, forestry and rural business.

The business is not considered to a rural business for the purposes of Policy H4, furthermore, no evidence has been presented to justify the dwelling on this basis.

Thus it is considered that the residential element of the scheme is objectionable on grounds of it being contrary to Policy H4.

#### Impact on the character and appearance of the Conservation Area

The site currently has a single storey building across its southern boundary adjoining the Listed Building known as The Chapel.

The remainder of the site is open with mature vegetation and trees along the boundaries. The openness and tree/hedge lined boundaries are the character of this part of the Lacock Conservation Area.

The impact of the development on the adjacent trees is not known at this juncture and a tree survey is waited.

The development proposed will significantly dominate the site compared with both the existing situation and the approved scheme and notwithstanding the opening up of the southern boundary to provide increased views of the Listed Building.

It is recognised that the design has taken some inspiration from the local vernacular materials but this has resulted in a "hotch potch" of styles with the main house and bed and breakfast having an untypically wide spans.

It is considered that in this Conservation Area and having regard to its slightly “backwater” location, a high quality, contemporary architecture would be acceptable rather than this pastiche of styles. The applicant has been advised of such a scheme in Wiltshire at Roche Court in the southern hub of the Council.

For these reasons the proposed development is considered to neither enhance nor preserve the character and appearance of the Lacock Conservation Area contrary to Policies C3 and HE1 of the Local Plan and advice contained within PPS5 “Planning for the Historic Environment”.

#### Impact on the setting of the Listed Building

The setting of the Listed Building known as The Chapel has been improved through the removal of part of the building.

This benefit needs to be balanced in the context of the wider Conservation Area and other issues.

#### Impact on residential amenity

Due to the topography of the area, the siting of the two storey element of the development and the internal layout, there will be no overlooking of adjacent properties to their detriment nor would the development have an overbearing impact.

#### Impact on highways

The existing use and the previous permission are significant material considerations. It is in this context that the highways officer raises no objections to the proposed development.

#### Other matters

The residential element of the scheme attracts the requirement for an open space contribution as outlined in Policy CF3 of the Local Plan. An agreement has not been sought in light of the recommendation, however, to safeguard against any decision to the contrary of this recommendation, the absence of an agreement should be reflected in the reasons for refusal.

The applicant has sought to make a case for the enlarged development on the basis that permitted development rights were not withdrawn with the approved scheme. As the use was a sui generis use with mixes of residential and employment, no permitted development rights are afforded a business of this nature, hence it was not considered to be necessary to remove such rights where they did not exist in the first place.

### **9. Conclusion**

The proposed removal of part of the existing building would be an improvement to the setting of the adjacent Listed Building. However, this benefit does not outweigh the harm that would occur to the character and appearance of the Conservation Area which would be neither preserved nor enhanced as a consequence of the scale, appearance form and design of the development.

Furthermore, at the time of preparing this report, insufficient information has been submitted in respect of a tree survey to demonstrate that further harm would not be caused by the removal of any trees that may be required to facilitate the development.

The proposal is thus contrary to Policies C3, HE1 and NE15 of the adopted North Wiltshire Local Plan 2011.

## 10. Recommendation

Planning Permission be REFUSED for the following reasons:

1. The proposed development includes a significant element of residential use resulting in the creation of a dwelling in the countryside without justification. The proposal is therefore contrary to Policy H4 of the adopted North Wiltshire Local Plan 2011.
2. By reason of its scale, design and appearance it is detrimental to the character and appearance of the Lacock Conservation Area and fails to preserve or enhance the area. The proposal thus fails to accord with Policies C3 and HE1 of the North Wiltshire Local Plan 2011 together with Government advice contained in PPS5 "Planning for the Historic Environment".
3. Insufficient information has been submitted to demonstrate that the proposal would not detrimentally affect trees surrounding the site which in turn could further impact upon the character and appearance of the Lacock Conservation Area at this location.

<b>Appendices:</b>	<b>None</b>
<b>Background Documents Used in the Preparation of this Report:</b>	<b>1.21 2.02 2.24 3.03 4.02 4.03 4.04 5.01</b>

