

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

Report No.

Date of Meeting	30/07/08
Application Number	08/00849/FUL
Site Address	Marden Farm, Rookery Park, Calne
Proposal	Replacement of existing office building
Applicant	Mr Keith Lewis
Town/Parish Council	Calne without
Grid Ref	400134 169501
Type of applications	FULL APPLICATION

Reason for the application being considered by Committee

- This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because 5 letters of objection have been received

Summary of Report

Proposal is for the replacement of an existing agricultural building (formally the farm office/administration building, now unused) with a new building, to be used specifically for commercial office purposes (use class B1).

This report is prepared to allow Members of DC Committee to consider the proposal in the context of planning policy and guidance. The key points to consider are as follows:

- Principle of development
- Parking provision and highway safety
- Visual appearance
- Impact upon neighbour amenity

Officer Recommendations

Planning Permission be **GRANTED** subject to conditions:

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Proposal and Site Description

Submitted as a retrospective application, the proposal is for the creation of a single storey office building, replacing an existing agricultural building. Scaling at 6.9m x 27.5m x 6.0m (height to ridge) the proposed building is taller, but provides for a similar footprint and siting to existing. Whereas the existing building was timber clad, the proposed building would be constructed of brick cavity walls with tile roof.

Marden Farm is a reasonably sized agricultural complex situated to the south of Calne. As an intensive pig unit, the complex was decommissioned in 2001 and the buildings disused since that time, and as such the site has a generally poor appearance.

The entire complex is positioned in open countryside, outside of any settlement Framework Boundary, although large scale residential development (Rookery Park) is positioned some 150m to the north and east of the built up portion of the site, through which vehicular access is gained. Other individual properties are positioned closer to the site, many of which (but not all) are under the control of the applicant.

It should be noted that this application was originally accompanied by an application for the comprehensive redevelopment of the farm complex. This application was, however, subsequently withdrawn. (08/00850/OUT)

Relevant Recent Planning History		
Application number	Proposal	Decision
08/00850/FUL	Redevelopment of former pig production unit for employment use (Class B1 and B8)	Withdrawn 26/06/08

Consultations

Parish Council - (in response to both 08/00849/FUL and 08/00850/FUL) Concerned that work has commenced prior to any decision. Also concerned that the residents of Rookery Park would be affected by traffic movements using very narrow roads. Believe that traffic movements would be high with the number of car parking spaces shown within the application.

Town Council – (In response to both 08/00849/FUL and 08/00850/FUL) Strongly objected to both applications. Agreed with all points raised by members of the public and added the following: (i) location of industrial area adjacent to residential development is unacceptable; (ii) only means of access via Rookery Park – road system would not cope with traffic created by the proposal; (iii) average of 100 cars per day passing through Rookery Park and Calne already has an industrial estate that does not require traffic to pass through nearby housing estate; (iv) C3 core policy would be breached; (v) BD4 and BD5 would be breached.

Wiltshire County Council Highways - *"I confirm that whilst there is no highway objection to this application, subject to the condition detailed below, I have concerns about the development of Marden Farm as a whole and the possibility of incremental development. I consider that it should be made clear to the applicant at this stage that any future applications for business or for the site so that future proposals can be considered in the context of the whole site."*

Representations

Seventy four (74) letters of objection received. Issues raised predominantly relating to the accompanying application for comprehensive redevelopment of the site (now withdrawn). However, issues relevant to this application include :

- Lack of information to reasonably establish the number of traffic movements associated with development
- Impact upon amenity of residents of Rookery Park from traffic movements associated with development
- Existing roads of an inadequate standard to deal with expected traffic increase
- Replacement buildings will be prominent than existing and will impose upon neighbouring residents to the east
- Visual impact of existing buildings in landscape
- Lack of proposed landscaping on site
- Inappropriate location for commercial development
- Proposal is a comprehensive redevelopment rather than limited new building

Planning Considerations

Principle of development

Whilst proposals for new commercial development in the open countryside, remote from identified settlements, are not normally appropriate, it is now established within planning guidance and policy, that opportunities for the re-use or new/replacement buildings may be acceptable where *inter alia* the development is of an appropriate scale and situated within or are well related to an existing complex of buildings.

Planning guidance at the national level is broadly supportive of the replacement of suitably located, existing buildings. In particular para.19 of PPS7 states that such replacements should be favoured where this would result in a more acceptable and sustainable development than might be achieved through conversion. This guidance is expressed at the local level by Policy BD5(ii) of the adopted North Wiltshire Local Plan 2011. Indeed, this proposal is of a small scale and as such its distance from Calne town should not be seen as critical when assessed against most measures of sustainability.

Residual concern at the local level does remain in respect of the now withdrawn proposal for the comprehensive redevelopment of the complex. Specifically, whether this smaller-scale application could be regarded as establishing a commercial use as “incremental” type development, or simply as prelude to the resubmission of a large-scale redevelopment.

Clearly, if resubmitted, such a proposal for larger-scale redevelopment would need to be assessed against adopted local plan policy and national guidance, part of which actually requiring a judgement to be made on whether such development could be regarded as “limited” new building or expansion. However, at the present time, the current proposal should be assessed on its own merits and with prejudice to any future application that may or may not be submitted.

Visual appearance of replacement building

As is required by national planning guidance and adopted Local Plan policy, the proposed new building is considered to retain a simple and quasi-agricultural feel in the same way conversion works would. Although the application suggests use of brick/tiles, this substantial construction is not considered to be entirely out of character with its position within a built-up complex of large buildings. However, given that the majority of the existing buildings on the site are constructed with timber walls, it is considered necessary to request that the new building incorporate timber cladding into its external appearance.

Remaining at single storey only, the height of the proposed building would nevertheless represent an increase of approximately 1.8m over the existing building. This would, however, remain lower than many of the larger existing buildings on the site and associated feed-silos. In this context any perceived increase in the scale of the building would not have a significant impact upon distance views within the landscape.

Impact upon neighbour amenity

Concerns have been raised by local residents in respect of the potential impact of (a) the building itself, and (b) the noise and disturbance associated with the expected increase in vehicular traffic being routed through Rookery Park – the suggested means of vehicular access.

In respect of the first issue, it is considered that the building is positioned at a sufficient distance from the nearest dwellings at Rookery Park (as well as the five individual properties to the north and west of the site) to mitigate any impact from the building itself. In any event, it is evident that the proposed building is of a similar scale to that which it would replace, and would be surrounded by others of greater proportion.

On the second matter, all vehicular traffic to and from the site would be routed through Rookery Park (using “The Rise”), and directly past those four dwellings within the Marden Farm site itself. Whilst perhaps a legitimate concern if the entire site were to be comprehensively redeveloped, this proposal for a singular building is unlikely to demonstrate a significant or unacceptable increase in traffic, given the amount of traffic that is already generated by Rookery Park itself at peak times. Furthermore, the traffic profile of a B1 office use class (as is proposed) would be unlikely to include successive numbers of large HGV movements, which would be particularly disturbing.

Parking provision and highway safety

Although the application site only includes the creation of seven parking spaces, it is clear that the Marden Farm site is extensive and that such an arbitrary separation between the identified application site and the remainder of the complex is unlikely to come about. As such the space to both park and manoeuvre cars and deliveries is largely unconstrained. Subject to the imposition of conditions, Wiltshire County Council as the Highway authority have raised no objection on this basis.

Although raising no concerns over the ability of the wider road network to deal with any traffic increase associated with this proposal, WCC Highways have made it clear that any future expansion of business activity on the Marden Farm site (or even part thereof) would necessitate a consideration of the entire future use of the site, so as to avoid the cumulative adverse effect associated with incremental development.

Recommendation:

Subject to the receipt of satisfactory amended plans that introduce an element of timber boarding to the elevational treatment of the building, then :

GRANT planning permission 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 Section 91 of the Town and Country Planning Act 1990.

2. The development hereby permitted shall be carried out in accordance with the documents (including plans) incorporated into this decision, and subsequently approved pursuant to this decision (if applicable), unless otherwise approved in writing by the local planning authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity.

3. Within two months of the date of this permission, details of the following matters (in respect of which approval is expressly reserved) shall be submitted to, and approved in writing by, the local planning authority:

- walls, fences, gates and other means of enclosure;
- ground surfacing materials;
- the means of surface water disposal;
- the means of foul sewage disposal.

The development shall be carried out in accordance with the details so approved.

Reason: In the interests of amenity and satisfactory layout.

4. Within two months of the date of this permission, details of the landscaping of the site, including wherever appropriate the retention of existing trees, have been submitted to, and approved in writing by, the local planning authority. The approved landscaping scheme shall be implemented within one year of either the first occupation or use of the development, whether in whole or in part, or its substantial completion, whichever is the sooner, and shall be maintained thereafter for a period of not less than five years. The maintenance shall include the replacement of any tree or shrub which is removed, destroyed or dies by a tree or shrub of the same size and species as that which it replaces, unless otherwise agreed in writing by the local planning authority.

Reason: In the interests of amenity.

5. Within two months of the date of this permission, details of materials to be used externally shall be submitted to, and approved in writing by, the local planning authority. The development shall be built in the materials approved.

Reason: In the interests of visual amenity.

6. Within two months of the date of this permission, full layout and constructional details of all proposed car parking areas within the curtilage of the site shall have been submitted to and approved in writing by the local planning authority. Such car parking areas shall be constructed in accordance with those details approved and shall be kept free from obstruction and not used other than for parking of vehicles in connection with the development hereby permitted.

Reason: In the interest of highway safety.

7. Notwithstanding the provision of Class B Part3 of schedule 2 of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that order with or without modification) the development hereby permitted shall only be used for Class B1 uses, as defined by the Town and Country Planning (Use Classes) Order 1987 and the subsequent 2005 amendment.

Reason: To ensure that inappropriate uses do not take place in this locality and in the interests of residential amenity.

8. No raw materials, finished or unfinished products or parts, crates, materials, waste, refuse or any other item shall be stacked 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 amenity of the area.

9. No machinery shall be operated, no industrial process shall be carried out and no deliveries shall be received or goods despatched from the site before 0730 hours or after 1800 hours on weekdays, before 0730 hours or after 1300 hours on Saturdays, or at any time on Sundays, Bank or Public Holidays.

Reason: In the interests of the amenity of the area.

10. The level of noise emitted from the site shall not exceed 45dB(A) Leq 1 hr during the hours of operation as measured on the boundary of the site.

Reason: In the interests of the amenity of the area.

11. Prior to being discharged into any watercourse, surface water sewer or soakaway system, all surface water drainage from impermeable parking areas, roadways and hard standings for vehicles shall be passed through trapped gullies with an overall capacity compatible with the site being drained.

Reason: To prevent pollution of the water environment.

12. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls, details of which shall be submitted to the Local Planning Authority for approval. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of the bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipe work should be located above ground where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund.

Reason: To prevent pollution of the water environment.

13. No external lighting shall be erected anywhere on the application site as defined by the redlined site plan, whether or not affixed to a building or structure or free-standing, without the prior written approval of the Local Planning Authority.

Reason: In the interests of maintaining countryside amenity.

Informative:

1. This decision relates to documents/plans submitted with the application, listed below. No variation from the approved documents should be made without the prior approval of this Council. Amendments may require the submission of a further application. Failure to comply with this advice may lead to enforcement action which may require alterations and/or demolition of any unauthorised buildings or structures and may also lead to prosecution.

- Site plan 1:2500 (920/01)
- Block plan as proposed (920/02)
- Existing plans and elevations (920/03)
- Proposed plans and elevations (2801/01 and 2801/02)

Received by the local planning authority 4th April 2008

Reason for Decision

The proposal is considered to comply with the provisions of Policy C3 and BD5 of the adopted North Wiltshire Local plan 2011.

Appendices:	NONE
Background Documents Used in the Preparation of this Report:	1.20; 2.02; 3.06; 4.04; 5.01