

**REPORT TO THE DEVELOPMENT CONTROL
COMMITTEE**

Report No.

Date of Meeting	30 July 2008
Application Number	08/01127/OUT
Site Address	Teal Farm, Hare Street, Foxham
Proposal	Construction of six live/work units, including upgrading of existing access and associated water catchment ponds and reedbeds.
Applicant	Cadenham Farms
Town/Parish Council	Bremhill
Grid Ref	397109 176593
Type of application	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 Councillors Crisp and Sturgis to enable the live/work concept to be debated at Committee.

Summary of Report

Planning permission is sought for the demolition and redevelopment of an intensive poultry farm for six live/work units and associated works. Live/work developments are a 'sui generis' use given that they comprise elements of both residential and employment and do not, therefore, fall within either Use Class.

The key issues in the consideration of this application are:

- Policies C3 and NE15 with regard to Policies H4 and BD5 of the North Wiltshire Local Plan 2011
- The principle of development in the open countryside
- Impact on the character and appearance of the countryside

Pre-application advice in respect of this scheme was sought and was provided in writing to the applicant who was advised that such a scheme could not be supported for the reasons outlined in this report.

Officer Recommendation

Planning permission be REFUSED

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Proposal and Site Description

The proposal seeks to demolish buildings associated with the intensive poultry farming operation which took place on the site until recently and to redevelop the site as a live/work scheme providing some six units, shared meeting rooms and associated change of use.

The buildings comprise 4 predominantly timber single storey chicken sheds. The silos and LPG tanks have been removed. Associated with the former agricultural operation and outside of the red line, is a bungalow. The bungalow is the subject of an untied agricultural occupancy condition.

The application is made in outline with all matters reserved for future considerations. Illustrative plans and supporting information show a total of six substantial units set around a "farmyard" with units 3 and 4 linked via the workspaces for those units and shared meeting rooms.

Illustrative floorplans show the units to be typically two storey three bedroom units with the work element potentially over two storeys. The units will typically be 255sqm with 70sqm dedicated work space, 150sqm living space and 35sqm which could be used as either garaging or workspace.

The scheme proposes sustainable objectives in terms of construction materials, carbon footprint and the potential for 24-7 occupation of the site.

Planning History

There is no planning history of relevance to this application. Poultry sheds were permitted on the site in the early 1990's.

Consultations

Bremhill Parish Council – comments waited.

Wiltshire County Highways – object. Journey savings through live/work account for between 2 - 4 (if two adults are employed) of the 8-10 trips per household as given by TRICS. The applicant has failed to acknowledge the additional trips associated with residential use to meet education, health, leisure and shopping needs plus the employment needs if a partner or older child does not work on site. Furthermore, work/live units may attract vehicles for any additional employees at the site not to mention deliveries and refuse collection.

Foxham does not offer adequate facilities to meet the majority of the needs given above. Bus services are limited to Chippenham and little opportunity to walk and cycle. It is likely that all trips will be made by private car and whilst some employment related journeys will be reduced their will be an overall increase from the site.

Plans need to be provided showing visibility splays of 2.4m by 120m in the event that the scheme were to be approved otherwise the recommendation is for refusal on grounds of sustainability contrary to PPG13 Transport.

Wiltshire Swindon Biological Records Centre - identified the potential for badgers in the vicinity of the site.

County Ecologist – comments waited.

Representations

3 letters of objection have been received on the following grounds:

- Development outside the physical limits
- Site prone to flooding
- Highways
- Agricultural use of land no justification for residential redevelopment

19 letters of support have been received on the following grounds:

- Redevelopment of visually poor site
- Employment creation
- Enhance day time occupation of the village

Planning Considerations

Development Principles

The scheme proposes to redevelop a recently redundant intensive poultry farm for six live/work units. The site lies in the open countryside outside of any framework boundary.

Agricultural land and buildings are not defined as previously developed land in PPS3.

Live/work development comprises a mixed or *sui generis* use under the Use Classes Order. It typically comprises both residential and employment (Class B1 use). It is considered appropriate to consider live/work proposals in the context of both residential and employment policies in the Local Plan as mentioned above.

Policy H4 does not permit residential development in the open countryside and Policy BD5 does not permit new build employment development in the countryside. PPG7 does not allow for the redevelopment of non-residential buildings for residential purposes.

Live/work development

Live/work uses often provide a solution for the re-use of buildings which have limited potential for 100% residential or 100% employment uses. In this District approved live/work developments have arisen solely through conversion of properties either in the town centre or in the countryside. Most notable are the conversion schemes approved at Yatesbury, where pure employment uses were not feasible and the Local Plan policies supported live/work use.

The only new build live/work scheme permitted in the District was at Lucent Technologies as part of the redevelopment of an established employment site and as an alternative to the mix of employment opportunities on the site.

Live/work schemes require careful consideration to ensure that they merely do not provide residential accommodation that enables working from home through the provision of a large dwelling which facilitate the provision of a large study/office. Typically the ratio of live to work accommodation should be equally balanced.

Based upon the information provided the work space to be provided as part of each unit is of standard size at 70sqm which represents less than a third of the floorspace. It is acknowledged that this does have the potential to increase to 40% if the garaging is used for work purposes.

The application forms show that a total of 6 full time and 3 part time jobs could be created. To comply with the work element this can only comprise the occupants and partners/others off site who may assist in the business. The potential for job creation, the key reason behind the support of the scheme by

local residents, is thus limited.

The sustainable credentials of live/work uses are noted in terms of their ability to reduce the need to travel to work, however, this does not negate the need to travel to shops, services and schools not provided for in Foxham. Live work units are inherently less sustainable in rural areas.

The contention that the development of the site will aid rural regeneration is also doubtful. Its scale is unlikely to make any meaningful contribution to services and facilities that would result in the new residents being self contained within Foxham.

Accordingly, the proposal clearly conflicts with Policy C3 of the Local Plan 2011.

Character and appearance of the area

The site is within the open countryside and currently contains single storey chicken houses, whilst they are of no particular merit, they are characteristic of the countryside. They have only recently been vacated and it is considered that their potential re-use has not been given significant consideration.

The fact that they are vacant and falling in to disrepair is not sufficient grounds to allow this form and scale of development in this location which is clearly contrary to Local Plan policy. Within the District, the quality of agricultural buildings varies and the Council should not be held to ransom because of the decline of such buildings, many of which if left would, over time, fall down and be consumed by the surrounding landscape. There are numerous chicken farms in the district which could become redundant at some point in the future.

The proposed development is isolated from other residential/employment development and would be contrived in form and function to the detriment of the character and appearance of the countryside at this location contrary to Policies C3 and NE15 of the adopted North Wiltshire Local Plan 2011.

Conclusion

The fact that the existing use is undesirable to residents in the village and the fact that these typical rural buildings have the potential to fall in to disrepair, is not sufficient reason to outweigh Local Plan policy and justify comprehensive redevelopment to six large units which provide both residential and employment accommodation.

Whilst the units might negate the need for out commuting car journeys will still be required to be undertaken from the site to use shops, services and schools.

Whilst each case must be considered its merits, to allow such a proposal on a site of this nature would set a clear precedent in terms of the redevelopment of undesirable agricultural developments within the open countryside and would fundamentally undermine the objectives of both the North Wiltshire Local Plan 2011.

Recommendation

Planning Permission be REFUSED for the following reasons:

1. The proposed development would be an unacceptable use and form of development within the open countryside contrary to Policies C3, NE15, H4 and BD5 of the North Wiltshire Local Plan 2011.
2. The proposal, located remote from services, employment opportunities and being unlikely to be well served by public transport, is contrary to the key aims of Planning Policy Guidance note 13 "Transport" which seeks to reduce growth in the length and number of motorised journeys.

Informatives

1. The following policies of the Development Plan are relevant to this decision:-

North Wiltshire Local Plan 2011:- C3, NE15, H4, BD5

2. This decision relates to documents/plans submitted with the application, listed below.

Plan References

Dwg nos. 06.58.01 and 12 date stamped 7 May 2008

Appendices:	NONE
Background Documents Used in the Preparation of this Report:	1.20, 2.02, 2.37, 4.02, 4.03, 4.04, 5.02