

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE Report No.

Date of Meeting	28 th January 2008
Application Number	08/02290FUL
Site Address	Southernwood Farm, Sheldon, Chippenham
Proposal	Erection of New Commercial Premises with B8/B1 Use, Including Removal of the Existing Buildings; Provision of Improved Access; Hard and Soft Landscaping and Associated Works
Applicant	Executive Jet Support Ltd
Town/Parish Council	Chippenham Without
Grid Ref	389207 173771
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 more than five letters of objection have been received.

Summary of Report

This application is for the erection of two buildings
The key points to consider are as follows:

- Implications on North Wiltshire Local Plan Policies C3, BD5, NE15 and BD6.
- Mass, scale and bulk of building
- Design of the buildings
- Use of the buildings.

Officer Recommendation

Planning Permission be GRANTED subject to conditions.

Proposal and Site Description

The proposal is for the erection of two buildings which will provide 1018m² of storage/distribution space. The scheme includes car parking and turning facilities. Access is via the existing entrance which will be improved.

Planning History		
Application number	Proposal	Decision
06.00896FUL	Agriculture to storage	Approved.
06.01086Temp	Siting of two mobile homes	Approved

Consultations

Parish Council – Objects on the grounds that the buildings should be used for agricultural purposes.

Wiltshire County Council Highways – No highway objections subject to two conditions in respect of surface water run off and turning area provided prior to occupation.

Environmental Health Officer - No adverse comments

District Council Drainage Engineer- subject to calculations being received in respect of the storm water volumes being submitted the surface water and foul drainage management plan is acceptable.

District Ecologist- Confirmed that the recommendations as stated in the supporting Protected Species Report should be the subject of conditions. In addition a condition requiring a permanent barn owl roost site should be attached to any planning permission granted.

Representations

Six letters of objection have been received raising the following concerns:

- Buildings should be kept for agricultural purposes.
- Access to the site is poor especially for large vehicles
- Adjacent roads narrow junction with A420 dangerous
- Increase in traffic causing possible safety issues.
- Scale and design of development inappropriate for this rural location.
- Materials inappropriate for this location.
- The increase use and traffic will cause noise disturbance to adjacent residents.
- Drainage and sewage implications
- Wildlife implications particularly in respect of bats
- Impact on footpath route no. 4

Planning Considerations

Use of the buildings

Planning permission was granted for the conversion of the existing buildings on the site to use for B8 purposes on 9.06.06. This permission was subject to conditions in relation to details, landscaping, parking, storage and restricted hours. This consent has not been implemented, and the buildings are therefore still agricultural in their use.

The area of the buildings permitted under the previous consent was 980m². This proposal which involves the building of two new buildings will have a total area of 1018m². Policy BD5 permits business uses i.e. B1, B2 and B8 in the countryside where it involves the conversion of traditional buildings, limited new build which respects local styles and /or limited expansion of existing premises. In all cases impact on road network and the vitality of in town business uses must be considered.

PPS7 allows for the replacement of buildings in the countryside “where this would result in a more acceptable and sustainable development than might be achieved through conversion, for example, where the replacement building would bring about an environmental improvement in terms of the impact of the development on its surroundings and the landscape.”

Design, scale and mass of the buildings.

The buildings have a foot print of Unit A- 30x20m and Unit B-10x15m. Unit A is 7m high whilst Unit B is 4.5m high. The architect has decided to design the buildings in line with their function and has not tried to replicate agricultural buildings on the site. However the materials chosen are traditional in so much as timber cladding and natural stone is to be used. The roof is hipped with large overhangs and is constructed of coated steel composite panels. The design of the buildings has been amended as a

result of discussions between officers and the applicant's agent. Neighbours were notified of these alterations on the 18th December 2008. The details of the building have been somewhat simplified in order that the building has less of an urban character. This simplification of design is considered appropriate for this rural location.

Access and traffic generation

Wiltshire County Council (highways) has raised no objection to the proposal but has suggested two conditions in respect of surface water run off and the need for the turning area to be constructed prior to occupation of the development. The use of these buildings for commercial purposes has already been established on this site although the previous permission for conversion of the buildings has never been implemented. In the light of the traffic engineer's comments and the existing permission on the site it is not considered justifiable for this application to be refused on highway safety grounds.

Impact on the amenity of neighbours

There are no immediate neighbours to the site although numerous neighbours have raised concerns in respect of traffic generation (see above). The buildings are somewhat more prominent due to their design and that unit A is taller than the existing barn building. These units will be more prominent than the buildings which exist on the site at present and it is recognised that this scheme will result in the introduction of a commercial building into this rural location. However the buildings are well designed and therefore it is not considered that refusal of this proposal would be warranted on these grounds.

Residents are concerned that the proposal will create noise and disturbance. It is recognised that there will be additional light pollution from this development. However, this is likely to be only during working hours. Any permission granted should have a limit on the hours of operation to reduce the likelihood of disturbance to residents. There will be traffic coming and going from the site and it is recognised that this is likely to create more activity than the buildings at the moment. However, this level of activity has to be judged against what the site could generate should the previously approved change of use be implemented.

Wildlife

A protected species report was submitted with the planning application. This has been considered by the district ecologist who has commented that any consent should be conditioned in respect of applicant's ecological consultant's recommendations and that the incorporation of a permanent barn owl roost site must be the subject of a condition.

Drainage

The applicants submitted a surface water management plan and this has been considered by the council's drainage engineers who consider the information to be acceptable but would like to see calculations in respect of the storm water volumes. It is considered appropriate for a condition requiring this information to be attached to any permission granted.

Footpaths

No footpaths are directly affected by this proposal although the buildings will be visible from footpath no. 4, which runs to the south of the site.

Structural condition of the buildings

A structural report has been submitted in respect of the state of the buildings and the district councils building inspector have considered this. His comments will be reported in the additional information papers.

Recommendations and Proposed Conditions / Informatives

Planning Permission be GRANTED 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 strictly in accordance with the approved plans subject to such minor amendments to the development as may be approved in writing under this condition by the Local Planning Authority.

Reason: To ensure that the development is implemented in accordance with this decision in the interests of public amenity, but also to allow for the approval of minor variations which do not materially affect the permission.

3. The development hereby permitted shall not be commenced until 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.

4. No development shall commence until details of the following matters (in respect of which approval is expressly reserved) have been submitted to, and approved in writing by, the local planning authority:

- (1) ground surfacing materials;
- (2) finished floor levels of all buildings;
- (3) finished levels across the site;
- (4) the means of surface water disposal;
- (5) the means of foul sewage disposal.
- (6) cycle stands
- (7) bin stores
- (8) parking spaces for people with disabilities

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

Items 1 to 8 shall be completed prior to the use or occupation of the development hereby permitted.

Reason: In the interests of amenity and satisfactory layout.

5. No development shall commence until details of the external stonework, including type, coursing and bedding of the natural stone, type of pointing and mortar mix, have been submitted to, and approved in writing by, the local planning authority. The external stonework shall be built to conform with the approved details.

Reason: In the interests of visual amenity.

6. No development shall commence until details/samples of materials to be used externally have been 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.

7. 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.

8. Prior to the use or occupation of the development hereby permitted, the car parking areas shown on the approved plan(s) shall be provided and shall thereafter be kept available for the parking of vehicles at all times.

Reason: In the interests of road safety.

9. Prior to the use or occupation of the development hereby permitted, the turning space, shown on the approved plan(s) shall be provided and shall thereafter be kept available for the turning of vehicles at all times.

Reason: In the interests of road safety and convenient access.

10. The use hereby permitted shall not be open to customers before 08:00 hours nor after 20:00 hours on any weekday or before 08:00 hours nor after 13:00 hours on Saturdays, Sundays and Bank Holidays.

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

Informatives:

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.

Plans –surface water and foul drainage management plan 15/12/08, structural report 2.10.08, existing drawings vldg2008/02/02, /03, /04, /05, /06, /07, 2.10.08, planning statement 2/10/08, protected species report 2.10.08, revised plans 02/08, 09, 10, 11, 12, 13 date stamped 15.12.08

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

North Wiltshire Local Plan 2011:-

C3, BD5, BD6, NE15

Reason for Decision:

It is considered that the proposed development, by virtue of its siting, scale and design, will not be harmful to the character and appearance of this rural area, will have no adverse impact upon highway safety and will have no significant impact on the amenities of nearby residents. On this basis, the proposal accords with Policies C3 and BD5 of the North Wiltshire Local Plan 2011.

Appendices:	<ul style="list-style-type: none">• None
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• 1.20• 2.02• 2.07• 3.03• 3.04• 4.02• 4.04• 4.07• 5.01• 5.04