

REPORT TO THE NORTHERN AREA PLANNING COMMITTEE			Report No. 6 (9)
Date of Meeting	27 th May 2009		
Application Number	08/00986/FUL & 08/00987/LBC		
Site Address	Rudloe Manor, Box Hill, Corsham		
Proposal	<p>Demolition of existing C20th former MoD buildings, the conversion and restoration of existing listed manor, tithe barn and outbuildings into 2 dwellings and erection of 10 new residential units with associated landscaping and infrastructure</p> <p>The Demolition of Existing 20th Century Former MOD Buildings, Conversion and Restoration of the Existing Listed Manor, Tithe Barn and Outbuildings into 2 Dwellings (Including Internal Alterations and Extensions to Listed Building) and the Erection of a New Single Storey Residential Unit Within Curtilage of Listed Building.</p>		
Applicant	Wingsbridge Ltd c/o Isosceles Finance Ltd		
Town/Parish Council	Corsham / Box		
Electoral Division	Box & Rudloe	Unitary Member	Mr P Davis
Grid Ref	384194 170607		
Type of application	Full and Listed Building Consent		
Case Officer	ST Smith J Enticknap	01249 706333 10249 706660	Simon.smith@wiltshire.gov.uk Judy.enticknap@wiltshire.gov.uk

Reason for the application being considered by Committee

Due to local concern over the need to balance the restoration of the listed buildings on the site against the proposal for new residential development, that would otherwise be considered to be unacceptable in such a location, at the discretion that the scheme of delegation allows, the Area Development Manager considers it appropriate for this application to be determined by the Northern Area Planning Committee.

1. Purpose of Report

To consider the above application and to recommend that planning permission be GRANTED subject to conditions.

2. Main Issues

The proposal is for the erection of 10 new dwellings and the conversion of existing buildings to 2 dwellings to generate sufficient funds that would enable the restoration of the Rudloe Manor house, which is a Grade II* listed building. A total of 12 new dwellings will be created on the site as a result of new build and conversion.

This report is prepared to enable the Development Control Committee to consider of the proposed development within the context of the prevailing adopted Local Plan policy and government guidance.

The key points to consider are as follows:

- Implications of adopted Local Plan Policies, national planning guidance and guidance from English Heritage
- The balance between the desire to restore the Grade II* listed building and permitting otherwise inappropriate development in the open countryside (the concept of “enabling” development)
- Impact of new development upon the AONB and listed building – design and scale
- Impact upon residential amenity
- Access and highway safety

3. Site Description

Application site constitutes part of the wider ex-RAF Rudloe Manor site. Situated at the western head of, and looking down and across, the Box Valley, the application site consists of the Grade II* Manor House itself, together with contemporaneous ancillary outbuildings and cart shed. The site also contains more modern and utilitarian ex.military buildings and hardstandings.

The entire site is within the Cotswolds Area of Outstanding Natural Beauty and is positioned on the very edge (but entirely outside of) the Western Wiltshire Green Belt.

4. Relevant Planning History		
Application Number	Proposal	Decision
06/01410/FUL	Demolition of existing C20th former MoD buildings, the conversion and restoration of existing listed manor, tithe barn and outbuildings into 2 dwellings and erection of 10 new residential units with associated landscaping and infrastructure	Refused 29/08/07

5. Proposal

The proposal is for the erection of 10 new dwellings and the conversion of existing buildings to 2 dwellings to generate sufficient funds that would enable the restoration of the Rudloe Manor house, which is a Grade II* listed building. A total of 12 new dwellings will be created on the site as a result of new build and conversion.

This application follows a previous 2006 application, which was refused for the following reason:

- 01 The design and appearance of the proposed development is not considered to preserve or enhance and will be detrimental to Rudloe Manor, a grade II* listed building, and its setting. Nor will the proposal conserve or enhance the natural beauty of the landscape within the Area of Outstanding Natural Beauty. The application does not comply with Policies C3, HE4 and NE4 of the North Wiltshire Local Plan, Section 66 of the Planning (Listed buildings and Conservation Areas) Act 1990 or the advice in PPG15 (Planning and the Historic Environment).

This application seeks to overcome that reason for refusal through the revision of the design and appearance of the terrace of 6 units (plots 7-12) at the rear part of the site. Addition information in respect of drainage, access arrangements and bat mitigation measures has also now been submitted.

6. Consultations

Highways - raised concerns but have agreed that issues relating to access and turning facilities have been addressed (see access and highway safety section below). No objections subject to conditions.

Public Rights of Way Officer – No objections.

English Heritage – No objections to the revised scheme.

Natural England – No objections to the revised scheme subject to completion of additional bat survey work being undertaken. Any approval would need to be subject to planning conditions relating to mitigation measures.

WCC Archaeology – The archaeological evaluation undertaken in 2007 did not identify any features of archaeological significance and no further work need to be undertaken.

Corsham Town Council – *“Refuse as the proposed access is via a narrow lane, visual impact on an Area of Outstanding Natural Beauty, impact upon the local infrastructure. The new development would be on a previously developed part of the site. The 4 proposed dwellings at the top of the site will greatly impair the view. The Town Council also feels that the proposals contravene policies NE15, NE1, NE4, C3 i, ii, iii, T1, NE20, H4 i and iii. There is support for the refurbishment of the two listed buildings and demolition of 20th Century buildings.”*

Box Parish Council – *“No objections but would query whether there is a contribution to affordable housing.”*

7. Publicity

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

Nine (9) letters of objection received from separate local residents.

Summary of relevant points raised:

- Overlooking from new dwellings into existing dwelling opposite site
- Excessive numbers of vehicles would make use of single-track access road, which is well used by pedestrians/walkers
- Poor access onto A4
- Overdevelopment of a site within the AONB.
- Potential impact upon habitat for protected species.

8. Planning Considerations

Background and policy context

After being considered surplus to requirements in 1998, it is understood that the entire Rudloe Manor site was sold by the MoD to a single owner. At that time Policy RE5 of the now defunct Local Plan 2001 was applicable. It was site specific in its reference to the Rudloe Manor, primarily because of the sensitivity of the listed buildings on the site and because at the time of preparation it was under the control of a single owner. Policy RE5 of the 2001 plan envisaged that a range of development would be acceptable on the site on the condition that, inter alia, the existing modern/utilitarian buildings were removed and that the listed Manor and associated buildings were satisfactorily restored. Despite this, the site was subsequently sold into at least 3 different ownerships. To an extent, the sub-division of ownership effectively signalled an end to the life of this policy as an effective tool to secure improvements to the site and historic buildings therein.

As a direct consequence of no one party having overall control of the site, none of the applications submitted under the auspices of the 2001 policy was successful. Indeed, the situation of differential ownership exists to this day.

In contrast, the now adopted North Wiltshire Local Plan 2011 quite deliberately excludes a policy specific to the Rudloe Manor site, rather relying on a more general policy which is applicable to all ex-MoD sites with the district.

Policy NE20 of the 2011 Local Plan does envisage that former MoD establishments would, in principle, be suitable locations for redevelopment for business, industrial or storage uses (B1, B2 and B8), hotel (C1), non-residential institution (D1), or assembly or leisure uses (D2). As before this policy also requires the removal of unsightly or inappropriate buildings from redundant sites. For obvious reasons, this policy does not envisage any form of residential occupation as being suitable for redundant MoD sites.

Enabling development

The following guidance and Local Plan policy is relevant in considering this proposal.

- Enabling Development and the Conservation of Heritage Assets (English Heritage):

"Enabling development is development that is contrary to established planning policy - national or local - but which is occasionally permitted because it brings public benefits that have been demonstrated clearly to outweigh the harm that would be caused." (English Heritage)

- Policy HE7 Enabling Development - Historic Development (Adopted North Wiltshire Local Plan 2011) and supporting text (paragraph 7.20):

"Proposals involving enabling development will be permitted only in exceptional circumstances where:

- a) The scale of the proposed enabling development does not exceed what is necessary to support the principal development; and*
- b) The proposal (the principal development) to be subsidised by the proposed enabling development is in the national interest.*

7.20 In order to maintain nationally important listed buildings, or other 'heritage' resources such as historic parklands, the local planning authority may consider granting planning permission for financially beneficial development, the profit of which will be used to fund major repair work to the resource which it is important to preserve or restore. The development would generally not be permitted, for example, because the site is in the open countryside, where new build is contrary to Government guidance and adopted Local Plan policy. The local planning authority will consider such proposals only in exceptional circumstances. Where listed buildings are involved, it must be demonstrated that the proposed enabling development does not detract from their fabric or setting. A legal agreement will be sought to ensure the proposal, to be subsidised by the enabling development, is carried out within an agreed period of time following the implementation of the whole or part of the enabling development itself."

In this particular instance the applicants have not sought to justify their proposal against the adopted Local Plan policy relating to redundant MoD sites, as clearly, normal planning policy does not allow for residential development in the open countryside such as this. However, unlike previously submitted schemes on other parts of the wider Rudloe site, this application site does include the Grade II* listed Manor and associated buildings.

It is fully acknowledged by the Council's Conservation Officer and English Heritage that the Manor and associated buildings on the site are in great need of repair. As such it is considered entirely relevant and reasonable to consider this proposal against the enabling Policy HE7 of the adopted

North Wiltshire Local 2011 whereby the proposed 10 new dwellings on the site would fund the restoration of the listed buildings. In reaching this conclusion, it is acknowledged by Officers that the restoration of the listed Manor could not reasonably be achieved in any other way.

Supporting guidance for enabling type schemes comes primarily from the English Heritage document "Enabling Development and the Conservation of Heritage Assets", made reference to above.

Amongst other requirements, the applicants are required to demonstrate that the amount of enabling development is the minimum necessary to secure the long term future of the heritage asset. As such, and in accordance with advice contained within EH's document, at the time of the previous 2006 application, the Council did employ a consultant to consider the financial appraisal submitted by the applicant, and to prepare a financial appraisal of the scheme of their own. This provided the local planning authority with expert independent advice on the viability and veracity of the enabling development to fund the restoration of the heritage asset.

Taking into account purchase price of the land, development costs themselves and the expected developer's profit (which is established as reasonable in such schemes), the initial conclusion of the Council's consultant was that the proposed development was excessive. The proposal was appropriately revised, with a reduction in the number of proposed units. In considering the revised 2006 scheme the Council's consultant concluded that, in the context of the English Heritage advice, the degree of profit anticipated by the developer was reasonable and that the minimum amount of enabling development was being proposed.

It is acknowledged that the market situation has significantly deteriorated since the independent assessment was carried out and it is not thought necessary to carry out a further independent assessment prior to this new application being determined.

Clearly, the acceptability of an enabling type scheme does not rest with the financial reasonableness or justification alone. Such a proposal must also be assessed and weighed against any potential impacts the proposal itself may have upon the heritage asset itself, the surrounding landscape, residential amenity, as well as the adverse effect of fundamentally unsustainable nature of residential development in the open countryside.

Implications for Listed Buildings and their Setting

Rudloe Manor House is listed Grade II* and is acknowledged as being of national importance. During the years immediately preceding the disposal of the MoD site, the historic buildings on the site were not the subject of any substantial investment, and while they have been unoccupied their condition has deteriorated. The application is supported with a specification and schedule of repairs, which are all considered to be necessary to safeguard the long-term future of the historic asset

The negotiated scheme secures the removal of modern MoD development within its immediate vicinity, including demolition of a mid-C20 range which currently links the manor house to a group of curtilage-listed outbuildings. Moreover, the scheme re-establishes an appropriate historic context for the principal listed buildings on the site, a crucial element of which is that the manor house, former barn and open-fronted cartshed, form a single residential unit. Although a sub-division of the Manor House into several units may allow for a reduction in the numbers of new dwellings to finance the restoration works, the retention of the Manor as a single dwelling was considered by both the Council's Conservation Officer and English Heritage, to be a fundamental requirement, that if not respected, would undermine the underlying objective of securing good conservation works.

The listed building application seeks approval for removal of the modern interventions within the manor house, and reinstatement of appropriate detailing, together with repairs and minor alterations to the former barn and cartshed. The outbuildings which were formerly attached to the Manor House are to be converted to form a separate unit; the scheme has been devised to ensure

that there are no openings overlooking the manor house or its garden, with alterations and minor additions which are generally considered to enhance the appearance of the curtilage-listed buildings.

The required bat mitigation works (the installation of louvres into the roof of the listed buildings) are minimal in their impact and neither the Conservation officer or English Heritage raise objections.

Sustainability, residential development in the open countryside and alternative development

It is clear that residential occupation of dwellings on the application site will require residents to travel some distance to access employment, services, schools, shopping etc. Access to public transport is limited and pedestrian routes to Corsham are undesirable. It is therefore evident that travel to and from the site will be largely via the private car, generally acknowledged as highly unsustainable.

At the same time, Rudloe Manor remains an important heritage asset, which has and continues to decline in condition over time. Leaving aside the highly unsustainable nature of the development proposed, it is clear that this proposal would secure the immediate and long-term future of the Manor and associated buildings. Indeed, in the context of separate landownerships elsewhere across the wider Rudloe site it is judged unlikely that the future of the Manor would be secured by other means, at least in the short term. For the same reasons, a principled objection based upon the fact that other, more visible ex-MoD buildings elsewhere on the site would not be removed as part of this proposal is also not considered to be in the interests of halting the very real decline of the listed Manor.

In respect of the acceptability of residential development as a source for enabling funds, it should be noted that in relation to representations made by the current applicants and others in respect of the Rudloe Manor site, the Local Plan Inspector commented at the time of considering the draft 2011 Local Plan. He suggested :

"...< I > am not convinced that mixed-use developments involving residential uses are essential to the restoration of listed buildings within sites, such as those at Rudloe Manor."

Notwithstanding the above view, the extent of new development necessary to secure the heritage asset has been kept to the required minimum. Alternative forms of development - for instance employment type development as in envisaged in Policy NE20 – would almost certainly generate proportionately less revenue for each m2 of floorspace created. Less revenue would obviously necessitate a greater amount of new development on the site overall to finance the enabling works. It is therefore considered that a good balance has been reached between type of development, its intensity and value as enabling development as well as potential consequent impact upon the heritage asset and landscape.

Accordingly, the improvements and active use that would derive to the manor house from residential development of this scale are considered to be so expeditious so as to outweigh any wider disbenefit associated with allowing otherwise inappropriate development in the open countryside.

Layout, design, scale and appearance of development in landscape

As per the 2006 scheme, siting of new development has been carefully selected to minimise impact upon the listed buildings. Making use of the existing large areas of existing car park hard-standing the three substantial detached properties are positioned in a line across gradually rising ground to the north of the Manor itself. A further terrace of 6, with associated access road, is positioned to the east or behind the Manor and utilises land currently occupied by modern MoD development. The immediate setting of the listed buildings is secured, with the historic courtyard arrangement left largely unaffected.

The new properties are considered to display a degree of imagination, and upon the guidance of the Conservation officer and English heritage, seek to deliberately avoiding a slavish adherence to a rural pastiche. Nevertheless, in an effort to address the main concern of the 2006 reason for refusal, the rear terrace of 6 dwellings has been redesigned to incorporate a more conventional front elevation. The asymmetric roof profile remains primarily because of the significant shift in ground levels.

The chosen mix of materials for all new dwellings is also considered to compliment a lively and contemporary feel, but at the same time acknowledging the sites rural context within the AONB. The use of natural bath stone, timber cladding and slate being is considered to suitable. As referred above, the conversion works to the listed buildings are considered to be of high quality. Boundary treatments are of a low-key feel, reflecting the country estate type location.

The new development has been located within the least sensitive parts of the site, although it is undeniable that distance views of the new dwellings will be possible, albeit always as part of a mature woodland backdrop. Nevertheless, as a comparison, the overall effect of the removal of all modern utilitarian MoD buildings on the site will represent a great improvement to what is a highly sensitive and protected landscape. Indeed, the magnitude of any potential impact from new development might have upon the landscape would be minimal when compared to the considerable benefits associated with the restoration works being enabled.

Impact upon residential amenity

As previously noted several existing properties make use of North Notton Lane as access. Two of which ("Rustlings" and "Windyridge"), however, are positioned immediately opposite one of the proposed accesses to the site. Although apparently unused in the recent past, this is an existing point of access which is to be reused. This proximity, and likely impact upon amenity from the movement of cars, is not in itself considered so significant so as to justify a reason for refusal, especially given that the number of units served is relatively small at 9.

Plot 4 is positioned close to the access and some 35.0m+ from "Windyridge" and little further and more obliquely from "Rustlings". It is clear that views from both the existing properties will undoubtedly be altered as a result of development. However, this is not a reason to refuse planning permission. Although elevated above Windyridge, this 35.0m or so distance would be considered to successfully mitigate against adverse levels of overlooking. Furthermore, the most private part of both gardens is positioned to the west of the properties, away from the new development.

Access, highway safety and drainage

Vehicular access to the site is proposed to be via the existing North Notton Lane, an ostensibly single track road running along the western boundary of the site. A formalised additional passing place in the highway verge is proposed for this lane – a feature of the proposal that could be controlled via planning condition so that it is created prior to the commencement of development.

The existing vehicular access to the east of the site, through the surrounding Rudloe Manor site which is not under the applicant's control, is to be closed, although pedestrian access is to be retained.

WCC Highways have indicated that although turning facilities within the site are not up to normal standards, it is accepted that the internal roads will remain private. WCC have not objected to the proposed access arrangements as a whole, subject to the imposition of suitable conditions in relation to its surfacing (the applicant has agreed to the use of resin bound gravel type material)..

The objections of some local residents have been acknowledged, but in this particular instance, it is considered that there is no justifiable reason to disagree with the comments of WCC Highways.

A proposed drainage layout scheme has been provided. All surface storm water is to be discharged to soakaways, with site investigations revealing this to be reasonable. Foul water drainage is to be taken to a proposed new package treatment plant at the bottom of the site, to replace an existing Klargesters. Such matters can be adequately controlled via planning condition.

9. Conclusion

This proposal requires a careful weighing up of the need and benefits of securing the future of the Listed Rudloe Manor House against the harm created by allowing new residential development in the open countryside. Policy HE7 of the adopted North Wiltshire Local Plan 2011 together with established national guidance on enabling development allows for this consideration to take place. On this basis, it is your Officers advice that the long term future of Rudloe Manor, which is acknowledged to be increasingly at risk, would be secured by this scheme at a cost to the AONB and wider countryside that would be worth accepting.

10. Recommendation

Planning Permission be GRANTED for the following reason:

This proposed enabling scheme is considered to be reasonable and be in accordance with the guidance set out within the English heritage document entitled: Enabling Development and the Conservation of Heritage Assets and PPG15. The proposal is considered to minimise impact upon the listed Manor House and wider AONB and Green Belt. As such the proposal is considered to comply with the provisions of Policies C3, HE4, HE7 and NE4 of the adopted North Wiltshire Local Plan 2011.

In respect of the application for Planning Permission:

The applicant be invited to enter an Agreement under S106 of The Act in respect of the following matters:

- (i) Repairs to Rudloe Manor House and open fronted building to be completed prior to first occupation of any development on the site,
- (ii) Repairs to the ancillary buildings to be completed prior to 1st occupation of any new development (as opposed to the conversions) on the site
- (iii) The open fronted building and the former barn to be retained in the same ownership as Rudloe Manor House as ancillary accommodation and not subsequently converted to form separate dwelling(s)

following completion of which the Area Development Manager be authorised to GRANT Planning Permission subject to conditions.

In respect of the Listed Building application:

The Area Development Manager be authorised to refer the application to the Secretary of State, with a recommendation that Listed Building Consent be GRANTED subject to conditions

Appendices:	None
Background Documents Used in the Preparation of this Report:	1:20, 2:01, 2:07, 2:35, 2:38, 3:06, 4:02, 4:04, 5:01