# 2 October 2008

# **Planning Applications for Determination**

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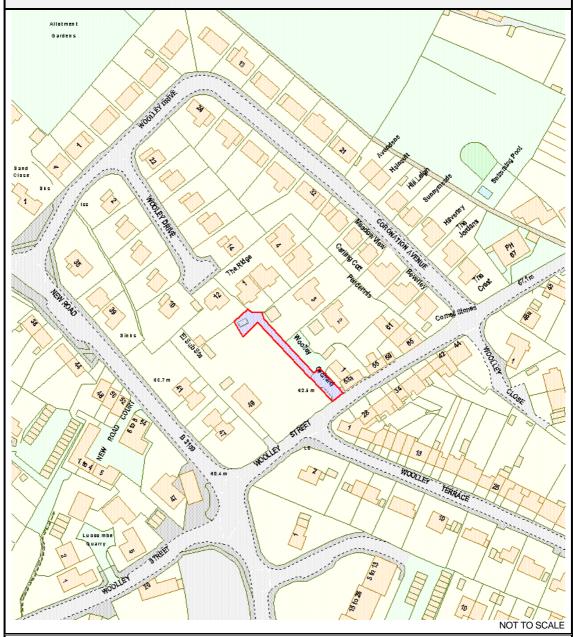
# 2 October 2008

ITEM NO: 01

APPLICATION NO: 08/00750/FUL

LOCATION: Land Adjacent 53 Woolley Street Bradford On Avon

Wiltshire



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West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 776655 Fax: 01225 770314

www.westwiltshire.gov.uk

SLA: 100022961

01 Application: 08/00750/FUL

Site Address: Land Adjacent 53 Woolley Street Bradford On Avon Wiltshire

Parish: Bradford On Avon Ward: Bradford On Avon North

Grid Reference 383207 161237

Application Type: Full Plan

Development: Demolition and replacement of a single garage with new two storey

dwelling

Applicant Details: Hadfield Associates Architects

FAO Mr David Hadfield The Old Brushworks 56 Pickwick Road

Corsham Wiltshire

Agent Details:

Case Officer: Miss Julia Evans

Date Received: 01.04.2008 Expiry Date: 27.05.2008

**RECOMMENDATION: Refusal** 

# Reason(s):

- Policy H1 of the West Wiltshire District Plan 1st Alteration 2004 states that proposals for housing development within the built-up area of Bradford on Avon will be permitted provided that siting, layout and design considerations are satisfactory and they are in keeping with the character of the surrounding area. Policy C18 of the West Wiltshire District Plan 1st Alteration 2004 seeks to preserve or enhance the special character or appearance of designated Conservation Areas, including open spaces and views into, out of and within the area which are important to its character. Policy C31a seeks to ensure new development respects or enhances the townscape, its spatial characteristics, architectural quality, and pay particular attention to proportion, composition, form, massing and scale, whilst integrating landscape into the design. The proposal by reason of its location, design, form, massing, scale, absence of landscaping and small size of the plot means it would constitute an alien building in a prominent location which neither preserved or enhanced the character of the adjacent Conservation Area, nor respect the character of the surrounding area. The proposal is, therefore, considered contrary to Development Plan policies.
- Policy C38 of the West Wiltshire District Plan 1st Alteration 2004 states that development will not be permitted if the amenities of neighbouring residents are detrimentally impacted on. The proposal, by reason of its close proximity to neighbouring houses, and direct overlooking of neighbouring site will result in a loss of privacy to neighbouring properties, which is contrary to Development Plan policy.
- Policies C32 and C31A of the West Wiltshire District Plan First Alteration 2004 seeks to ensure that landscaping is an integral part of a development. Policy C40 of the West Wiltshire District Plan 1st Alteration 2004 seeks to retain trees of visual amenity value. The proposal, by reason of the proximity of development to trees, other soft landscape features and the need to widen the access would be to the detriment of the health of existing trees and hedgerows which are important visual elements to the setting of the Woolley Conservation Area. The proposal is therefore in tree and landscape terms considered contrary to Development Plan policies.

# COMMITTEE REPORT

#### **APPLICATION DETAILS**

This application was deferred by the Committee on 11 September 2008 for a site visit and further consideration at the meeting to be held on 2 October 2008.

This application has been brought before the Planning Committee at the request of Councillor Bolwell.

This is a full application for the demolition of an existing single storey garage and the erection of a two-storey dwelling at land adjacent to 53 Woolley Street, Bradford-on-Avon. Excluding the long and narrow access to the site, the site area is approximately 90m sq, and the proposed two-bedroomed house and its courtyards would occupy the whole area. The house would have a distinctive flat-roofed design, with its shape determined by the boundaries of the site. The house would be constructed of bath ashlar stone walls with fibreglass and sedum roofs. The boundaries would be of matching materials.

The existing access to the garage would be utilised for the house, and no additional parking or turning provision is provided, as the applicant proposes that the shared access and the drive itself could be used for parking.

#### SITE VISIT / STATUTORY SITE NOTICES

Site visits – 22 April 2008 and 26 June 2008.

The existing single garage is constructed of reconstituted stone and roman clay tiles. It lies at the end of a long narrow access drive which is bounded on either side by mature maintained hedgerows. The site lies on a hillside and is visible from distance views from the south, west and east. In addition to the garage there are building supplies stored on site. This is a residential area, with the large open area of number 49's garden lying to the south.

# **CONSULTATIONS**

Parish/Town Council: BRADFORD ON AVON TOWN COUNCIL – "The Town Council recommends refusal as contrary to District Plan Policy H1 (A and B). There will be a loss of amenity for neighbours. There are access problems to the site along a lengthy private drive.

"The Town Council agrees with Mrs Gillian Ellis-King's letter dated 7 July 2008. She states that "The future of this important boundary hedge that marks the edge of the Conservation Area is therefore under threat and it is likely that some or all of it will be lost. This would be contrary to Policies C18 and C31a, as well as C32."

"Also the drawings appear to be inaccurate and misleading".

# External:

HIGHWAY AUTHORITY – State – "I refer to the amended plan(s) in respect of the above planning application received on 25 June 2008.

"My initially refusal was due to inadequate parking provision available on the site. However, there is existing use of a garage permitted on the site and although the turning area is substandard vehicles are capable of entering and leaving the highway in forward gear.

"In view of the above, I recommend that no highway objection be raised subject to the following condition(s) being attached to any permission granted:- The area allocated for parking on the submitted plan shall be kept clear of obstruction and shall not be used other than for the parking of vehicles in connection with the development hereby permitted. Reason: In the interests of amenity and road safety."

LIBRARIES AND HERITAGE - Have not responded.

ENVIRONMENT AGENCY - "Have no comment to make on this application."

WESSEX WATER – State – "The development is located within a foul sewered area. It will be necessary for the developer to agree a point of connection onto the system for the satisfactory disposal of foul flows generated by the proposal. This can be agreed at the detailed design stage.

"The developer has proposed to dispose of surface water to main sewer. There should be no increase in combined flows to the combined sewer. It will be necessary for the developer to discuss discharge rates with our Development Engineer, Peter Weston. It is advised that your Council should be satisfied with any arrangement for the satisfactory disposal of surface water from the proposal.

"With respect to water supply, there are water mains within the vicinity of the proposal. Again, connection can be agreed at the design stage.

"It is recommended that the developer should agree with Wessex Water, prior to the commencement of any works on site, a connection onto Wessex Water infrastructure.

"The developer should also be aware of the importance of checking with Wessex Water to ascertain whether there may be any uncharted sewers or water mains within (or very near to) the site. If any such apparatus exists, applicants should plot the exact position on the design site layout to assess the implications. Please note that the grant of planning permission does not, where apparatus will be affected, change Wessex Water's ability to seek agreement as to the carrying out of diversionary and/or conditioned protection works at the applicant's expense or, in default of such agreement, the right to prevent the carrying out of any such development proposals as may affect its apparatus."

#### Internal:

PLANNING POLICY – Have not responded.

CONSERVATION OFFICER – Has not responded.

TREE AND LANDSCAPE OFFICER – states "the general character of Woolley Street and the local area is being eroded. Each development over the years has resulted in the removal of trees, some in good condition, others not so good. This is changing the general character of the area and this development is no different.

"The site and access to it, is very tight. It would be difficult to provide an access drive to the proposed property without impacting or removing part or all the current hedging vegetation.

"The Silver Birch at the top of the drive and next to the proposed dwelling would be unacceptably impacted on. It would not be impossible to develop this site without causing irreversible damage to what is already a tree under considerable stress.

"Recommendation: Policies C32 and C31A of the West Wiltshire District Plan - First Alteration 2004 seeks to ensure that landscaping is an integral part of development. Policy C40 of the West Wiltshire District Plan - First Alteration 2004 seeks to retain trees of visual amenity value. The proposal by reason of the proximity of the development to trees, other soft landscape features and the need to widen the access would be to the detriment of the health of existing trees and hedgerows, which are important visual elements to the setting of the Woolley Street Conservation Area. The proposal is therefore in tree and landscape terms contrary to development plan policy and should be refused."

# Neighbours:

The application was advertised with Site Notices and revised information/plans Site Notices, and 22 responses have been received, from 9 households and organisations.

The following comments have been made: -

- \* Interesting design but the site is far too small;
- \* Access road is totally inadequate, especially for emergency vehicles;
- \* Site is very visible;
- \* No landscaping for the site, it relies on other properties;
- \* Detrimental to neighbouring amenity;
- \* Design is out of character with the area;
- \* The loss of the boundary hedge would have a detrimental impact on the appearance of the area;
- \* Inaccurate information on turning circles;
- \* Poor amenity for the proposed occupants of the property;
- \* Loss of trees on site due to proximity of the development; and
- \* The turning space uses other people's land.

#### **NEGOTIATIONS / DISCUSSIONS**

Revised/further information as regards access and highways. The applicant has been made aware of design and amenity concerns.

#### **CONSTRAINTS**

- \* Adjacent to Conservation Area;
- \* Design;
- \* Size and shape of plot;
- \* Access and highways;
- \* Amenity;
- \* Principle of development; and
- \* Existing trees.

# **POLICIES**

Wiltshire Structure Plan 2016				
DP1	Priorities for sustainable development			
DP2	Infrastructure			
DP3	Development strategy			
DP7	Housing in towns and main settlements			
DP9	Reuse of land and buildings			
T6	Demand management			
C1	Nature conservation			
C5	The water environment			
HE7	Conservation Areas and listed buildings			

West Wiltshire District Plan – 1st Alteration 2004				
C17	Conservation Areas			
C18	New development in Conservation Areas			
C31a	Design			
C32	Landscaping			
C38	Nuisance			
C40	Tree planting			
H1	Further housing developments within towns			
T10	Car parking			
U1a	Foul water disposal			

U2 Surface water disposal

U4 Groundwater Source Protection Area

#### **SPG**

Design guidance – Principles (Adopted July 2004) Residential Design Guide (Adopted November 2005)

Bradford on Avon Character Assessment (Adopted January 2001)

National Guidance

PPS1 Delivering Sustainable Development

PPS3 Housing PPG13 Transport

PPG15 Planning and the Historic Environment

#### **RELEVANT PLANNING HISTORY**

03/00856/FUL - Pitch roof to garage - Permission 13.11.2003

04/00889/FUL – Demolition of existing dwelling and erection of 8 three and four-bedroom dwellings - Withdrawn 05.07.2004

04/00992/FUL - Pitch roof to garage - Permission 05.08.2004

# **KEY ISSUES**

- \* Adjacent to Conservation Area;
- \* Design;
- \* Size and shape of plot;
- \* Access and highways;
- \* Amenity:
- \* Principle of development; and
- \* Existing trees.

#### OFFICER APPRAISAL

The site lies within the Bradford on Avon town policy limit (Policy H1), whereby the principle of development is acceptable subject to a number of caveats:

- A Siting, layout and design considerations are satisfactory and they are in keeping with the character of the surrounding area.
- B They would not create inappropriate backland or tandem development;
- C They provide adequate services for the disposal of surface water, without increase of flood risk to downstream riparian owners:
- Ca They provide adequate water supplies, sewerage and sewage treatment, without adversely affecting the environment;
- D They do not result in the loss of an open area or visual gap important for recreation or amenity reasons.
- E They protect and conserve important nature conservation interests.
- F They provide safe and convenient connection to existing and planned pedestrian, cycle and public transport networks, the highway and, where appropriate, rail facilities, without creating transport problems;
- G They do not conflict with any other Structure Plan or District Plan 1st Alteration policies. Priority will be given to proposals for the reuse of previously developed land."

The site adjoins the Woolley Conservation Area; the southwest boundary of the site is the edge of the Conservation Area. As a result Policy C18 of the West Wiltshire District Plan – 1st Alteration 2004 is applicable. This states that "Open spaces and views into, out of and within the area, which are important to its character, are protected".

The site lies in an elevated position above a large garden, and is visible from a wide area. The small size of the plot, plus its elevated position, and the proposed contemporary and blocky design of the house are not considered in keeping with the character of the surrounding area. For the same reasons it is felt to be detrimental to the character and appearance of the Conservation Area, introducing a house design that is at odds with its surroundings.

Policy C31a emphasises that new development on prominent or sensitive sites should respect and enhance the townscape. The proposal, by reason of its design, location, proportion, composition, form, massing, and scale, is considered to be an alien visual feature within the townscape which cannot be supported.

Policy H1 also requires safe and convenient connection to transport options. The applicant has demonstrated that the proposal can be accessed and parked on without causing highway problems. Although several residents have raised concerns about the proposal, including using land not within the control of the applicant to turn in, the Highway Authority have raised no objection to the proposal, subject to a condition concerning unobstructed parking.

Policy H1 also requires adequate sewerage and drainage arrangements. Wessex Water have raised no objection to the proposal subject to agreeing points of connection and to and protection of their apparatus.

Several neighbours have raised concerns as to the loss of amenity that the proposal will create. The smallness of the site, and the proposed house's complete development of it has meant that it would lie in close proximity to neighbouring residential properties. Removal of permitted development rights could address some of the potential for overlooking, but would not address the first storey bedroom windows directly overlooking land to the southwest, particularly as this land is subject to a live application for four houses. In addition it would not address the massing impact of the proposal on properties to the northwest boundary of the site. As a result it is felt that the proposal is contrary to Policy C38 of the West Wiltshire District Plan - 1st Alteration 2004 which seeks to protect neighbouring amenity.

The site contributes to the green and open character of the town at this particular location and the Conservation Area. The proposal shows the retention of the Silver Birch on site, but the proximity of the proposed house to it means that it is unlikely to survive. The access to the site is bounded by hedgerows on both sides, and in order to provide sufficient room they would need to be cut back hard to the surveyed root line. This again is not felt to be beneficial to the health of the vegetation, the eventual loss of which would harm the character and appearance of the area.

#### RECOMMENDATION

Refuse.

# **RELATED PLANS**

Drawing: WOOLLEY STREET received on 18.06.2008

Drawing: 480.1.000 Drawing: 480.1.001 Drawing: 480.1.00 Drawing: 480.1.002

Drawing: 480.1.004

Drawing: HAD-WOOLLEY-STREET

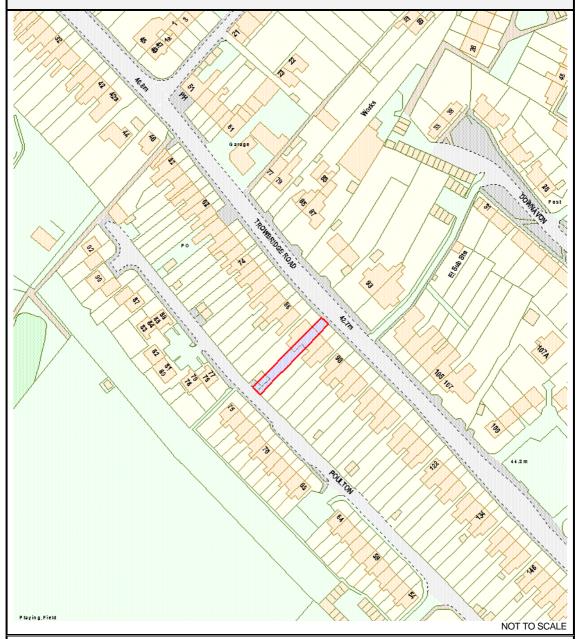
# 2 October 2008

ITEM NO: 02

APPLICATION NO: 08/02092/FUL

LOCATION: 92 Trowbridge Road Bradford On Avon Wiltshire

**BA15 1EN** 



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SLA: 100022961

02 Application: 08/02092/FUL

Site Address: 92 Trowbridge Road Bradford On Avon Wiltshire BA15 1EN

Parish: Bradford On Avon Ward: Bradford On Avon South

Grid Reference 382860 160349

Application Type: Full Plan

Development: Dormer on rear roof of property

Applicant Details: Mr Scott Hill

92 Trowbridge Road Bradford On Avon Wiltshire BA15 1EN

Agent Details: Mr Fred Powell

40 Shrewton Close Trowbridge BA14 0XS

Case Officer: Miss Jennifer Fivash

Date Received: 14.07.2008 Expiry Date: 08.09.2008

#### JUSTIFICATION FOR RECOMMENDATION:

The proposed development would not materially affect the amenities of the neighbours or result in any detrimental impact on the street scene and would not significantly harm any interests of acknowledged importance.

#### RECOMMENDATION: Permission

# Condition(s):

1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

# **COMMITTEE REPORT**

#### **APPLICATION DETAILS**

This application was deferred by the Committee on 11 September 2008 to be considered at the meeting to be held on 2 October 2008.

This application is brought to committee because Bradford on Avon Town Council object contrary to the officer's recommendation.

This is a full planning application for the construction of a flat roofed dormer on the rear of the property. It would project from the roof plain by 3.9 metres, would be 4.6 metres wide, 2.6 metres high and would be located approximately 0.3 metres below the ridge.

The host building is a stone built terraced property under clay tiled roof.

# SITE VISIT / STATUTORY SITE NOTICES

Date of Site Visit: 23 July 2008

Date Site Notice Posted: 23 July 2008 on telegraph pole to the front of the property

#### **CONSULTATIONS**

Parish/Town Council: Bradford on Avon Town Council - The Town Council recommends refusal due to use of inappropriate materials in the Conservation Area. (Policy C19).

*External*: Bradford on Avon Preservation Trust – Supports Bradford Town Council recommendation for refusal. Comments received 26 August 2008.

Neighbours: No comments received.

# **NEGOTIATIONS / DISCUSSIONS**

None

#### **CONSTRAINTS**

Conservation Area

# **POLICIES**

West Wiltshire District Plan – 1st Alteration 2004

C18 New Development in Conservation Areas

C19 Alterations in Conservation Area

C31A Design C38 Nuisance

SPG - House Alterations and Extensions (July 2004)

# **RELEVANT PLANNING HISTORY**

None

# **KEY ISSUES**

- Impact on the host building and street scene
- Impact upon conservation area
- Impact upon neighbouring amenity

# **OFFICER APPRAISAL**

The flat roof design, although not characteristic of a building of this age, would not be sufficient to warrant a refusal, as these dormers appear to be a re-occurring feature of the street scene to the rear of these dwellings and the neighbouring property. Therefore the proposal would have minimal impact upon the character of the host building and would have a neutral impact on the preservation or enhancement of this part of the Conservation Area. Furthermore, it would be unlikely to result in a significant loss of neighbouring amenity.

It should be noted that Officer's explained to the Town Council that a similar type rear dormer extension was given permission to the neighbouring property earlier in the year using the same materials (broseley tiles and UPVC frames) as on this application which they did not object to at the time. The Town Council would not remove there objection and therefore, it has had to be referred to the Planning Committee.

#### RECOMMENDATION

Permission

# **RELATED PLANS**

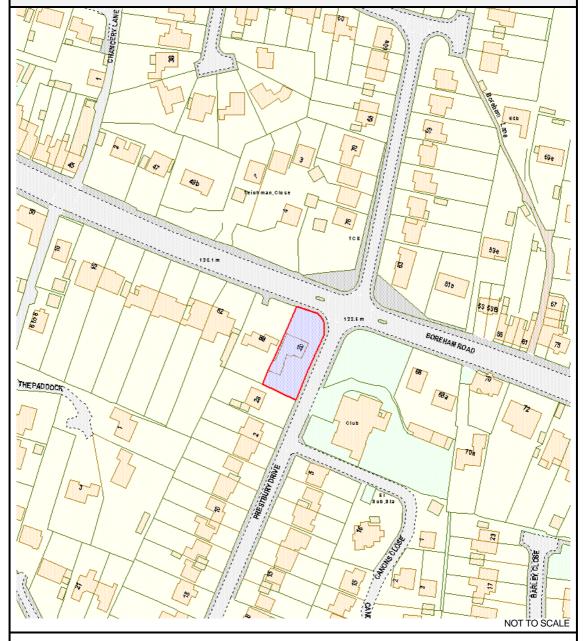
Drawing: SITE PLAN received on 14.07.2008 Drawing: SHEET 3 received on 14.07.2008 Drawing: SHEET 2 received on 14.07.2008 Drawing: SHEET 1 received on 14.07.2008

**2 October 2008** 

ITEM NO: 03

APPLICATION NO: 08/02163/FUL

LOCATION: 2B Prestbury Drive Warminster Wiltshire BA12 9LB



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SLA: 100022961

03 Application: 08/02163/FUL

Site Address: 2B Prestbury Drive Warminster Wiltshire BA12 9LB

Parish: Warminster Ward: Warminster East

Grid Reference 388193 144623

Application Type: Full Plan

Development: Demolition of garage and construction of one and a half storey

extension with lean-to garage

Applicant Details: Mr W Parks

2B Prestbury Drive Warminster Wiltshire BA12 9LB

Agent Details: Mr Peter Grist

Eversfield House Station Road Warminster Wiltshire BA12 9BP

Case Officer: Mr James Taylor

Date Received: 16.07.2008 Expiry Date: 10.09.2008

# **RECOMMENDATION: Refusal**

# Reason(s):

- The proposal by reason of its height, scale, mass, bulk, form and siting on a prominent corner plot would be incongruous and out of keeping with the host building and the street scene contrary to Policy C31a of the West Wiltshire District Plan 1st Alteration (2004) and the Council's adopted Supplementary Planning Guidance on house alterations and extensions.
- The proposal by reason of its height, scale, mass, bulk, form and siting on a prominent corner plot would be incongruous and fails to preserve or enhance the character and appearance of the conservation area contrary to Policies C17 and C19 of the West Wiltshire District Plan 1st Alteration (2004).
- The proposal by reason of its height, scale, mass, bulk, location and orientation would have a detrimental impact on the amenities of the adjoining neighbour at 66 Boreham Road in terms of loss of daylight, outlook and dominant impact contrary to Policy C38 of the West Wiltshire District Plan 1st Alteration (2004) and the Council's adopted Supplementary Planning Guidance on house alterations and extensions.

# **COMMITTEE REPORT**

#### **APPLICATION DETAILS**

This application was deferred by the Committee on 11 September 2008 for consideration at the meeting to be held on 2 October 2008.

This application is brought to committee because the applicant is a Councillor.

This is a full planning application for the construction of a 1 ½ storey extension with lean-to garage to replace the existing double garage on site. Although the existing double garage would be demolished this forms the footprint for the 1 ½ storey new building. In addition it is proposed to add a single lean-to garage to the south of this creating an additional footprint of 3 metres by 5.9 metres.

The proposed development would have a height to ridge of 6.4 metres, but with the bonnet hips proposed to the roof it would create a built form up to 5.1 metres high on the boundary with the adjoining neighbour. The proposal would be constructed with matching materials to the host building.

The host building is a bungalow property that is situated at the corner of Boreham Road and Prestbury Drive. The property is sunken below the road level. It has a single storey wing to the south elevation which includes a double garage. The property actually fronts onto Prestbury Drive with the private rear garden to the north of the property. The site is located within a designated Conservation Area.

#### SITE VISIT / STATUTORY SITE NOTICES

Date of Site Visit: 23 July 2008

Date Site Notice Posted: 23 July 2008

# **CONSULTATIONS**

Parish/Town Council:

WARMINSTER TOWN COUNCIL: No objection.

Neighbours: 2 letters received from the adjoining properties stating 'no objection'.

# **NEGOTIATIONS / DISCUSSIONS**

The proposals have been discussed with the applicant prior to registration and concerns have been expressed over the design and potential impact on neighbouring properties. No officer support or encouragement for the application has been given. The application has been submitted in spite of advice from officers to consider alternative solutions that meet the need for further accommodation.

# **CONSTRAINTS**

Conservation Area and street scene Neighbouring amenity

# **POLICIES**

West Wiltshire District Plan 1st Alteration (2004) C17 Conservation Areas C19 Alterations in Conservation Areas C31a Design C38 Nuisance

Supplementary Planning Guidance on house alterations and extensions

National guidance

PPS1: Delivering Sustainable Development PPG15: Planning and the Historic Environment

#### RELEVANT PLANNING HISTORY

None

#### **KEY ISSUES**

The key issues to consider with this application are the potential impact on the neighbouring amenity, the design and its impact on the street scene and how this will affect the character and appearance of the conservation area.

Section 72 of the Planning (Listed building and Conservation area) Act 1990 states that the local planning authority has a duty to pay special attention to the desirability of preserving and enhancing the character or appearance of the conservation area.

#### OFFICER APPRAISAL

The principle of increasing the footprint of the built form on this site does not in principle pose any significant concerns. However increasing the height of the built form to the extent and in the manner proposed causes some significant concern and should not be considered acceptable. The existing built form on the site is modest single storey development sunken below the level of the road. This is an application to extend a bungalow that is quite discrete within the street scene to add an additional floor of living accommodation linked, but ultimately remote from the main body of the building.

The proposal, although described as a 1 ½ storey development would clearly present first floor accommodation to the street scene, albeit with a reduced eaves level and bonnet hips in an attempt to minimise its impact. It is concluded that this ultimately fails to adequately mitigate its impact. If considered as an extension to the existing dwelling then it is contrary to the guidance contained in the Council's adopted SPG on house alterations and extensions because the form and height of development proposed is not in keeping with the modest bungalow. Not only would it fail to be sympathetic because it is incongruous, but it would not be subservient and would dominate the host building, almost appearing to be a separate dwelling.

It is acknowledged that the application site is sunken below that of the road and that the proposal would utilise matching materials. However given that this is a corner plot and as such needs to be treated with sensitivity then such an alien and large first floor extension cannot be considered acceptable in this context.

Further, although this building is clearly not historic it does form part of the designated conservation area. Although the building is typical of its type and has a neat and tidy appearance it is beneficial to the conservation area that the existing built form is quite discrete and modest. The proposal would as described above significantly increase the height of the built form on a prominent corner plot. Although matching materials are proposed the built form has a greater height and an alien form. The development would harm the design of the host building and make it more prominent within the conservation area. As such it has to be concluded that the development would fail to either preserve or enhance the character and appearance of the conservation area.

In addition to issues of design and heritage it is important to assess the impact of the proposals on the neighbouring amenity. The built form extending along the boundary of the site to the south is established at a single storey level. Currently the built form extends 11.3 metres along the boundary at a height of approximately 2.6 metres, rising to a ridge height of 4.2 metres set back from the boundary. This proposal would increase the length of extension along the boundary to 14.3 metres, a further 3 metres. This itself is not ideal. However in addition and of more significance is the increase in height at the boundary. The first floor area would be 5.1 metres high, rising to 6.4 metres at the ridge. At the boundary this is an increase in height of 2.5 metres, albeit not along the full length. Such a substantial increase in height at the boundary located to the south east of a neighbouring property would have a significant impact on the outlook and light received by the neighbour. Further the height at the boundary would have a dominant impact, quite oppressive to the reasonable amenity of the current and future occupiers of the neighbouring property 66 Boreham Road. This is again contrary to the Council's guidance on such matters.

It is noted that the neighbour has made the effort to write in to state that they have no objection, however consideration needs to also be given to potential future occupiers.

The proposal could be considered to be tantamount to a new dwelling. However this is not what has been applied for and given that it is located within the town policy limits does not pose any significant issues in principle. If allowed then the authority would still retain control over division of the property and the associated details.

# **RECOMMENDATION**

Refusal.

# **RELATED PLANS**

Drawing: PROPOSED ELEVATIONS AND F'PLANS received on 13.06.2008

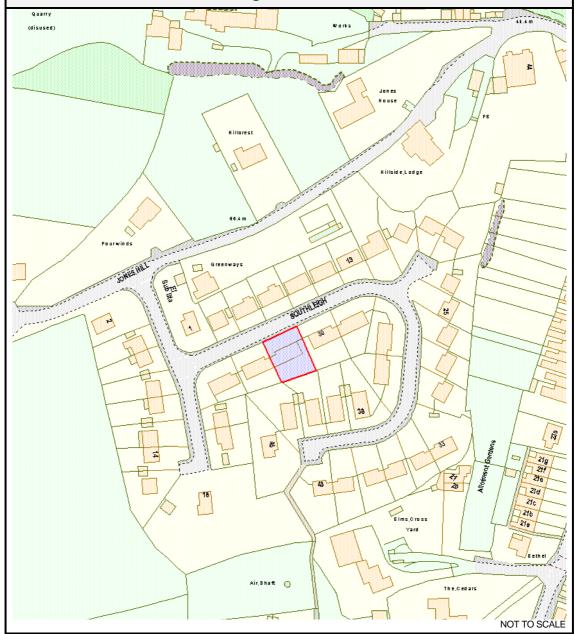
Drawing: EXISTING AND SITE PLAN received on 13.06.2008

**2 October 2008** 

ITEM NO: 04

APPLICATION NO: 08/02290/FUL

LOCATION: 28 Southleigh Bradford On Avon Wiltshire BA15 2EQ



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West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 776655 Fax: 01225 770314

www.westwiltshire.gov.uk

SLA: 100022961

04 Application: 08/02290/FUL

Site Address: 28 Southleigh Bradford On Avon Wiltshire BA15 2EQ

Parish: Bradford On Avon Ward: Bradford On Avon South

Grid Reference 382361 160172

Application Type: Full Plan

Development: Retrospective application for backfilling front garden, minor

amendment to 07/02720/FUL

Applicant Details: Mr Nigel Bedford

28 Southleigh Bradford On Avon Wiltshire BA15 2EQ

Agent Details: Nigel Bedford

Atelier 17 Ltd 11 Silver Street Bradford On Avon BA15 1JY

Case Officer: Miss Jennifer Fivash

Date Received: 05.08.2008 Expiry Date: 30.09.2008

#### JUSTIFICATION FOR RECOMMENDATION:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

#### **RECOMMENDATION:** Permission

# Condition(s):

1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

The materials to be used in the construction of the external surface of the store building hereby permitted shall match those used in the existing building.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

# **COMMITTEE REPORT**

#### **APPLICATION DETAILS**

This application was deferred by the Committee on 11 September 2008 for consideration at the meeting to be held on 2 October 2008.

This application is brought to committee as Bradford on Avon Town Council object, contrary to the officer's recommendation.

This is a full planning application for a retrospective retaining wall and amendments to planning application 07/02720/FUL. The site is 28 Southleigh Bradford on Avon which is a semi-detached bungalow with an attached garage on the east side of the property. The amendment is a single storey extension attached to the permitted en-suite to include an external store. The retaining wall is located to the front of the property creating a terraced garden,

The retaining wall is 8.4 metres wide and 0.9 metres high next to the highway and 1.4 metres high at the highest point in front of the house. The proposed extension would be 2.9 metres by 1.1 metres with a height of 3.6 metres.

# SITE VISIT / STATUTORY SITE NOTICES

Date of Site Visit: 14 August 2008

#### **CONSULTATIONS**

Parish/Town Council: BRADFORD ON AVON TOWN COUNCIL – Recommends refusal on the following grounds:-

- 1. It deplores this retrospective application;
- Inappropriate scale;
- 3. Inappropriate materials;
- 4. Out of character with the rest of this 1960's estate. Comments received 22 August 2008.

# Neighbours:

3 letters of objection received raising concerns over the retaining wall not complying with clauses within the deeds of the property, the materials not in keeping with the street character.

Also 1 letter received in support.

# **NEGOTIATIONS / DISCUSSIONS**

None

#### **CONSTRAINTS**

None

# **POLICIES**

West Wiltshire District Plan – 1st Alteration 2004

C31A Design C38 Nuisance

SPG Design Guidance House Alterations and Extensions

#### RELEVANT PLANNING HISTORY

08/02111/FUL – Amendments to planning consent 07/02720/FUL, en-suite to be modified to include external store – Withdrawn 30.07.2008.

07/02720/FUL – Ground Floor extension to provide new living room, porch and en-suite, loft conversion to provide study/library – Permission 19.11.2007.

#### **KEY ISSUES**

- Impact on host building and street scene
- Impact on neighbours

# **OFFICER APPRAISAL**

The proposed extension would project out by 1.1 metres and be 3.5 metres high at the highest point. Due to the size and location of the proposed extension it would not be overlooked and it will not affect the amenities of the property nor the surrounding neighbours.

The proposed extension would be visible from the highway but due to its location and size no harm would occur.

On the second part of the application the retaining wall has been built using railway sleepers and reusing the soil taken from the rear garden. The retaining wall does not cause any adverse affect to the street scene and is similar to several other properties within the street which have terraced front gardens. In terms of design the retaining wall reflects the extensions to the property and creates a sympathetic addition. If this had not been a retaining wall then the wall which has caused most of the problems in term of objections would be permitted development and no application would be necessary.

The proposal complies with policy.

# RECOMMENDATION

Permission

#### **RELATED PLANS**

Drawing: 012 P11 received on 05.08.2008 Drawing: 012 P10 received on 05.08.2008

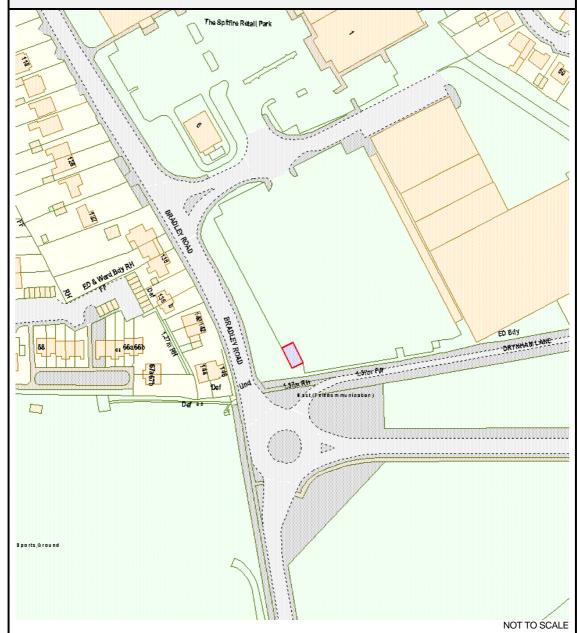
2 October 2008

ITEM NO: 05

APPLICATION NO: 08/02076/FUL

LOCATION: Trowbridge Retail Park 235 Bradley Road Trowbridge

Wiltshire BA14 0RQ



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SLA: 100022961

05 Application: 08/02076/FUL

Site Address: Trowbridge Retail Park 235 Bradley Road Trowbridge

Wiltshire BA14 0RQ

Parish: Trowbridge Ward: Trowbridge And North

Bradley

Grid Reference 385585 155976

Application Type: Full Plan

Development: Placing a mobile catering trailer in car park

Applicant Details: Mrs Donna Barraclough

11 Hillside Drive Frome Somerset BA11 5AS

Agent Details:

Case Officer: Mr Steve Vellance

Date Received: 01.07.2008 Expiry Date: 26.08.2008

# JUSTIFICATION FOR RECOMMENDATION:

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

#### **RECOMMENDATION:** Permission

# Condition(s):

1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

The development hereby permitted shall not commence until details of all litter bins to be provided have been submitted to and approved by the Local Planning Authority.

REASON: In the interests of protecting the amenity of the area.

POLICY: West Wiltshire District Plan 1st Alteration (2004) - Policy C38.

The use hereby permitted shall not be open to customers outside the following times: 07.30hrs and 20.00hrs on Mondays to Saturdays and 07.30hrs and 16.00hrs on Sundays and Bank Holidays.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C38.

- As this is a form of development which would not normally be acceptable on a permanent basis and therefore to enable the Local Planning Authority to grant permission without committing itself beyond the period specified and thereby to retain control of the situation, this planning permission shall cease to have effect on the 11.09.2011, by which date the catering van shall have been removed from the site.
  - REASON: Because this is a form of development which would not be appropriate on a permanent basis.
- In order to protect the amenity of the area, to safeguard the general appearance of the site and to prevent the possibility of inappropriate uses becoming established, the permission shall relate to the stationing of one catering van, as detailed within this planning permission and for no other food or other sales. The van shall be located as outlined in red on the approved plan.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C38.

In order to protect the amenity of the area and to safeguard the general appearance of the site, the catering van will be removed off site after the cease of trading on each working day.

REASON: In order to safeguard the amenities of the area in which the development is located.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C38.

# **COMMITTEE REPORT**

# **APPLICATION DETAILS**

This application was deferred by the committee on 11 September 2008 for consideration at the meeting to be held on 2 October 2008.

The proposal is for the siting of a catering trailer to be located within Trowbridge Retail Park, 235 Bradley Road, Trowbridge. The trailer would have a length of 5.09 metres, a width of 2.16 metres and a height of 2.24 metres and would be located within the existing large sized car park.

The applicant states that waste water and refuse will be removed and disposed of on a daily basis and that the trailer will not be left on site overnight.

#### SITE VISIT / STATUTORY SITE NOTICES

Site visited and site notice displayed on 18 July 2008.

# **CONSULTATIONS**

Parish/Town Council: TROWBRIDGE TOWN COUNCIL: Object to this planning application and stated the following:

"The committee felt this was an unsustainable location outside of the town centre and there was not a need for this as a fast food restaurant was close by, other catering applications had been refused in this location. This is an unsustainable location for an all day mobile unit".

#### External:

HIGHWAY AUTHORITY: No objections with the following comments:

"The proposed catering trailer is very small scale, located in the far corner of the retail park and will utilise a very small number of parking spaces at the retail park ".

#### Internal:

ENVIRONMENTAL HEALTH (Protection): No objection subject to the following caveats:

"If the hours of operation are to be restricted to 07.30hrs to 20.00hrs daily that a significant loss of amenity to neighbours should not occur. The applicant is to ensure that suitable refuse receptacles are provided to prevent litter accumulation on the site".

Neighbours: No comments received.

#### **NEGOTIATIONS / DISCUSSIONS**

Not applicable.

#### **CONSTRAINTS**

Urban area.

# **POLICIES**

West Wiltshire District Plan 1st Alteration (2004)

C36 Noise C38 Nuisance

H1 Town Policy Limits

# RELEVANT PLANNING HISTORY

None

#### **KEY ISSUES**

The main issues that need to be considered within this application are whether the proposal is acceptable in terms of highway safety, parking and amenity considerations.

# **OFFICER APPRAISAL**

The area in which the trailer would be sited forms part of the formal parking layout on the site and would take up to three car parking spaces. The highway authority does not object to the proposal and consider that the proposal is of a very small scale.

Environmental Health also does not consider the proposal to pose a significant loss of amenity to neighbouring properties, as long as the hours of operation are controlled via the use of planning conditions and suggest hours of operation. The applicant has submitted a basic scheme for the disposal of waste water and litter on a daily basis and the implementation of litter bins is conditioned accordingly. The applicant states that a small table and four chairs will be set out for customer use and that the trailer will be taken away every night. Therefore the overall impact of the proposal should be minimal.

From an amenity aspect, the proposal would be set behind a slightly raised grassed banked area, a mature hedgerow and some established trees; therefore it is considered that residential properties across Bradley Road should not have their amenities affected by this proposal.

In direct response to the Town Council's concerns it is true that there is a fast food takeaway restaurant close by, however if permitted this outlet will give the public greater choice. Similarly, the planning history indicates that there has only been one other application for a food outlet at this site that had been refused, which was for the siting of a portacabin for use as a coffee shop. The applicant has made efforts to be sustainable by the removal of the trailer and associated refuse on a daily basis.

No third party representations were received and as a whole the proposal complies with policy. For the reasons stated, planning permission should be granted for a temporary three year trial period with the imposition of the suggested planning conditions.

# RECOMMENDATION

Permission.

# **RELATED PLANS**

Drawing: SITE LOCATION PLAN received on 01.07.2008
Drawing: SIDE ELEVATION received on 01.07.2008
Drawing: SIDE ELEVATION received on 01.07.2008

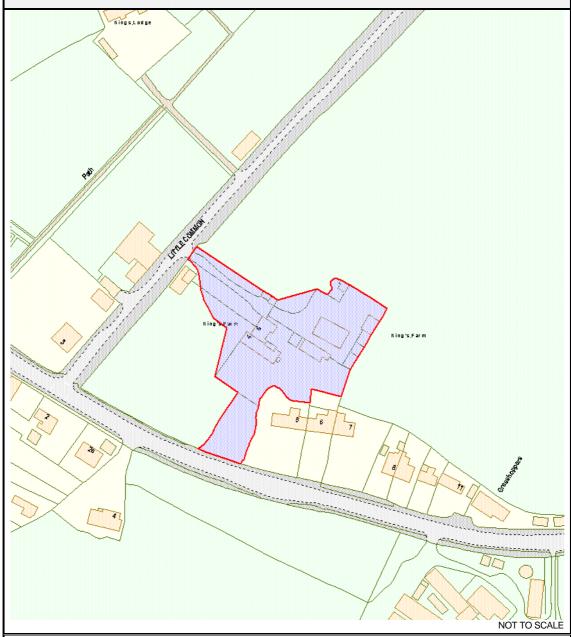
**2 October 2008** 

ITEM NO: 06

APPLICATION NO: 08/02464/FUL

LOCATION: Kings Farm 6 Little Common North Bradley Wiltshire

**BA14 0TX** 



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www.westwiltshire.gov.uk

SLA: 100022961

06 Application: 08/02464/FUL

Site Address: Kings Farm 6 Little Common North Bradley Wiltshire BA14

OTX

Parish: North Bradley Ward:

Grid Reference 385967 155244

Application Type: Full Plan

Development: Two storey extension to house and reconstruction of three

outbuildings to form additional accommodation and covered parking

Applicant Details: Mr R Hibbard

7 The Crescent Westbury Wiltshire

Agent Details: Mr Peter Grist

Eversfield House Station Road Warminster Wiltshire BA12 9BP

Case Officer: Mrs Rosie MacGregor

Date Received: 19.08.2008 Expiry Date: 14.10.2008

**RECOMMENDATION: Refusal** 

# Reason(s):

- The proposed substantial extensions to this modest, detached and well proportioned farmhouse and its curtilage buildings would by reason of their design, scale, form, size; mass and location fail to respect the form and proportions of the original buildings. This would alter the balance and relationship between the former farmhouse and its curtilage structures which would be detrimental to the character of this group of listed buildings contrary to Policies C28 and C31A of the West Wiltshire District Plan 1st Alteration 2004.
- The proposals would result in a group of buildings with greater visual prominence in the landscape which would cause harm to the character and setting of this important group of listed buildings contrary to Policy C28 and C31A of the West Wiltshire District Plan 1st Alteration 2004.

# **COMMITTEE REPORT**

# **APPLICATION DETAILS**

This application is brought to committee at the request of Cllr Graham Payne as the proposal is on a listed building which has generated a large amount of public interest, not only in the village but further afield.

This is a full planning application for a 2 storey extension to Kings Farm House together with the reconstruction and partial linkage of 3 outbuildings, which previously formed part of the farmstead, to additional domestic accommodation and covered parking.

The proposal is similar to an earlier application that was refused except that on the current proposals a space has been left between a small stone building and the red brick building which is alongside this. Whereas it was previously proposed that these would be joined with a new link structure. There are a number of changes proposed to the fenestration and the roof lights previously proposed have been omitted.

Kings Farm House is a timber framed Grade II listed building and permission was previously granted for its refurbishment and alteration. It had previously been classified as a 'Building At Risk' and had been in a derelict state over many years.

Permission also exists for a new dwelling at the site as enabling development to secure the refurbishment of the listed building.

The site is located in the countryside on the edge of the village of North Bradley.

The proposal now under consideration is to build a 2-storey extension onto the side of the original refurbished farmhouse and form a link to the existing agricultural buildings. These would in turn be linked and converted into single storey accommodation for the dwelling. The accommodation would comprise an additional 2 bedrooms and bathroom at first floor level plus an additional 3 rooms, the purpose of which has not been identified on the plan, at ground floor level. Parking and storage space would be provided within a further attached building which would have the form of an open fronted barn/cow byre.

The proposals would be constructed from a mix of stone, brick and render under clay tiled roofs with timber doors and windows.

A design and access statement has been submitted with the application.

#### **CONSTRAINTS**

Grade II listed building. Open countryside.

#### **POLICIES**

Wiltshire and Swindon Structure Plan 2016 HE7 – Conservation Areas and Listed Buildings

West Wiltshire District Plan 1st Alteration 2004 C26 – Maintenance of Listed Buildings C28 – Alterations to Listed Buildings C31a – Design

PPS1 – Delivering Sustainable Development PPG15 – Planning and the Historic Environment

Supplementary Planning Guidance – House Alterations and Extensions

#### **RELEVANT PLANNING HISTORY**

07/00211/LBC - Restoration and repairs to roof and building - Consent 24.04.07

07/03006/FUL - New detached dwelling (enabling) - Permission 28.01.08

08/01738/FUL - Extensions to dwelling - Refused 28.07.08

08/01740/LBC - Extensions to dwelling - Refused 28.07.08

08/02465/LBC - Parallel application for listed building consent - Pending

#### SITE VISIT / STATUTORY SITE NOTICES

Site notices were attached to the front fence on 21.08.08 and a site visit undertaken.

# **CONSULTATIONS**

Parish/Town Council: NORTH BRADLEY PARISH COUNCIL: No response to current proposals and had no objection to previous application.

*External*: HIGHWAY AUTHORITY: No objection subject to a linked condition to ensure that the extensions are occupied as extensions to the dwelling.

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS: 'The current proposal is the same as the previous one except that the link between the existing barns has been omitted.

We must therefore stand by the comments we made in our letter of 2 July.'

The comments from SPAB in its letter of 2 July 2008 are as follows:-

The proposed extension is predicated on the basis that historically the farm house may have been larger and that there was formerly a barn on the site of the extension. The overall extension to the farmhouse alone is 28% though this does not seem to include the incorporation of the two former out buildings.

The Design and Access Statement makes no mention of the use to which the outbuildings are to be put apart from recreational use.

We understand the applicant has saved the farmhouse from possible destruction but we are concerned that the historic core of the farmhouse may be compromised by the proposed extension and the undefined incorporation of the outbuildings. We do not think the arguments put forward in the Design and Access Statement are convincing. However, if an extension to the farmhouse is to be considered then it should be distinct from the historic work so as not to unbalance it. If the outbuildings are to be incorporated then they should have identifiable uses and be in a looser arrangement with the farmhouse.

#### Internal:

CONSERVATION OFFICER: This is a revised scheme with minor differences to the earlier scheme for extensions to this dwelling.

The new scheme has omitted the link between the small square outbuilding and the longer outbuilding. The retention of this separation does not mitigate the damage to the overall character of the site and the listed building that would be caused by the rest of the scheme. I will not state again my objections but will include my previous comments, shown below, as the issues remain the same.

The exclusion of the link does not overcome the overwhelming harm to the historic environment that would be created by this scheme. The site would still become a sprawling mass of building form at odds with its historic character and setting.

Recommendation: Refuse

Previous comments:

Application No.: 08/01738/FUL and 08/01740/LBC

Kings Farmhouse has been brought back into a habitable state and saved from its Building At Risk status. The building is a large farmhouse property with subservient and small scale ancillary buildings, just as a former farm site such as this should. There is a small square building to the east of the farmhouse followed by a longer building. Next to these is a larger modern farm building that would be demolished under a previously approved application.

The proposed extension from the main house would be two storey, at the full height of the main house ridge, for 7.5 metres. The extension would then reduce to single storey for a further 2.5 metres where it would run directly into the small square building, the ridge of the extension would be the same height at that of the existing outbuilding roof. Between the small square building and the longer building there would then be a link of over 3 metres in height. The roof of the longer building, currently untiled, would have 4 large rooflights inserted. This building in turn would link to a new open fronted L shape structure, built off the boundary walls, which would contain 7 car parking spaces and large storage area.

This proposal to extend the northern wing of the main house to link with the square building and then a further link to the longer building would entirely remove the sense of historic layout character of this site. In addition, the character of the ancillary buildings themselves would be lost.

The small square building would be enveloped so as to be virtually unreadable in the historic sense. The longer building, sandwiched between the linked square building and the proposed parking structure, would also lose its sense of historical integrity. What are very characterful and charming buildings at present would simply become sections of the sprawling mass of the farmhouse.

The parking and storage structure would be of a fairly traditional construction and appearance, and there is no objection necessarily to that element of the proposal when looked at on its own. But the cumulative effect of all these structures linked together would present an unfortunate arrangement of buildings that does not respect the historic layout characteristics of the former farmyard.

ENVIRONMENTAL HEALTH OFFICER: On commenting on the previous application had no objection subject to an informative.

# Neighbours:

The application has been publicised by site notice and press advertisement and neighbours have been notified.

There have been two responses (one on the full planning and one on the listed building application) as follows:-

A neighbour expresses concern with regard to the amount of development at the site.

This is a listed building and should be respected for what it is, not for what somebody wishes it to become.

There is little difference between this and the previous application which was refused, and on this ruling alone a refusal is expected.

# **KEY ISSUES**

The effect of the proposal on the character and setting of the listed building The impact on the character of the countryside Neighbouring amenity
Whether the proposal overcomes the previous reason for refusal.

#### OFFICER APPRAISAL

#### Historic Environment

Section 16(2) of the Planning (Listed building and Conservation area) Act 1990 states that the Local Planning Authority has a duty to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when determining an application for listed building consent.

Further Policy C28 of the West Wiltshire District Plan 1st Alteration 2004 states that alterations and extensions to listed buildings will only be permitted provided; the essential form of the building is not adversely affected; features of architectural or historic interest are retained unaltered; the loss of or damage to the historic fabric of the building is minimised; any new details are designed so as to match or be in keeping with, and respect, the character of the building; matching materials are used.

The principal listed building, King's Farmhouse, has been one of the most critical buildings at risk in this district in the last decade and in such a dangerous state that parts were at risk of collapse. Its current refurbishment that has been carried out to a high standard must be applicated.

Advice contained within PPG15 does not rule out an imaginative approach to extending listed buildings, as long as basic principles of scale and design are sensitively handled, having regard to the desirability of preserving the special character of the host building.

The views of the Council's Conservation Officer and those of the Society for the Protection of Ancient Buildings are fully supported.

The main issue here relates to the size, location and design of the proposed extensions and their relationship with the host building. Both the large two storey extension to the farmhouse, the way in which links have been formed between this and the reconstructed/refurbished ancillary buildings to create an enlarged footprint and excessively long row of single storey buildings would harm the character and setting of the former farmhouse. Although there is now a small break proposed between the long length of single storey extensions it is not considered sufficient to allow an alternative recommendation to that which was previously made. This group of buildings would still effectively be seen as a group of domestic buildings rather than as a distinctive farmhouse and clearly separate outbuildings within what would have been the original farmstead.

There may historically have been farm buildings within the former farmstead but these would clearly have been seen as ancillary agricultural buildings and separated from the dwelling as opposed to being part of it.

The design and layout of these proposals would not respect this beautifully restored and well proportioned farmhouse. These large extension, both two and single storey, would dominate this modest building and clearly do not respect the fine proportion and detail of the original. PPG15 advises that extensions should not dominate yet these most certainly would. The proposed extensions would not be seen as subservient to the original farmhouse but would be highly intrusive and would prevent this important listed building from standing alone, thereby devaluing its historic importance.

The proposals would essentially double the size of what is currently a relatively modest detached dwelling and would visually dwarf the original building.

The relationship of the extensions to the existing built form and introduction of various link structures would not respect the historic form of the original farmstead. These farm buildings should be seen as a much less substantial and less important buildings separated from the farm house.

The property can also be seen from wider views from several directions and these later additions to the farmstead would no longer be subservient in form and would harm the setting of the farmhouse, but would have a limited impact on the character of the countryside.

The proposals would significantly harm the character of the principal listed building and the listed curtilage structures.

Furthermore, advice contained within the Council's own supplementary planning guidance is that the size, shape and position of an extension can change the character and appearance of the original house, that it is important to design an extension which compliments the style and appearance of the main house, and taking a modestly sized house and adding large extensions may result in a design which is out of scale and character with the host building and its locality.

Impact on the countryside

There would be little impact on the character of the countryside and rural amenity. However, this elongated and enlarged building would appear more prominent in the landscape to the detriment of the setting of the farmhouse.

Impact on neighbours

The buildings are considered to be sufficiently far from neighbouring residential properties for there to be no harm to neighbouring amenity.

Whether the proposal overcomes the previous reason for refusal

Although the loss of the rooflights and changes to the fenestration previously proposed overcome one reason for refusal the remaining two reasons have not been overcome.

#### **RECOMMENDATION**

Refuse.

#### **RELATED PLANS**

Drawing: EXISTING PLANS AND ELEVATIONS received on 19.08.2008
Drawing: PROPOSED PLANS AND ELEVATIONS received on 19.08.2008

# **PLANNING COMMITTEE**

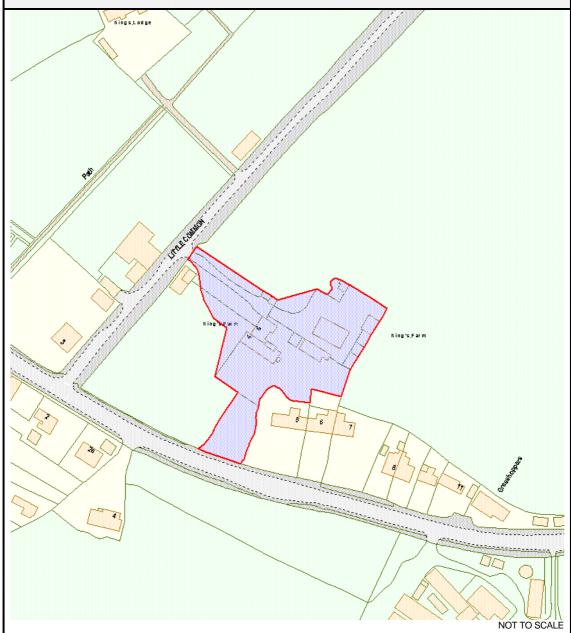
**2 October 2008** 

ITEM NO: 07

APPLICATION NO: 08/02465/LBC

LOCATION: Kings Farm 6 Little Common North Bradley Wiltshire

**BA14 0TX** 



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www.westwiltshire.gov.uk

SLA: 100022961

07 Application: 08/02465/LBC

Site Address: Kings Farm 6 Little Common North Bradley Wiltshire BA14

XTC

Parish: North Bradley Ward:

Grid Reference 385967 155244

Application Type: Listed building

Development: Two storey extension to house and reconstruction of three

outbuildings to form additional accommodation and covered parking

Applicant Details: Mr R Hibbard

7 The Crescent Westbury Wiltshire

Agent Details: Mr Peter Grist

Eversfield House Station Road Warminster Wiltshire BA12 9BP

Case Officer: Mrs Rosie MacGregor

Date Received: 19.08.2008 Expiry Date: 14.10.2008

**RECOMMENDATION: Refusal** 

# Reason(s):

- The proposed substantial extensions to this modest, detached and well proportioned farmhouse and its curtilage buildings would by reason of their design, scale, form, size; mass and location fail to respect the form and proportions of the original buildings. This would alter the balance and relationship between the former farmhouse and its curtilage structures which would be detrimental to the character of this group of listed buildings contrary to Policies C28 and C31A of the West Wiltshire District Plan 1st Alteration 2004.
- The proposals would result in a group of buildings with greater visual prominence in the landscape which would cause harm to the character and setting of this important group of listed buildings contrary to Policy C28 and C31A of the West Wiltshire District Plan 1st Alteration 2004.

# **COMMITTEE REPORT**

# **APPLICATION DETAILS**

This application is brought to committee at the request of Cllr Graham Payne as the proposal is on a listed building which has generated a large amount of public interest, not only in the village but further afield.

This is an application for listed building consent for a 2 storey extension to Kings Farm House together with the reconstruction and partial linkage of 3 outbuildings which previously formed part of the farmstead to additional domestic accommodation and covered parking.

The proposal is similar to an earlier application that was refused except that a space has been left between a small stone building and the red brick building which is alongside this. Whereas it was previously proposed that these would be joined with a new link structure. There are a number of changes proposed to the fenestration and the roof lights previously proposed have been omitted.

Kings Farm House is a timber framed Grade II listed building and permission was previously granted for its refurbishment and alteration. It had previously been classified as a Building At Risk and had been in a derelict state over many years. Permission also exists for a new dwelling at the site as enabling development to secure the refurbishment of the listed building.

The site is located in the countryside on the edge of North Bradley.

The proposal now under consideration is to build a 2-storey extension onto the side of the original refurbished farmhouse and form a link to the existing agricultural buildings. These would in turn be linked and converted into single storey accommodation for the dwelling. The accommodation would comprise an additional 2 bedrooms and bathroom at first floor level plus an additional 3 rooms, the purpose of which has not been identified on the plan, at ground floor level. Parking and storage space would be provided within a further attached building which would have the form of an open fronted barn/cow byre.

The proposals would be constructed from a mix of stone, brick and render under clay tiled roofs with timber doors and windows.

A design and access statement has been submitted with the application.

#### **CONSTRAINTS**

Grade II listed building.

#### **POLICIES**

Wiltshire and Swindon Structure Plan 2011 HE7 – Conservation Areas and Listed Buildings

West Wiltshire District Plan 1st Alteration 2004 C26 – Maintenance of Listed Buildings C28 – Alterations to Listed Buildings C31a – Design

PPS1 – Delivering Sustainable Development PPG15 – Planning and the Historic Environment

#### RELEVANT PLANNING HISTORY

07/00211/LBC - Restoration and repairs to roof and building - Consent 24.04.07 07/03006/FUL - New detached dwelling (enabling) - Permission 28.01.08 08/01738/FUL - Extensions to dwelling - Refused 28.07.08 08/01740/LBC - Extensions to dwelling - Refused 28.07.08 08/02464/FUL - Parallel planning application - Pending

### SITE VISIT / STATUTORY SITE NOTICES

Site notices were attached to the front fence on 21.08.08 and a site visit undertaken.

#### CONSULTATIONS

Parish/Town Council: NORTH BRADLEY PARISH COUNCIL: No response to current application and had no objection to the previous application.

#### External:

SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS: SOCIETY FOR THE PROTECTION OF ANCIENT BUILDINGS: 'The current proposal is the same as the previous one except that the link between the existing barns has been omitted.

We must therefore stand by the comments we made in our letter of 2 July.'

The comments from SPAB in its letter of 2 July 2008 are as follows:-

The proposed extension is predicated on the basis that historically the farm house may have been larger and that there was formerly a barn on the site of the extension. The overall extension tot eh farmhouse alone is 28% though this does not seem to include the incorporation of the two former out buildings.

The Design and Access Statement makes no mention of the use to which the outbuildings are to be put apart from recreational use.

We understand the applicant has saved the farmhouse from possible destruction but we are concerned that the historic core of the farmhouse may be compromised by the proposed extension and the undefined incorporation of the outbuildings. We do not think the arguments put forward in the Design and Access Statement are convincing. However, if an extension to the farmhouse is to be considered then it should be distinct from the historic work so as not to unbalance it. If the outbuildings are to be incorporated then they should have identifiable uses and be in a looser arrangement with the farmhouse.

#### Internal:

CONSERVATION OFFICER: This is a revised scheme with minor differences to the earlier scheme for extensions to this dwelling.

The new scheme has omitted the link between the small square outbuilding and the longer outbuilding. The retention of this separation does not mitigate the damage to the overall character of the site and the listed building that would be caused by the rest of the scheme. I will not state again my objections but will include my previous comments, shown below, as the issues remain the same.

The exclusion of the link does not overcome the overwhelming harm to the historic environment that would be created by this scheme. The site would still become a sprawling mass of building form at odds with its historic character and setting.

Recommendation: Refuse

Previous comments:

Application No.: 08/01738/FUL and 08/01740/LBC

Kings Farmhouse has been brought back into a habitable state and saved from its Building At Risk status. The building is a large farmhouse property with subservient and small scale ancillary buildings, just as a former farm site such as this should. There is a small square building to the east of the farmhouse followed by a longer building. Next to these is a larger modern farm building that would be demolished under a previously approved application.

The proposed extension from the main house would be two storey, at the full height of the main house ridge, for 7.5 metres. The extension would then reduce to single storey for a further 2.5 metres where it would run directly into the small square building, the ridge of the extension would be the same height at that of the existing outbuilding roof. Between the small square building and the longer building there would then be a link of over 3 metres in height. The roof of the longer

building, currently untiled, would have 4 large rooflights inserted. This building in turn would link to a new open fronted L shape structure, built off the boundary walls, which would contain 7 car parking spaces and large storage area.

This proposal to extend the northern wing of the main house to link with the square building and then a further link to the longer building would entirely remove the sense of historic layout character of this site. In addition, the character of the ancillary buildings themselves would be lost.

The small square building would be enveloped so as to be virtually unreadable in the historic sense. The longer building, sandwiched between the linked square building and the proposed parking structure, would also lose its sense of historical integrity. What are very characterful and charming buildings at present would simply become sections of the sprawling mass of the farmhouse.

The parking and storage structure would be of a fairly traditional construction and appearance, and there is no objection necessarily to that element of the proposal when looked at on its own. But the cumulative effect of all these structures linked together would present an unfortunate arrangement of buildings that does not respect the historic layout characteristics of the former farmyard.

*Neighbours*: The application has been publicised by site notice and press advertisement. There have been two responses (one on the full planning and one on the listed building application) as follows:-

A neighbour expresses concern with regard to the amount of development at the site.

This is a listed building and should be respected for what it is, not for what somebody wishes it to become.

There is little difference between this and the previous application which was refused, and on this ruling alone a refusal is expected.

#### **KEY ISSUES**

The effect of the proposal on the character and setting of the listed building Whether the proposal overcomes the previous reason for refusal

#### OFFICER APPRAISAL

Section 16(2) of the Planning (Listed building and Conservation area) Act 1990 states that the Local Planning Authority has a duty to pay special attention to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses when determining an application for listed building consent.

Further Policy C28 of the West Wiltshire District Plan 1st Alteration 2004 states that alterations and extensions to listed buildings will only be permitted provided; the essential form of the building is not adversely affected; features of architectural or historic interest are retained unaltered; the loss of or damage to the historic fabric of the building is minimised; any new details are designed so as to match or be in keeping with, and respect, the character of the building; matching materials are used.

The principal listed building, King's Farmhouse, has been one of the most critical buildings at risk in this district in the last decade and in such a dangerous state that parts were at risk of collapse. Its current refurbishment that has been carried out to a high standard must be applicated.

Advice contained within PPG15 does not rule out an imaginative approach to extending listed buildings, as long as basic principles of scale and design are sensitively handled, having regard to the desirability of preserving the special character of the host building.

The views of the Council's Conservation Officer and those of the Society for the Protection of Ancient Buildings are fully supported.

The main issue here relates to the size, location and design of the proposed extensions and their relationship with the host building. Both the large two storey extension to the farmhouse, the way in which links have been formed between this and the reconstructed/refurbished ancillary buildings to create an enlarged footprint and excessively long row of single storey buildings would harm the character and setting of the former farmhouse.

There may historically have been farm buildings within the former farmstead but these would clearly have been seen as ancillary agricultural buildings and separated from the dwelling as opposed to part of it.

The design and layout of these proposals would not respect this beautifully restored and well proportioned farmhouse. These large extension, both two and single storey, would dominate this modest building and clearly do not respect the fine proportion and detail of the original. PPG15 advises that extensions should not dominate yet these most certainly would. The proposed extensions would not be seen as subservient to the original farmhouse but would be highly intrusive and would prevent this important listed building from standing alone, thereby devaluing its historic importance.

The proposals would essentially double the size of what is currently a modest detached dwelling and would visually dwarf the original building.

The relationship of the extensions to the existing built form and introduction of various link structures would not respect the historic form of the original farmstead. These farm buildings should be seen as a much less substantial and less important buildings separated from the farm house.

The property can also be seen from wider views from several directions and these later additions to the farmstead would no longer be subservient in form and would harm the setting of the farmhouse, but would have a limited impact on the character of the countryside.

The proposals would significantly harm the character of the principal listed building and the listed curtilage structures.

This elongated and enlarged building despite the small break between the two groups of buildings would appear more prominent in the landscape to the detriment of the setting of the farmhouse.

Although the loss of the rooflights and changes to the fenestration previously proposed overcome one reason for refusal the remaining two reasons have not been overcome.

# **RECOMMENDATION**

Refuse.

#### **RELATED PLANS**

Drawing: EXISTING PLANS AND ELEVATIONS received on 19.08.2008
Drawing: PROPOSED PLANS AND ELEVATIONS received on 19.08.2008

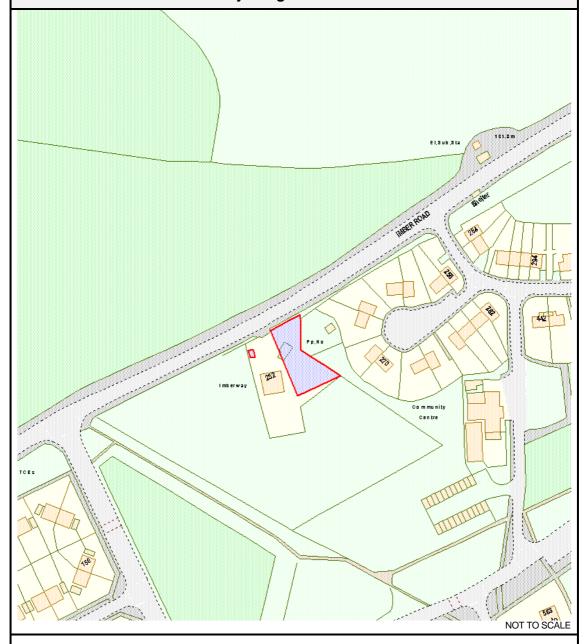
# **PLANNING COMMITTEE**

**2 October 2008** 

ITEM NO: 08

APPLICATION NO: 08/01673/FUL

LOCATION: Land Adjoining 252 Imber Road Warminster Wiltshire



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West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 776655 Fax: 01225 770314

www.westwiltshire.gov.uk

SLA: 100022961

08 Application: 08/01673/FUL

Site Address: Land Adjoining 252 Imber Road Warminster Wiltshire

Parish: Warminster Ward: Warminster East

Grid Reference 388475 145553

Application Type: Full Plan

Development: Erection of single storey dwelling and double garage

Applicant Details: Mrs A Wheeler

252 Imber Road Warminster Wiltshire BA12 0BP

Agent Details: Mr Peter Grist

Eversfield House Station Road Warminster Wiltshire BA12 9BP

Case Officer: Mr Matthew Perks

Date Received: 03.06.2008 Expiry Date: 29.07.2008

# **RECOMMENDATION:**

That the application be referred to the Secretary of State as a Departure from the Development Plan, and that planning permission be granted at a future date in the event of the Development Control Manager being satisfied that the Secretary of State remits the application to this Council for decision.

# Condition(s):

1 The development hereby permitted shall begin before the expiration of three years from the date of this permission.

REASON: In accordance with Section 91 of the Town & Country Planning Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

2 No development shall take place until samples of the materials to be used in the construction of the external surfaces of the development hereby permitted have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure that the development harmonises with its setting.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C31A.

The development hereby permitted shall not be occupied until 2 parking spaces for each dwelling have been provided within each of the residential curtilages.

REASON: In the interests of highway safety.

4 Before the development is first used, provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway.

REASON: In the interests of highway safety.

No development shall take place until full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority and these works shall be carried out as approved. This shall include indications of all existing trees and hedgerows on the land, and details of any to be retained, as well as possible replacement trees should any need to be removed in order to establish visibility splays at the vehicular accesses.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the buildings or the completion of the development, whichever is the sooner; and any trees or plants which within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

REASON: To provide a satisfactory landscaped setting for the development.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C32.

The development hereby permitted shall not be occupied until works for the disposal of sewage have been provided on site to serve the development hereby permitted, in accordance with details to be submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U1A.

A recessed entrance having a minimum width of 3m shall be constructed 4.5m back from the carriageway edge and its sides shall be splayed outward at an angle of 45° towards the carriageway edge. The area between the entrance and the edge of the carriageway shall be properly consolidated and surfaced (not loose stone or gravel) for which details shall have been submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of highway safety.

9 Before the development hereby permitted is first occupied, a turning space for vehicles shall be constructed in accordance with details which have been submitted to and approved by the Local Planning Authority. Such turning spaces shall be kept clear of obstruction at all times.

REASON: In the interests of highway safety.

# **COMMITTEE REPORT**

### **APPLICATION DETAILS**

This is application is brought to Committee because it involves a Departure from the Development Plan which has to be referred to the Secretary of State if the Council is minded to permit.

This is a full planning application for the erection of single storey dwelling and double garage on land adjacent to 252 Imber Road, Warminster. The proposal is for a three-bedroom bungalow of modest proportions. The building would occupy a footprint of ±85m². It would be located on a near-rectangular portion of land of approximately 510m² in extent, to the east of an existing double storey dwelling which would occupy the remainder of the property. The land lies to the south west

of a group of dwellings within the MOD residential complex, which stretches roughly from the town policy limit to a point some 750 eastward of the site up Imber Road. This section of the MOD residential development furthermore extends to the south of Imber Road. Open parkland lies to the west.

A new garage is also proposed, to replace an existing one to be demolished.

#### **CONSTRAINTS**

The site falls outside of Warminster Town Policy limits. However it is closely related to the MOD residential development which also does not fall within the town limit area. Properties vary in size within the MOD area, and buildings are of varying design. The immediately adjacent properties to the east are however fairly generous in size, averaging a density of approximately 28 per ha.

# **POLICIES**

West Wiltshire District Plan 1st Alteration, 2004

C38 - Effects of development on neighbouring properties
C31a - Design
H1 - Housing development in towns
H19 - Housing in the Countryside

PPS 3 - Housing.

# **RELEVANT PLANNING HISTORY**

None on this site. (An MOD application for residential development on the parkland to the west was however granted in the 1980's)

#### SITE VISIT / STATUTORY SITE NOTICES

The site visit was carried out on 11 June 2008, when a site notice advertising a Departure from the Development Plan was posted.

# **KEY ISSUES**

The main issue in this case is the principle of residential development on this site, outside of town policy limits.

# **CONSULTATIONS**

Parish/Town Council: WARMINSTER TOWN COUNCIL - "This property sits on a very large plot in the middle of Army quarters surrounded by woods. Nobody would be impacted by this development. Councillor Wheeler proposed acceptance of the plans. Councillor Field seconded. Voting unanimously in favour."

### External:

HIGHWAY AUTHORITY - No highway objection subject to conditions in relation to parking, access and boundary treatment.

MOD - The proposal falls outside of MOD safeguarding areas. No objection.

ENVIRONMENT AGENCY - Does not wish to provide comment.

# Internal:

PLANNING POLICY - "The key issue in the case of this application is whether to apply rigidly the prohibition on housing development outside the town policy limits, as provided for under Local Plan Policy H1. The application site is anomalous, since it forms part of the curtilage of an existing dwelling, which is in turn part of an urban extension to the north east of Warminster. I understand that the town policy limits were drawn to exclude the Ministry of Defence estate.

#### Conclusions:

A rigid adherence to the terms of Local Plan Policy H1 would not in this particular case, in my opinion, equate to the '...flexible and responsive supply of (housing) land ... managed in a way which makes effective use of land, including re-use of previously developed land, as appropriate...', as required by PPS3. Subject to the development being of appropriate size and design in this local context, there should be no policy objection in principle.

### Neighbours:

There was no response to advertising.

#### OFFICER APPRAISAL

The plot of land lies approximately 350m outside of town policy limits, to the east of Imber Road and south of the MOD residential area. Policy H1 therefore does not apply and under normal circumstances residential development could only be considered for agricultural or forestry purposes. However, exceptional circumstances are considered to apply in this case, and the proposal was advertised as a departure from the development plan.

Council's Policy Section was consulted. The view is taken that, whilst town policy limits end some 350m to the west, the MOD housing that extends from there up to and beyond the site to the east and south, effectively extends the town settlement area. Spatially and logically therefore the area could be considered to be more closely related to Warminster town than the rural periphery. The proposed site furthermore represents infill between an existing dwelling and the residential area to the east. In this special context a departure from the development plan can be justified. The comments of Policy officers (see above) confirm this view.

PPS3 (Housing) inter alia encourages local authorities to provide a mix of accommodation types, with due consideration for the character of surrounding development. New housing should furthermore be focussed on the efficient use of previously developed land. The density of development represented by the site (excluding the shared access) equates to approximately 20 units per ha. This is below the national average advocated by PPS3, but site constraints including the established building line to the north east, the provision of adequate parking and amenity space and the position of the existing house are such that a higher density would be likely to result in issues of privacy and a deviation from the sense of openness in the surrounding area. PPS3 advises that development should accord with its surroundings and, in this context, the proposal is considered acceptable.

The dwelling would be orientated and located in a manner that would have no adverse impact on neighbouring properties. Materials would accord with those to the existing dwelling. The replacement garage would be in a position approximately aligned to that of the demolished building, and would be of materials matching the dwelling. Whilst the dwelling would be single storey and the existing is two storey, there is no issue of harm to the street scene in that there is no particular appearance of uniformity that would be affected.

The application would provide one 3-bedroom detached bungalow. Parking area and manoeuvring space would be provided on site. The highway authority does not object to the proposal. No neighbour comments have been received, and the Town Council supports the proposal.

The Imber Road frontage is defined by a row of trees, which include some mature specimens. The supporting documentation indicates that these would be retained. Any permission should include a condition requiring a landscaping plan.

# **RECOMMENDATION**

That the matter be referred to the Secretary of State with a recommendation for permission.

# **RELATED PLANS**

Drawing: PROPOSED DWELLING April 2008 received on 03.06.2008 Drawing: PROPOSED GARAGE April 2008 received on 03.06.2008

# **PLANNING COMMITTEE**

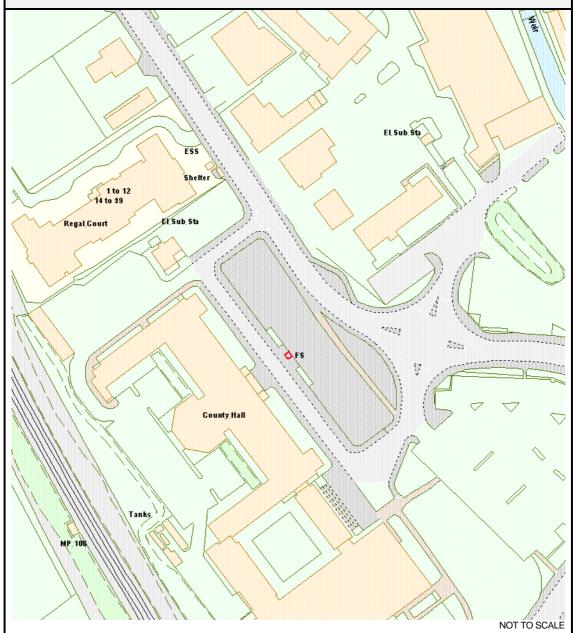
2 October 2008

ITEM NO: 09

APPLICATION NO: 08/02488/ADV

LOCATION: County Hall Bythesea Road Trowbridge Wiltshire

**BA14 8JN** 



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West Wiltshire District Council, Bradley Road, Trowbridge, Wiltshire, BA14 0RD Tel: 01225 776655 Fax: 01225 770314

www.westwiltshire.gov.uk

SLA: 100022961

09 Application: 08/02488/ADV

Site Address: County Hall Bythesea Road Trowbridge Wiltshire BA14 8JN

Parish: Trowbridge Ward: Trowbridge North East

Grid Reference 385428 157571

Application Type: Advertisement

Development: Temporary consent for display of Olympic flag until 30/09/12

Applicant Details: Wiltshire County Council

FAO Mrs K Greenhalgh County Hall Trowbridge Wiltshire BA14

8JD

Agent Details:

Case Officer: Mrs Rosie MacGregor

Date Received: 29.08.2008 Expiry Date: 24.10.2008

#### JUSTIFICATION FOR RECOMMENDATION:

The proposal would not result in any harm to visual amenity or highway safety.

**RECOMMENDATION:** Consent

# **COMMITTEE REPORT**

# **APPLICATION DETAILS**

This is an application for temporary advertisement consent to display the Olympic flag until 30 September 2012.

The flag advertisement would be displayed on a flag pole in front of County Hall, the headquarters of Wiltshire County Council, in the centre of Trowbridge. The site is centrally located on an area of ground immediately adjoining the grassed area to the front of County Hall.

There is an existing flag pole in this location and the flag proposed would be the standard flag displaying the logo on a white background authorised for the London Olympics in 2012.

### SITE VISIT / STATUTORY SITE NOTICES

Date of Site Visit: 05.09.08

Date Site Notice Posted: 05.09.08

#### **CONSULTATIONS**

Parish/Town Council: TROWBRIDGE TOWN COUNCIL: Objects to the proposals. The committee felt this was too early to fly this flag, four years before the event, that it was a grotesque and inappropriate design, that county hall was an unsuitable venue compared to a sports facility and that it was unclear from the application when the flag would be flown, for how long and for what periods.

*External*: HIGHWAY AUTHORITY: The proposed development would not have an adverse effect on the highway and no objection is raised.

Internal: None.

*Neighbours*: The application was publicised by site notice to which there has been no response.

#### **NEGOTIATIONS / DISCUSSIONS**

Pre-application discussions with the applicant resulting in a formal application being requested.

#### **CONSTRAINTS**

Town centre location in front of a public building

#### **POLICIES**

The West Wiltshire District Plan 1st Alteration (2004) C24 - Advertisements

PPG19 - Outdoor Advertisement Control

# **RELEVANT PLANNING HISTORY**

None

# **KEY ISSUES**

Impact on visual amenity Public/highway safety

# OFFICER APPRAISAL

Policy C24 of the West Wiltshire District Plan 1st Alteration 2004 states:

"Applications for advertisements will be considered with regard to the interests of amenity and public safety. The size, form and location of advertisements will therefore be required to:

- A Respect the appearance of a building or the visual character of the local environment, including any features of historic, architectural or cultural interest;
- B Avoid distracting or confusing passers-by thereby impeding the safe operation of any form of traffic movement".

# Criterion A

The proposed flag advertisement would be displayed on an existing flag pole on which the national flag and county flag are currently displayed at appropriate times. The display of the county flag and any national flag has deemed consent whereas formal consent is required for the display of any other flag.

The only differences from the existing situation is that the Olympic flag would be displayed from time to time in lieu of the county or national flag between now and the end of the London Olympics.

The proposed flag is one of the standard emblems for the London Olympics and consistent with other flags of a similar type.

Irrespective of the Town Council's opinion that this is a grotesque and inappropriate design it is the one that has been approved by the Olympic Committee for use in connection with the London Olympics. The emblem chosen was based on the number 2012 and selected because of its modern and dynamic appearance that in their opinion symbolises the Olympic spirit. It is an individual design that may not be to everyone's taste but the intention is that it will bring the event to a wide public and be easily recognisable.

It is the London Olympics intention that this will be a high profile event that will involve people from all walks of life from across the nation who will be encouraged to transform their lives and achieve their personal goals not only as athletes but as spectators and volunteers.

The Beijing Olympics are now past and the London Olympics take place in less than four years time. It is therefore entirely appropriate that the flag should be displayed now. It will only be displayed at relevant opportunities during that period and not throughout the four years. Temporary consent will enable the County Council and the subsequent unitary authority to display the flag as and when they want until the consent expires.

County Hall, as one of the most important public buildings in the area, is an entirely suitable location for the display of this flag. It may well be the case that over venues such as sports facilities may wish to display the flag but that is not a consideration in determining the current application.

Due to its size and location it will have little impact on visual amenity and will not harm the character of the area.

#### Criterion B

The highway authority has been consulted on this application and has no objections to the flag advertisement.

The views of the highway authority are supported as the flag would be unlikely to distract or confuse passers-by or have an adverse impact on the safe operation of any form of traffic movement.

# **RECOMMENDATION**

Consent.

### **RELATED PLANS**

Drawing: LOCATION MAP received on 29.08.2008 Drawing: SITE PLAN received on 29.08.2008

Drawing: PHOTO OF FLAG POLE received on 29.08.2008

Drawing: IMAGE OF FLAG received on 29.08.2008 Drawing: FLAG DETAILS received on 29.08.2008