

# **WESTERN AREA PLANNING COMMITTEE**

**1 October 2009**

## **Planning Applications for Determination**

| <b>Item No.</b> | <b>Application No.</b> | <b>Location</b>   | <b>Parish</b>    | <b>Page No.</b> |
|-----------------|------------------------|---|------------------|-----------------|
| 01              | W/09/00446/LBC         | Listed Building Consent for display of 2 signs - The Dutch Barton Dental Surgery 16 Church Street Bradford On Avon Wiltshire BA15 1LN                                     | Bradford On Avon | 1               |
| 02              | W/09/02176/FUL         | Single storey extension to front and rear, removal of existing stone shed, alteration to garden levels to improve access - 19 Church Lane Limpley Stoke Wiltshire BA2 7WD | Limpley Stoke    | 7               |
| 03              | W/09/02318/FUL         | Extension for additional warehouse space - The Soundpost Limited Mayflower New Road Codford Wiltshire   | Codford          | 12              |

# REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Item No. 01

|                     |  |   |                |
|---------------------|--|---|----------------|
| Date of Meeting     | 01.10.2009   |   |                |
| Application Number  | W/09/00446/LBC   |   |                |
| Site Address        | The Dutch Barton Dental Surgery 16 Church Street Bradford On Avon Wiltshire BA15 1LN |   |                |
| Proposal            | Listed Building Consent for display of 2 signs                                       |   |                |
| Applicant           | Mr Simon Fieldhouse  |   |                |
| Town/Parish Council | Bradford On Avon   |   |                |
| Electoral Division  | Bradford On Avon North   | Unitary Member:                                       | Rosemary Brown |
| Grid Ref            | 382480 160968  |   |                |
| Type of application | Listed building  |   |                |
| Case Officer        | Miss Andrea Levin  | 01225 770344 Ext 173<br>andrea.levin@wiltshire.gov.uk |                |

## Reason for the application being considered by Committee

This application was deferred at Planning Committee on 13/5/2009 for further negotiations to take place to secure an improved scheme. Subsequent, to this revised plans have been received and now returned to Committee. It was originally referred to the Committee because Bradford-on-Avon Town Council had objected to the proposals prior to 31st March 2009.

### 1. Background

This application for Listed Building Consent was deferred by the Planning Committee of Wiltshire Council on 13/5/2009. The Officers recommendation had been to grant consent for a proposal of two signs of 900 mm in diameter. At the planning meeting on 13/5/2009, members voted to defer the application, so negotiations could take place to secure an improved scheme.

Consequently, negotiations have taken place and a revised scheme has been submitted with both signs reduced in size to 700 mm in diameter and relocated below the stringcourse on the north east and south-east elevation.

### 2. Main Issues

The main issues to consider are:

- The impact of the proposal upon the character and historic fabric of the Listed Building

### 3. Site Description

The application site is a Dental Surgery at 16 Church Street, Bradford on Avon. It is a Grade II listed building, listed in the 1960s, located within the Bradford on Avon Conservation Area. It has an early 19th Century frontage and comprises of 2 storeys. It has an ashlar finish, with rusticated quoins moulded cornice and plain parapet. It is set at right angles to Church Street, with the front elevation onto Druces Hill, in the centre of Bradford on Avon, just off Market Street.

#### **4. Relevant Planning History**

0300328/FUL – 15/4/2003 – Permission -Discontinuance of existing pedestrian access and formation of new pedestrian access.

03/00326/LBC – 15/4/2003 – Consent – Discontinuation of existing pedestrian access and formation of new pedestrian access.

08/02390/LBC – 23/10/2008 – Consent – Internal alterations to reception area on the ground floor.

08/03454/LBC – 26/1/2009 – Refusal – Alterations to front door  
(Appeal allowed 24/8/2009)

09/00446/LBC – 13/5/2009 – Deferred - Listed Building Consent for display of 2 signs

#### **5. Proposal**

The amended proposal seeks to erect two LBC circular signs 700 mm in diameter on two elevations, to identify the dental practice. These will be on the east and south elevations of the property and the signs will be aluminium faced with a hardwood edge. These are to be fixed onto the face of the building with a 30 mm gap to the stonework.

The siting of these 2 signs has been altered and will now be located below the stringcourse.

#### **6. Planning Policy**

West Wiltshire District Plan 1st Alteration 2004

C28 Alterations and extensions to listed buildings  
C31a Design  
C38 Nuisance

PPG 15 – Planning and the Historic Environment

#### **7. Consultations**

##### Town/ Parish council

Bradford- on –Avon Parish Council- No objection to 09/00446/LBC – Comments received 7/1/2009

##### Bradford on Avon Preservation Trust

Comments received 6/3/2009 relating to 09/00446/LBC

The Committee recommends refusal. While the Committee likes the concept of a circular sign, the proposed diameter is totally unacceptable and would look incongruous on this relatively small and unpretentious building. The Planning Committee recommends that the sign be no larger than 500 mm diameter, which would be already pushing it. If that leaves insufficient space we suggest that the picture of the building is omitted.

##### Heritage Development Officer

Comments received 9/9/2009

The proposal is to erect two circular signs 700 mm in diameter on two elevations, is to identify the dental practice. In comparison interpretive signs erected on historic buildings tend to be about 350 – 400 mm in diameter.

The signs proposed for the dental practice are proportionate to the scale of the building, located as they will be below the string course and will not adversely affect the appearance of the listed building.

## **8. Publicity**

The application was not advertised as it was a deferred decision at the Planning Committee.

## **9. Planning Considerations**

9.1 At the Planning Committee on 13/5/2009, this application for 2 x 900mm diameter signs was recommended for consent by the Council's Officer.

9.2 However, members did not agree with Officer's recommendations and requested that it be deferred, whilst negotiations take place for an improved scheme. The revised proposal for 2 x 700mm signs on the south east and north east elevation clearly display the business name and telephone number.

9.3 The re-siting of this sign is below the stringcourse and this makes it more visible at street level for customers. However, the sign is proportionate to the scale of the building.

9.4 This revised scheme is brought before the Planning Committee and the Council's Officer would recommend that consent is approved, as their position and size would not be of detriment to the character, setting or fabric of the Listed Building.

## **APPENDIX 1**

### **Reason for the application being considered by Committee**

This application is brought to Committee because Bradford on Avon Town Council objected to this application before 31.03.09.

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#### **1. Purpose of Report**

To consider the above application and to recommend that listed building consent be granted.

#### **2. Main Issues**

The main issues to consider are:

- \* The impact of the proposal upon the character and historic fabric of the Listed Building
- \* The impact of the proposal upon the setting of the building within the Conservation Area

#### **3. Site Description**

The host building is a Grade II Listed 2 storey property with an early C19 frontage. It is constructed of Ashlar stone with rusticated quoins and a plain string course at first floor level, a moulded cornice and plain parapet under a stone-tiled roof.

#### **4. Relevant Planning History**

No relevant history

#### **5. Proposal**

The proposal is for two advertisement signs on the east and south elevations of the property. The signs will be aluminium faced with a hardwood edge. The sign would be 900mm in diameter and fixed onto the face of the building with a 30mm gap to the stonework.

The building is located within the Bradford on Avon Conservation Area.

In addition to listed building consent, the signs also require Advertisement Consent.

#### **6. Planning Policy**

West Wiltshire District Plan 1st Alteration 2004  
Policy C28

#### **7. Consultations**

Town/ Parish council

BRADFORD ON AVON TOWN COUNCIL object – the proposal is not clear. On the application form the dimensions are 1.2m x 0.9m whereas in the plans a round sign appears to be the proposal. Advice in PPG15 is that there is a duty to pay special regard to the desirability of preserving the character and appearance of the Conservation Area or a Listed Building, Because of the size of these signs this requirement has not been taken into account.

## 8. Publicity

The application was advertised by site notice/press notice /neighbour notification.

Expiry date: 20.03.09

Summary of points raised:

A response was received from the Bradford on Avon Preservation Trust:

The Committee recommends Refusal. While the Committee likes the concept of a circular sign, the proposed diameter is totally unacceptable and would look incongruous on this relatively small and unpretentious building. The Planning Committee recommends that the sign be no larger than 500mm in diameter, which would be already pushing it. If that leaves insufficient space we suggest that the picture of the building is omitted.

## 9. Planning Considerations

PPG15 states that new signs should be carefully designed and positioned with appropriate fixings that will not damage the building.

The proposed signs would be of a sympathetic and innovative design and style which would contrast well with the design of the building. It would be constructed from traditional materials and would be fixed to the building with minimal contact, therefore would have little impact upon the building's fabric.

Their positioning on the building would result in minimal harm to the character of the Conservation Area.

The comments made by the Town Council regarding the description on the application form being inaccurate related to a rectangular sign for which consent was previously being sought retrospectively. These comments were taken into account and the description has been amended accordingly. The new circular signs to which this application relates are considered to be a vast improvement over the signs which were previously erected on the building. The size of the signs is considered to be appropriate in order to ensure that they can be seen when approaching the building from the highway.

**Recommendation:                Consent**

**For the following reason(s):**

**The proposed development would conform to the relevant policy of the district plan and would result in minimal damage to the character and fabric of the Listed Building.**

**Subject to the following condition(s):**

- 1     The works hereby authorised shall begin not later than three years from the date of this consent.

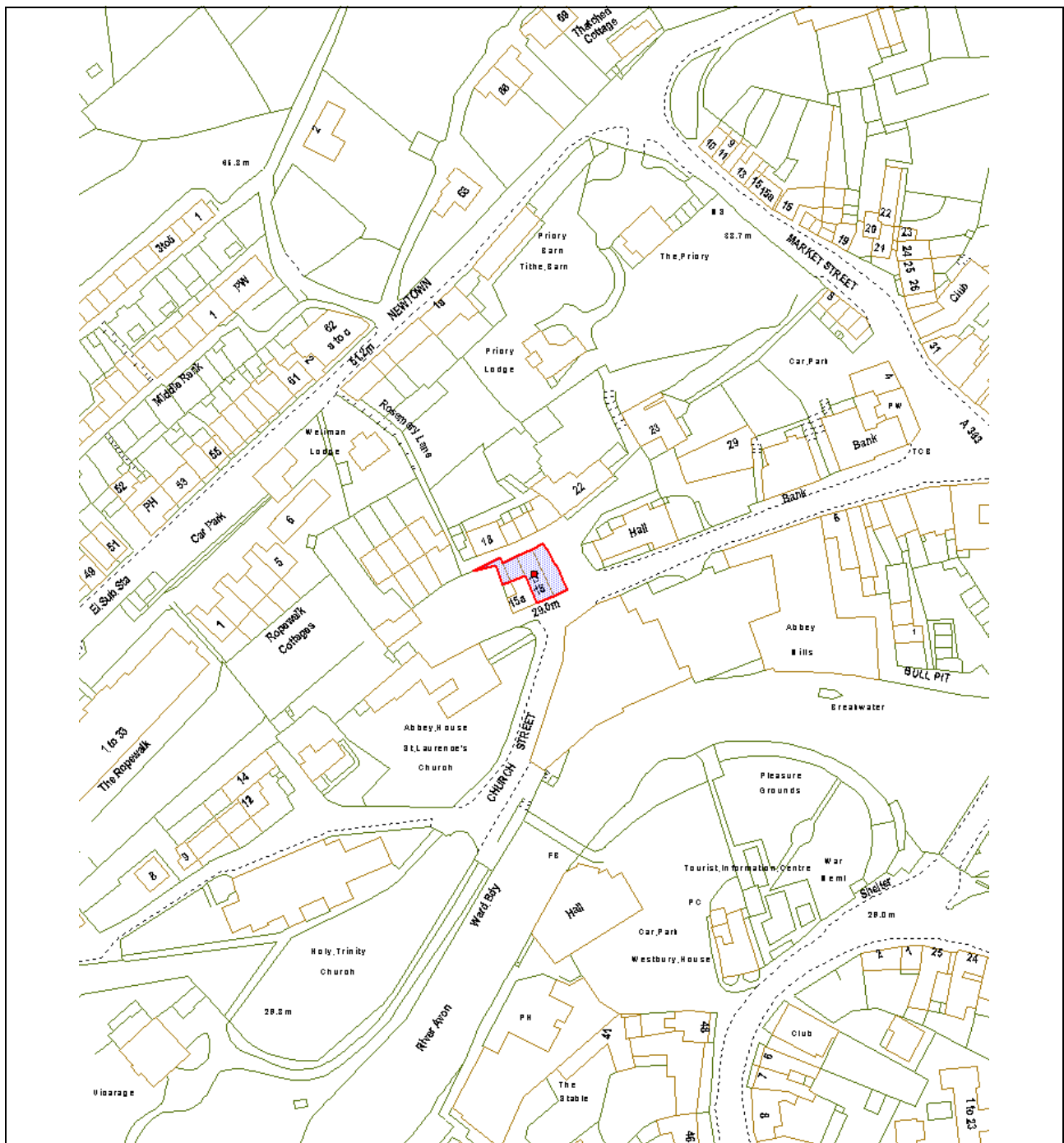
REASON: In accordance with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by Section 51 of the Planning & Compulsory Purchase Act 2004.

- 2     Prior to the installation of the proposed signs onto the building, the materials to be used in their construction shall be submitted to and approved in writing by the Local Planning Authority. Development shall take place strictly in accordance with the approved details.

REASON: To ensure that the materials to be used will harmonise with the character of the Listed Building

POLICY: West Wiltshire District Plan – 1st Alteration 2004 – Policy C28

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| <b>Appendices:</b>  |  |
| <b>Background Documents<br/>Used in the Preparation of<br/>this Report:</b> |  |



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MSA: 100022961

## RELEVANT APPLICATION PLANS

Drawing : LOCATION PLAN 861 - 04 received on 18.02.2009

Drawing : ELEVATIONS SHOWING PROPOSED SIGNS 861 - 22 received on 25.08.2009

# REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Item No. 02

|                     |  |  |              |
|---------------------|--|--|--------------|
| Date of Meeting     | 01.10.2009   |  |              |
| Application Number  | W/09/02176/FUL   |  |              |
| Site Address        | 19 Church Lane Limpley Stoke Wiltshire BA2 7WD   |  |              |
| Proposal            | Single storey extension to front and rear, removal of existing stone shed, alteration to garden levels to improve access |  |              |
| Applicant           | Mrs Jane Feghali   |  |              |
| Town/Parish Council | Limpley Stoke  |  |              |
| Electoral Division  | Winsley And Westwood   | Unitary Member:  | Linda Conley |
| Grid Ref            | 378700 160282  |  |              |
| Type of application | Full Plan  |  |              |
| Case Officer        | Mr Michael Kilmister   | 01225 770344 Ext 228<br>michael.kilmister@wiltshire.gov.uk |              |

## Reason for the application being considered by Committee

Councillor Conley has requested that this item be determined by Committee due to the fact that Planning Committee previously on 22nd April 2009 gave part permission for the rear extension and a part refusal for the front extension. Her view is that this application overcomes that refusal reason, which stated "due to its blank frontage having a detrimental impact on the character and external appearance of the building contrary to Policy C31A."

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### 1. Purpose of Report

To consider the above application and to recommend that planning permission be refused.

### 2. Main Issues

This application raises the following planning matters: -

- \* Impact on the Western Wiltshire Green Belt;
- \* Planning history
- \* Impact on Cotswolds Area of Outstanding Natural Beauty (AONB);
- \* Impact on Sites of Nature Conservation Importance
- \* Amenity;
- \* Design.

### 3. Site Description

Number 19 is a two-storey semi-detached property within the Limpley Stoke village. It lies in an elevated position on the southern side of Church Lane, and is constructed of Ashlar stone with slate to the roof. The property is very visible in the surrounding landscape, and it possesses extensive views over the Limpley Stoke valley.

To the front of the property lies a gravelled car parking space, with the garden to the south. A coursed rubble stone retaining wall runs along the boundary with Church Lane. To the rear (ie southern elevation) of the property lies more garden, terraced in different levels to reflect the rising ground level.



The property is bounded to the east, west and north by detached residential properties in spacious gardens. To the south lies agricultural land.

#### **4. Relevant Planning History**

74/00726/HIS – Outline for cottage and garage – Refused 30.09.1974

99/00745/FUL – Replace garage roof and create studio/garden room within roof space – Permission 28.06.1999

09/00377/FUL – New extension to front and rear of building to provide new entrance and living areas – Part consent and Part refusal 23.04.09

For number 18 Church Lane, Limpley Stoke the following history is relevant: -

00/00632/FUL – Rear and side extension including enlarged car parking area – Permission 01.06.2000

03/00040/FUL – Change of Use of farmland to domestic curtilage including the planting of the new boundary – Permission 04.09.2003

#### **5. Proposal**

This full application proposes two single-storey extensions to number 19 Church Lane: -

\* An Ashlar store and glazed and slate and flat roofed extension to the front (ie northern elevation) of the property measuring approximately 3.0m x 4.8m;

\* An Ashlar store and glazed and slate and flat-roofed extension, plus Bath stone chimney, measuring approximately 4.4m x 4.2m.

Both extensions would have completely glazed eastern elevations. They would provide additional ground floor living space. On the front extension glazing has been added to the street elevation and an external porch/roof overhang to the west elevation.

A removal of an existing stone shed and alterations to garden levels to improve access.

#### **6. Planning Policy**

Wiltshire Structure Plan 2016

DP1 Priorities for sustainable development

DP12 Western Wiltshire Green Belt

T6 Demand management

C1 Nature Conservation

C2 Nature Conservation

C8 Areas of Outstanding Natural Beauty

West Wiltshire District Plan – 1st Alteration 2004

C1 Countryside protection

C2 Areas of Outstanding Natural Beauty

C6 Areas of High ecological Value, Regional important Geological or Geomorphological Sites, and Sites of Nature Conservation Interest.

C31a Design

C38 Nuisance

T10 Car Parking

SPG

Design Guidance – Principals  
House Alterations and Extensions

National Guidance

PPS1 Delivering Sustainable Development  
PPG2 Green Belts  
PPS7 Sustainable Development in Rural Areas  
PPS9 Biodiversity and Geological Conservation

## **7. Consultations**

### Town/ Parish council

Limpley Stoke Parish Council object as there are concerns over the car parking area and there is a design issue, in that the front extension towards Church Lane with pitch and flat roof is not in keeping with the rest of the property.

## **8. Publicity**

The application was advertised by site notice/neighbour notification.

Expiry date: 21st August 2009

Summary of points raised:

Three letters have been received in support of the application.

## **9. Planning Considerations**

9.1 For members information at their Planning Committee on 22nd April 2009 planning application W/09/00377/FUL (new extension to front and rear of building to provide new entrance and living areas) was recommended part permission for the rear and part refusal for the front. The refusal reason given was “the proposed extension to the front of the property with its blank frontage would have a detrimental impact on the character and external appearance of the building contrary to Policy C31A of the West Wiltshire District Plan 1st Alteration 2004”

9.2 The applicant however, has submitted an application including both the rear extension for which permission was previously granted and the front extension which is considered by the applicant to address the reason for refusal.

9.3 Therefore Officers have to view the application as a whole which raises the following planning matters:-

- \* Impact on the Western Wiltshire Green Belt;
- \* Planning history of number 18 Church Lane, Limpley Stoke;
- \* Impact on Cotswolds Area of Outstanding Natural Beauty;
- \* Impact on locally important nature conservation sites;
- \* Amenity; and
- \* Design.

9.4 Planning Policy Guidance Note 2 – Green Belts prescribes against inappropriate development, which by definition is harmful to the Green Belt. Concerning extensions to existing dwellings, “provided that it does not result in disproportionate additions over and above the size of the original dwelling, the extension or alteration of dwellings is not inappropriate in Green Belts.” (para 3.6, PPG2).

The proposed ground floor extensions would effectively double the footprint of the original dwelling (ie approximately 40% volume increase). Although only single-storey, the proposed extensions are large additions to the original dwelling, which are considered disproportionate additions to the host building, resulting in a loss of openness of the Green Belt. Openness, whilst not defined in Planning Policy Guidance (PPG) Note 2 "Green Belts", means the absence of development.

9.5 Notwithstanding the proposed extension to No 19, it is considered the excessively large proposed extension at No 18 does not represent a proportionate extension and as such is contrary to Green Belt policy, and is a visually discordant feature in the Area of Outstanding Natural Beauty which has little respect for the size, form, materials, and design of the host dwelling.

9.6 In terms of design, the host building has a defined appearance, characterised by its natural materials, fine detailing, and narrow width. The proposed extension would fundamentally alter the character and appearance of the host dwelling, and due to its contemporary design and appearance is considered to be an alien and visually discordant addition both to the existing dwelling and the nationally important landscape character of the Cotswolds Area of Outstanding Natural Beauty. This forms a further reason for refusal.

9.7 The proposal is not considered to have a greater impact on the locally important Nature Conservation Importance of the area over and above the existing use of the site.

9.8 As regards amenity, the windows to the proposed extensions would be looking towards the south-east, and due to the distances to neighbouring properties, plus the existing situation, it is not considered that it results in a worsening of any of the neighbour's amenity.

## Conclusion

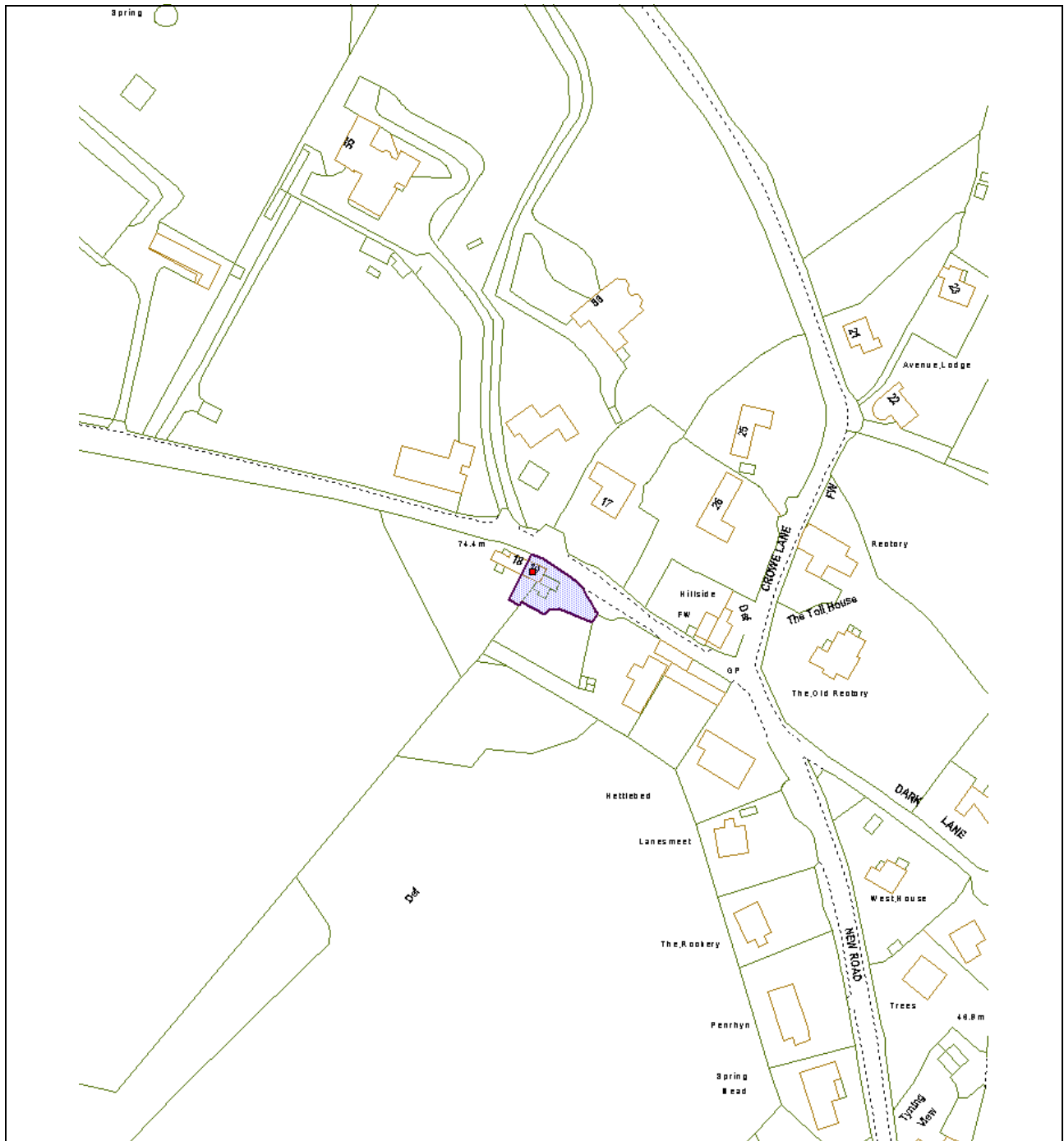
The proposal is considered to result in an unacceptable loss of openness of the Western Wiltshire Green Belt, and an alien and visually discordant feature in the Cotswolds Area of Outstanding Natural Beauty and on the host dwelling. It is not felt that conditions could address these fundamental reasons for refusal.

**Recommendation:                Refusal**

## For the following reason(s):

- 1 Policy C2 of the West Wiltshire District Plan – 1st Alteration 2004 states that priority will be given to the landscape over other considerations and that development proposals likely to be detrimental to the special landscape character will not be permitted. Policy C31a of the West Wiltshire District Plan – 1st Alteration 2004 requires new development on prominent and sensitive sites to pay particular attention to proportion, composition, form, and scale, and utilise high quality materials, finishes and details. The proposal by reason of its prominent location, its siting, proportion, composition, form, scale, use of materials and details, is considered to be a visually discordant addition to the host building and the Cotswolds Area of Outstanding Natural Beauty, and thereby contrary to Development Plan policy.
- 2 Planning Policy Guidance Note 2 – Green Belts and Wiltshire Structure Plan 2016 Policy DP12, state that in the Western Wiltshire Green Belt approval will not be given, except in very special circumstances, for development other than the limited extension of existing dwellings provided it does not result in disproportionate additions over and above the size of the original building. The size of the proposed extension will result in a disproportionate addition over and above the size of the original building and the proposal is not supported by any material consideration which would justify making a decision contrary to Government Guidance and Development Plan policy. The proposed development is, therefore, inappropriate development resulting in a loss of openness of the Green Belt.

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| <b>Appendices:</b>  |  |
| <b>Background Documents<br/>Used in the Preparation of<br/>this Report:</b> |  |



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MSA: 100022961

## RELEVANT APPLICATION PLANS

Drawing : 168 SK/001/A received on 27.07.2009  
Drawing : 168 SK/002/A received on 27.07.2009  
Drawing : 168 SK/003/A received on 27.07.2009  
Drawing : 168 SK/004/A received on 27.07.2009  
Drawing : 168 SK/005/A received on 27.07.2009  
Drawing : 168 P/202 received on 27.07.2009  
Drawing : 168 S/302/A received on 27.07.2009  
Drawing : 168 P/203/A received on 27.07.2009  
Drawing : 168 P/201/A received on 27.07.2009  
Drawing : 168 P/001/A received on 27.07.2009  
Drawing : 168 S/303/A received on 27.07.2009  
Drawing : 168 S/301/A received on 27.07.2009  
Drawing : 168 S/202/A received on 27.07.2009  
Drawing : 168 S/201/A received on 27.07.2009  
Drawing : 168 S/102A received on 27.07.2009  
Drawing : 168 S/100A received on 27.07.2009  
Drawing : 168 S/002A received on 27.07.2009  
Drawing : 168 S/001A received on 27.07.2009  
Drawing : 168 P/304/A received on 27.07.2009  
Drawing : 168 P/102/A received on 27.07.2009  
Drawing : 168 P/100/A received on 27.07.2009  
Drawing : 168 P/301/A received on 27.07.2009  
Drawing : 168 P/303/A received on 27.07.2009  
Drawing : 168 P/302/A received on 27.07.2009  
Drawing : 168 P/204/A received on 27.07.2009

|                     |  |   |                     |
|---------------------|--|---|---------------------|
| Date of Meeting     | 01.10.2009   |   |                     |
| Application Number  | W/09/02318/FUL   |   |                     |
| Site Address        | The Soundpost Limited Mayflower New Road Codford Wiltshire |   |                     |
| Proposal            | Extension for additional warehouse space                   |   |                     |
| Applicant           | The Sound Post Ltd   |   |                     |
| Town/Parish Council | Codford  |   |                     |
| Electoral Division  | Warminster Copheap And Wylfe                               | Unitary Member:                                       | Christopher Newbury |
| Grid Ref            | 396207 140261  |   |                     |
| Type of application | Full Plan  |   |                     |
| Case Officer        | Mr James Taylor  | 01225 770344 Ext 169<br>james.taylor@wiltshire.gov.uk |                     |

**Reason for the application being considered by Committee**

Councillor Newbury has requested that this item be determined by Committee due to:

- \* Visual impact upon the surrounding area.
- \* Called in in view of the parish council's support.

**1. Purpose of Report**

To consider the above application and to recommend that planning permission be refused.

**2. Main Issues**

The main issues to consider are:

- \* Planning history
- \* Impact on the special landscape character of the AONB.
- \* Impact of the proposals on neighbouring amenity.
- \* Impact of the proposals on transport, highways and parking matters.

**3. Site Description**

The application site is located outside of the village policy limits of Codford in a nationally important landscape, designated for its special landscape character as an Area of Outstanding Natural Beauty.

The site is occupied by a now commercial building which has corrugated metal walls finished green and corrugated metal roof finished grey. The building has been subject to some extension since its original conversion in circa 2002 and now has a ground area of approximately 334 sq.m. The building accommodates ground and first floor accommodation and from site inspection is clearly being fully utilised.

The site currently has two parking areas, one to the east and one to the west of the building; this has undefined parking and turning space. To the west of the building is a landscaping bund which has scrub vegetation covering it. There are two mature trees adding some maturity to the site. The building has been set into the characteristic undulating hills of this rural chalk landscape.

## **4. Relevant Planning History**

02/01416/FUL - Reconstruction and change of use of agricultural building to warehouse and office – Permission on 13.03.2003

Condition 12 of this states: 'Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any order revoking and re-enacting that Order with or without modifications), and to protect the landscape quality of the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty, the building hereby permitted shall not be altered or extended, nor shall any hard surfaces be provided within the curtilage of the site other than those shown on the approved plans.'

06/01310/FUL - Warehouse extension – Refusal on 14.06.2006

"1. The proposals by reason of their scale and location would be harmful to the special landscape character of the nationally important Cranborne Chase and West Wiltshire Downs AONB, contrary to Policy C2 of the West Wiltshire District Plan 1st Alteration (2004), Policy C8 of the Wiltshire Structure Plan 2016 and paragraph 21 of PPS7 on Sustainable Development in Rural Areas.

2. The proposals by reason of their scale and location would be harmful to the rural character of this location which has been designated, for its nationally important landscape character, as an AONB, contrary to Policy E6 of the West Wiltshire District Plan 1st Alteration (2004)."

06/03750/FUL - Warehouse extension (re application) – Permission on 25.01.2007

## **5. Proposal**

The proposal is to extend this commercial building to the west by approximately 22.5 metres. The extension would have a width of 8.8 metres. The first 13.2 metres would have a height to ridge of 5.1 metres (600mm below the host building) and the final 9.3 metres would have a height to ridge of 4.5 metres (a further 600mm below the host building).

The proposal would be constructed from matching materials to the host building. The proposal involves rearranged parking provision to allocate 10 spaces, and revised landscaping to the site.

The proposal has been submitted with a supporting statement which details that the development is required because of the continuing success of the business and the need for more space to allow the business success to continue. It states that the recent negotiated extension to the building has become insufficient due to more successful trading in the preceding 3 years. In light of recent planning decisions, including the veterinary practice to the east, a further application is considered justified.

## **6. Planning Policy**

Wiltshire Structure Plan 2016

DP1 Priorities for sustainable development

T5 Parking

C8 Areas of Outstanding Natural Beauty

West Wiltshire District Plan 1st Alteration (2004)

C2 Areas of Outstanding Natural Beauty

C31a Design

C32 Landscaping

C38 Nuisance

E6 Rural Employment

T10 Car parking

National guidance

PPS1: Delivering Sustainable Development

PPS7: Sustainable development in Rural Areas

## **7. Consultations**

### Codford Parish Council

#### **SUPPORT SUBJECT TO CONDITIONS:**

- "1. Excavated spoil be used to add to the bund beside and behind the proposed extension together with suitable planting to augment the screening of the neighbouring properties to the south and New Road.
2. General concern was expressed by one Member that the village policy limits should be maintained in the context of extending beyond the original footprints of existing ruins."

### Highway Authority

"Whilst it is unlikely the extension will significantly increase the traffic generation of the site, the parking provision will be reduced from 8 to 4 which is not acceptable. In order to serve the existing and proposed building, the site should have a total of 12 parking spaces on-site. Please invite the applicant to submit amended plans with sufficient parking provision. Until acceptable amended plans are received I must offer...objection."

(21.08.2009)

"I can confirm that, in view of the maximum parking requirement for the proposed development being 12 spaces and that the company has a travel plan which appears to be very effective, I am happy to accept ten parking spaces to serve the development (as shown on the amended plan)"

**NO OBJECTION**

(28.08.2009)

## **8. Publicity**

The application was advertised by site notice and neighbour notification.

Expiry date: 3 September 2009

5 letters have been received; 3 in support and 2 objecting.

Summary of points raised in support:

- \* This is a growing and successful business which needs the space to continue at this site. It provides local employment and is a good contributor to the local economy and community.
- \* Letter of support from MIA, the professional trade association for all businesses involved in the musical instrument industry.
- \* A perfectly acceptable application.

Summary of points raised in objection:

- \* Concern over lighting
- \* Concern over hours of operation
- \* Concern over the amount of development compared to the original building
- \* The business should be sited on an industrial estate if more accommodation is required.
- \* Objects on the same grounds as Codford Parish Council raised on proposals in 2006; including principle of additional development and impact on AONB.
- \* This proposal does not accord with the planning officer's consideration of the permitted in-fill development.
- \* Inadequate parking

## **9. Planning Considerations**

9.1 The building which is proposed to be extended lies within the nationally significant landscape of the Cranborne Chase and West Wiltshire Downs AONB. Policy C2 of the West Wiltshire District Plan 1st Alteration (2004) highlights that priority will be given to landscape over other considerations and development proposals likely to be detrimental to the special landscape character will not be permitted. This is in accordance with the Wiltshire Structure Plan 2016 and national policy guidance contained in the 2004 Planning Policy Statement (PPS) 7 on Sustainable Development in Rural Areas. Paragraph 21 of PPS7 states that 'nationally designated AONBs have been confirmed by the Government as having the highest status of protection in relation to landscape and scenic beauty.



The conservation of the natural beauty of the landscape and countryside should therefore be given great weight in planning policies and development control decisions in these areas.

9.2 A further key consideration in this application is the planning history. Whilst the maxim of each case being considered on its merits must be applied, it is noted that an extension for a 9 metre extension to the west elevation was refused in summary due to the impact on the AONB. Further the applicants have drawn attention to other sites, including the veterinary surgery development to the east. Each site and each case always has its own merits and considerations and on that basis little weight should be attached to other sites in considering this proposal. The circumstances surrounding the permission for a veterinary practice to the east for example are rather different to the idea of extending a musical instrument company premises. On that basis focus must be had on this site and its own circumstances in relation to the planning policy for the area.

9.3 The proposed extensions would culminate in an increased volume of approximately 815 cubic-metres, which would be approximately 53% larger than the existing development (which has been subject to in-fill extension). The proposal would be approximately 22.5 metres in length, compared to the existing building which is 27.6 metres, thus creating a significantly longer length building than the existing, which was a replacement of a dilapidated agricultural building. Despite the design having successively lower ridge heights compared to the host building the bulk of the extension would still be clearly visible from within the village to the south. The resulting development would be completely incongruous in this fringe of village location, which should be subject to the highest level of protection from inappropriate development given its special character.

9.4 It is noted that there is an intention to carry out works to bunding and landscaping in order to mitigate against the development and although a porosity of information is available at present in this regard, conditions could be utilised. However it should be considered that landscaping should not be used to hide what would otherwise be unacceptable development. For the reasons detailed above the development would be contrary to Policy C2 of the West Wiltshire District Plan 1st Alteration (2004) which seeks to protect this nationally important landscape.

9.5 Turning again to planning history of the site and the refusal of a 9 metre long extension to this side of the building in 2006 it must be stressed that this proposal is much larger again in terms of overall volume and length; and it is only 600mm to 1.2 metres lower in height. Given that the previous smaller scheme was concluded to be unacceptable and that there have been no material changes in planning policy, landscape designations or changes within the site then this proposal must also be concluded to be harmful.

9.6 It is accepted that the applicant has stated that there is a need for the extensions due to business success and expansion, and sympathy is had with these considerations, hence the willingness to allow modest in-fill development in 2006. In light of this employment factor the proposal should also be considered against Policy E6 of the West Wiltshire District Plan 1st Alteration (2004) which allows for expansion of small scale rural employment enterprises in existing premises subject to 3 criteria. Criterion B is that the proposal's scale, design, siting, materials, use and operation should maintain or enhance, and be compatible with, the rural character of the area. It is considered that the use of the warehouse has established itself and that its current use causes no known harm, and as such the extension of the activity should be compatible with the AONB. However by the very scale, length and location of the proposed development it is considered that it would be harmful to the rural character of this location, which is designated as an AONB, because it is a nationally important landscape. Therefore the proposed development fails to meet criterion B and is contrary to Policy E6 of the West Wiltshire District Plan 1st Alteration (2004).

9.7 The existing building was granted planning permission in 2002 at Committee as a replacement of a dilapidated agricultural building on a similar footprint to the existing but with higher eaves and ridge line. The building was only permitted subject to numerous conditions, the most relevant of which was the strongly worded condition 12. This clearly states that in order to protect the AONB 'the building permitted shall not be altered or extended, nor shall any hard surfaces be provided within the curtilage of the site other than those shown on the approved plans'. This is not merely removing the permitted development rights of the site because no stipulation indicating that the prior approval of the Council was made. In light of this planning committee decision it was clear to all parties at the time that no further development would be acceptable.

9.8 Since this planning permission was granted there have been no material changes in circumstances except for the publication in 2004 of PPS7 and the approval of a relatively modest in-fill extension in 2006. PPS7 places a strong emphasis on protecting designated landscapes as highlighted earlier, and therefore provides additional emphasis on protecting the AONB in accordance with the intentions of Condition 12 attached to the previous planning permission and Policy C2 of the West Wiltshire District Plan 1st Alteration (2004).

9.9 Development elsewhere in the locality has to be considered on its own merits and does not set any precedent for other proposals. Each case is to be considered on its own merits.

9.10 Turning to other matters, the highway authority has raised no objections to the development in principle, and it is not considered that it would cause any additional harm to the neighbouring amenity over the present arrangement despite encroaching further towards residential property.

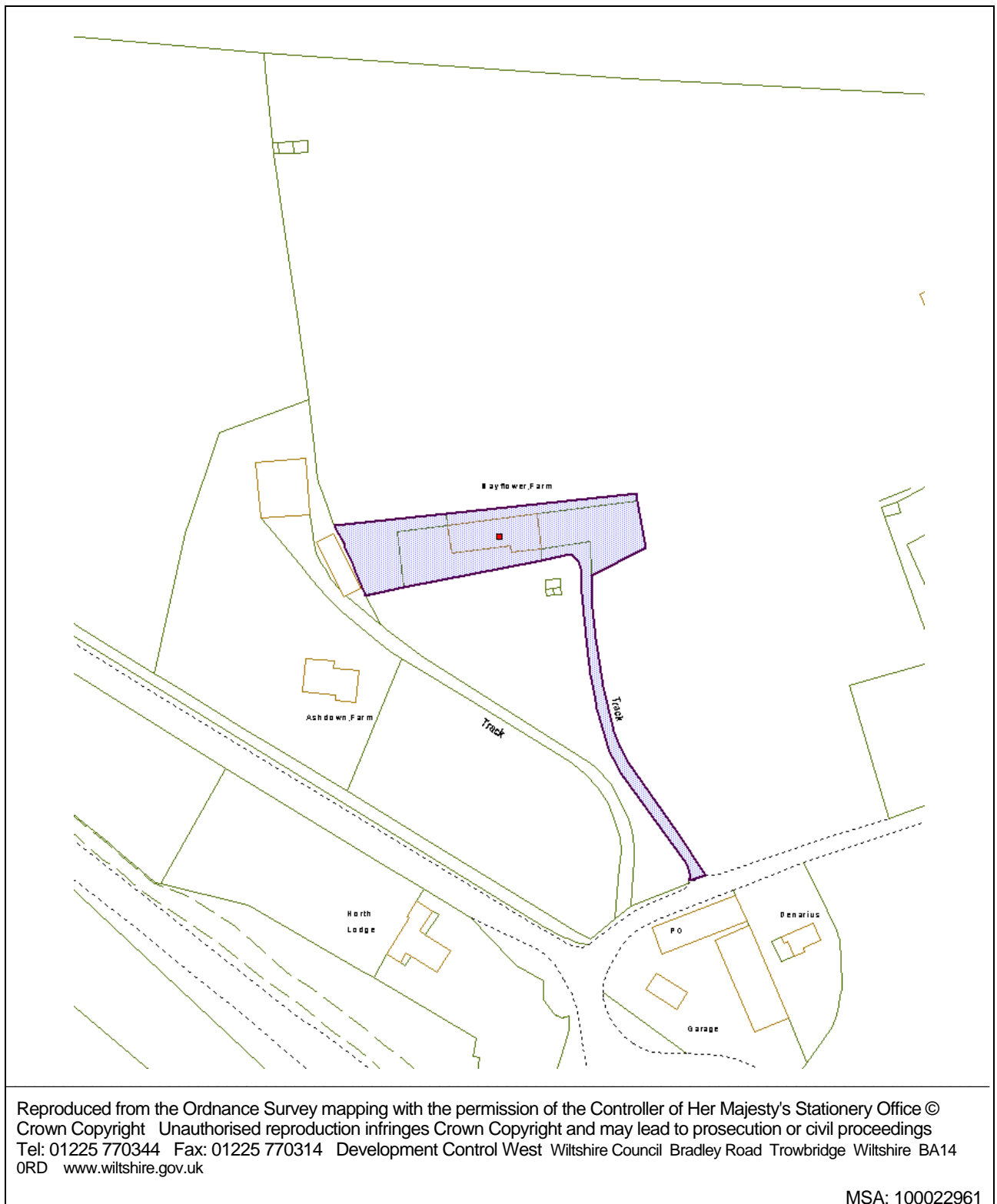
9.11 By way of conclusion it can be stated that the proposals by reason of their scale, length and location would be harmful to the rural character of this nationally designated AONB, contrary to Policy E6 and C2 of the West Wiltshire District Plan 1st Alteration (2004). Further the proposals are not compliant with Condition 12 of planning permission 02/01416/FUL for the conversion of an agricultural barn to warehouse and office. As such the proposals should be recommended for refusal. The recommended reason for refusal is an amalgamation of the previous reasons for refusal in the interests of being succinct.

**Recommendation:               Refusal**

**For the following reason(s):**

- 1     The proposals by reason of their scale, length and location would be harmful to the special landscape character of the nationally important Cranborne Chase and West Wiltshire Downs AONB, contrary to Policies C2 and E6 of the West Wiltshire District Plan 1st Alteration (2004), Policy C8 of the Wiltshire Structure Plan 2016 and paragraph 21 of PPS7 on Sustainable Development in Rural Areas.

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| <b>Appendices:</b>  |  |
| <b>Background Documents<br/>Used in the Preparation of<br/>this Report:</b> |  |



## RELEVANT APPLICATION PLANS

Drawing : SITE PLAN received on 10.08.2009

Drawing : 2617 EXISTING received on 10.08.2009

Drawing : 2617 REV A PROPOSED received on 04.09.2009