

AGENDA

Meeting: Western Area Planning Committee
Place: Council Chamber - Council Offices, Bradley Road, Trowbridge,
BA14 0RD
Date: Wednesday 7 March 2012
Time: 6.00 pm

Please direct any enquiries on this Agenda to Marie Gondlach (Democratic Services Officer), of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 713597 or email marie.gondlach@wiltshire.gov.uk

Press enquiries to Communications on direct lines (01225) 713114/713115.

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Membership:

Cllr Trevor Carbin	Cllr Christopher Newbury
Cllr Ernie Clark	Cllr Stephen Petty
Cllr Rod Eaton	Cllr Pip Ridout
Cllr Peter Fuller (Chairman)	Cllr Jonathon Seed
Cllr Mark Griffiths	Cllr Roy While (Vice Chairman)
Cllr John Knight	

Substitutes:

Cllr Rosemary Brown	Cllr Francis Morland
Cllr Andrew Davis	Cllr Jeff Osborn
Cllr Russell Hawker	Cllr Fleur de Rhe-Philippe
Cllr Tom James MBE	

AGENDA

Part I

Items to be considered when the meeting is open to the public

1. **Apologies for Absence**

2. **Minutes of the Previous Meeting** (*Pages 1 - 24*)

To approve the minutes of the last meeting held on 15 February 2012 (copy attached.)

3. **Chairman's Announcements**

4. **Declarations of Interest**

To receive any declarations of personal or prejudicial interests or dispensations granted by the Standards Committee.

5. **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person no later than 5.50pm on the day of the meeting.

The Chairman will allow up to 3 speakers in favour and up to 3 speakers against an application and up to 3 speakers on any other item on this agenda. Each speaker will be given up to 3 minutes and invited to speak immediately prior to the item being considered. The rules on public participation in respect of planning applications are detailed in the Council's Planning Code of Good Practice.

Questions

To receive any questions from members of the public or members of the Council received in accordance with the constitution which excludes, in particular, questions on non-determined planning applications. Those wishing to ask questions are required to give notice of any such questions in writing to the officer named on the front of this agenda no later than 5pm on Wednesday 29 February 2012. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

Details of any questions received will be circulated to Committee members prior to the meeting and made available at the meeting and on the Council's website.

6. Planning Applications (*Pages 25 - 26*)

To consider and determine the following planning applications:

- 6.a **W/11/02971/FUL - Erection of terrace of 6 dwellings with car parking, enclosures and associated development - Car Park Mill Lane Bradford On Avon Wiltshire** (*Pages 27 - 48*)
- 6.b **W/11/03270/FUL - Side extension to 51 Summerleaze to create two new additional dwellings (flats) - Land Adjoining 51 Summerleaze Trowbridge Wiltshire** (*Pages 49 - 56*)
- 6.c **W/11/03234/FUL - Conversion of single 3-storey terraced house into one 1-bedroom flat and two independent bedsits - 29A Newtown Trowbridge Wiltshire BA14 0BA** (*Pages 57 - 60*)
- 6.d **W/11/03130/FUL - Stables with new vehicular access - Land East Of 3 Lower Marsh Road Warminster Wiltshire** (*Pages 61 - 68*)
- 6.e **W/11/03298/FUL - Replacement garage - Little Orchard Chitterne Road Codford Wiltshire BA12 0PF** (*Pages 69 - 72*)
- 6.f **W/11/02471/REG3 - Erection of single storey modular changing accommodation consisting of 3 units and limited car parking - Former Innox Hall Site Innox Road Trowbridge Wiltshire** (*Pages 73 - 80*)

7. Urgent Items

Any other items of business which, in the opinion of the Chairman, should be taken as a matter of urgency

Part II

Item during whose consideration it is recommended that the public should be excluded because of the likelihood that exempt information would be disclosed

None.

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WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 15 FEBRUARY 2012 IN THE COUNCIL CHAMBER - COUNCIL OFFICES, BRADLEY ROAD, TROWBRIDGE, BA14 0RD.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Rod Eaton, Cllr Peter Fuller (Chairman),
Cllr Mark Griffiths, Cllr John Knight, Cllr Christopher Newbury, Cllr Stephen Petty,
Cllr Pip Ridout, Cllr Jonathon Seed and Cllr Roy While (Vice Chairman)

Also Present:

Cllr Francis Morland, Cllr Stephen Oldrieve and Cllr Julie Swabey

13 Apologies for Absence

There were no apologies for absence.

14 Minutes of the Previous Meeting

The minutes of the meeting held on 04 January 2012 were presented for consideration.

Resolved:

To approve the minutes as a correct record.

15 Chairman's Announcements

There were no Chairman's Announcements.

The Chairman gave details of the exits to be used in the event of an emergency.

16 Declarations of Interest

Cllr Peter Fuller declared a personal interest in item 6a - *W/11/03052/FUL: Former Tesco's Site, St Stephens Place* - as a member of Trowbridge Town Council and its Development Control Committee. He stated he had not been involved in Town Council's Resolution on the application in question, but clarified that the Town Council was the owner of land adjacent to the site.

Cllr John Knight declared a personal interest in item 6a - *W/11/03052/FUL: Former Tesco's Site, St Stephens Place* - as a member of Trowbridge Town Council, but clarified he was absent for discussions of the application in question, and would consider it with an open mind.

Cllr Rod Eaton declared a personal interest in item 6b - *W/11/02267/REM: Land adjoining 14 Woodrow Road, Melksham* - as a result of being lobbied by supporters and objectors, but that he would consider the application with an open mind.

17 **Public Participation and Councillors' Questions**

The Chairman welcomed all present. He then explained the rules of public participation and the procedure to be followed at the meeting.

18 **Planning Applications**

A late list was circulated and is appended to these minutes.

The Committee considered the following applications:

18.a W/11/03052/FUL - Former Tesco's Site, St Stephens Place, Trowbridge, Wiltshire

Public Participation

- Mr Mike Baxter spoke in objection to the proposal
- Miss Natasha Owens spoke in objection to the proposal
- Mr Brian Mitchell spoke in objection to the proposal

- Mr Kevin Eames spoke in support of the proposal
- Mr Tim Russell, applicant, spoke in support of the proposal
- Mr Ken Taylor spoke in support of the proposal
- Mr Harry Hilliard, Consultee, Transforming Trowbridge, spoke in support of the proposal

The Area Development Manager introduced a report which recommended approval for the application, drawing attention to issues of funding, visual impact of the proposal and integration with Council policies. The Committee's attention was also drawn to the late list provided at the meeting.

Members of the Committee then had the opportunity to ask technical questions to the Area Development Manager and the Case Officer. Questions were raised around issues of parking at the site, taxi facilities and the suitability of the highways to support the increased needs of the proposal. In response to queries, it was clarified that the proposal was in line with the emerging Wiltshire

Core Strategy and other policies, and that an archaeological appraisal had been conducted, but any future finds would require further agreements.

Members of the Public then had the opportunity to speak, as detailed above.

A debate followed, where the potential to revitalize Trowbridge town centre was emphasized, and the impact of the proposal on other businesses and residents was discussed, with parking a particular consideration.

The Chair permitted Cllr Stephen Oldrieve, Wiltshire Council, to make a brief statement encouraging the Committee to make Trowbridge an attractive location for developers to invest.

The Local Member, Cllr John Knight, spoke in support of the proposal.

After discussion, it was,

Resolved:

That planning permission be GRANTED for the following reason:

The proposed development would result in comprehensive and major regeneration of a derelict site on the southern edge of the Town Centre. The proposals satisfy the fundamental policy objectives of national and local policies as well as reflecting the emerging Core Strategies. The proposed development would not materially affect the amenities of neighbours or result in any increased flood risk or detrimental impact to highway interests and any planning objections can be overcome by conditions.

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. No development other than on-site tree and ecology related works (e.g. vegetation clearance) shall commence on site until details and exact samples of the gabion stone wall, bricks, parking bays, stretcher bonded pavements and curb stone materials to be used on the development 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: In the interests of visual amenity and the character and appearance of the area.

POLICY: PPS5 - Planning for Historic Environment and West Wiltshire District Plan 1st Alteration 2004 Policies C31a and C15 and C17.

3. No development other than on-site tree and ecology related works (e.g. vegetation clearance) shall commence on site until a Water Vole Mitigation Strategy shall be submitted to, and for the written approval of the local planning authority. Thereafter, the development shall be carried out in full accordance with the approved Mitigation Strategy.

REASON: In order to safeguard and preserve protected species and habitats.

POLICY: PPS9 - Biodiversity and Geological Conservation.

CONDITION GUIDANCE: Whilst the scheme is a positive contribution to Trowbridge's Town Centre, the presence on site of water voles raises some concern. As has been identified in the Ecological Report, water voles are only present along the Biss in the proposed development area and not upstream or downstream of the site. This would suggest that for whatever reason the habitats on site provide ideal conditions for water vole and any proposed changes to the existing habitat conditions should be very carefully considered with water voles in mind. Whilst it would be of benefit to create more suitable habitat for them, water voles are sensitive to disturbance and working around them will need to be carefully monitored. If there is any indication that voles are suffering from disturbance to their habitat during the course of the development, methods should be revised. This small fragile population is extremely important locally and the primary aim aside from retaining the population on site should be to open up routes for dispersal to other areas such as the Biss Meadows. This would strengthen resilience.

4. The on-site car parking arrangements and charging regime shall be implemented in accordance with the submitted and approved Car Parking Management Strategy dated 8 November 2011 from the opening of any part of the development. Any material variation from the hereby approved strategy shall require the prior written approval of the Council.

REASON: In the interests of providing a flexible car parking provision on site.

5. The off-site highways works shall not commence until full construction details of the indicative highway amendments, as identified on drawing 1032/GA/01 D, have been submitted to and approved in writing by the LPA; and the improvements shall be completed in accordance with the approved details before the development is first brought into use.

REASON: In order to provide a sustainable development and in the interests of highway safety.

6. The off-site highways works shall not commence until full details of a "gateway treatment" to the Castle Street (north) leg of the Castle Street/St Stephens Place roundabout have been submitted to and approved in writing by the LPA following consultation with Trowbridge Town Council; and the "gateway treatment" shall be constructed in accordance with the approved details before the development is first brought into use.

REASON: In order to provide a sustainable development and in the interests of highway safety.

7. Before the development is brought into use, details of the on site cycle parking provision shall have been submitted to and approved by the LPA and the cycle parking shall have been provided in accordance with the approved details.

REASON: In order to provide a sustainable development and in the interests of highway safety

8. A Travel Plan, including employee travel surveys shall be submitted and approved in writing by the LPA no later than six months after the development is first brought into use. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with the agreed details. The results of the implementation and monitoring shall be made available to the LPA on request, together with any changes to the Plan arising from those results.

REASON: In order to provide a sustainable development and in the interests of highway safety.

9. The development hereby approved shall not be brought into use until the exact details of the public art features and integrated lighting scheme within the public realm have been submitted to and approved in writing by the local planning authority. The approved works shall be implemented in accordance with details to be submitted to and approved in writing by the local planning authority before the development is brought into use.

REASON: To ensure that an appropriate form of public art provision is incorporated within the finished scheme.

POLICY: West Wiltshire District Plan - 1st Alteration Policy I2.

10. No development other than on-site tree and ecology related works (e.g. vegetation clearance) shall commence on site until:

a) A Controlled Waters detailed Qualitative Risk assessment (DQRA) must be undertaken to assess the on-going risk to the River Biss. Should this assessment require any additional intrusive investigation and analysis this should be undertaken prior to the completion of the DQRA.

b) The results of the DQRA and subsequently identified scheme of active remediation shall be submitted to the Local Planning Authority and Environment Agency for Approval.

c) Following completion of measures identified in the approved remediation scheme a verification report (referred to in PPS23 as a validation report) must be produced. The report should demonstrate the effectiveness of the remedial works. The final verification report and signed statement should be submitted to and approved in writing by the Local Planning Authority.

d) If, during development, any evidence of historic contamination or likely contamination is found, the developer shall cease work immediately and contact the Local Planning Authority to identify what additional site investigation may be necessary.

e) In the event of unexpected contamination being identified, all development on the site shall cease until such time as an investigation has been carried out and a written report submitted to and approved by the Local Planning Authority, any remedial works recommended in that report have been undertaken and written confirmation has been provided to the Local Planning Authority that such works have been carried out. Construction shall not recommence until the written agreement of the Local Planning Authority has been given following its receipt of verification that the approved remediation measures have been carried out.

REASON: To ensure that land contamination can be dealt with adequately prior to the use of the site hereby approved by the Local Planning Authority.

POLICY: PPS25 - Development and Flood Risk; PPS23 - Planning and Pollution Control and West Wiltshire District Plan - 1st Alteration Policy C37.

11. The rating level of the noise emitted from any equipment or machinery installed within the development shall not exceed the existing LA90 level or a noise level of 35 dBa, whichever is the highest, at any residential dwelling at any time.

The rating level of the noise shall be determined by measurement or calculation at the nearest noise sensitive premises. The measurements and assessment shall be made according to BS 4142:1997.

No fixed plant and/or machinery shall come into operation until details of the fixed plant and machinery serving the development hereby permitted, and

any mitigation measures to achieve this condition, are submitted to and approved in writing by the Local Planning Authority.

Reason: To protect the amenity of the nearest residential properties.

Policy: West Wiltshire District Plan Policy C38 and PPG24: Planning and Noise.

12. No deliveries to the development hereby approved, shall take place outside the hours of 07:00 - 23:00 Monday - Saturday; 09:00 - 18:00 on Sundays; and 09:00 - 18:00 on Bank Holidays.

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

POLICY: PPG24 - Planning and Noise and West Wiltshire District Plan -1st Alteration Policy C38.

13. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY: West Wiltshire District Plan - 1st Alteration Policies C31a and C32.

14. The development hereby approved shall be carried out as specified in the submitted Arboricultural Development Statement (ADS) as supplied by CBA, document reference no. 7717 v 1 and dated November 2011 and shall be supervised by an arboricultural consultant.

REASON: To prevent trees on site from being damaged during construction works.

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

15. A pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the proposed work and working procedures prior to any demolition, site clearance and any development. Subsequently and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

REASON: In order that the Local Planning Authority may be satisfied that the trees to be retained onsite will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

16. No development other than on-site tree and ecology related works (e.g. vegetation clearance) shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: In the interests of visual amenity.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C38

17. No development on the car park or hardstanding areas shall commence on site until details of surface water drainage from impermeable parking areas and hardstanding areas for vehicles including the service vehicle lay-by associated with the development to oil interceptor(s) has been submitted and approved by the Local Planning Authority. The development shall not be first brought into use until the oil interceptor(s) has/have been installed in accordance with the approved details. Thereafter the oil interceptor(s) shall be maintained in accordance with the approved details. Roof water shall not pass through the interceptor(s).

All surface water drainage from impermeable parking areas and hardstanding for all vehicles shall be passed through an oil interceptor designed and constructed to have a capacity and details compatible with the site being drained. For the avoidance of any doubt, roof water shall not pass through the interceptor. It should be noted that detergents entering oil interceptors may render them ineffective. A closure valve is therefore necessary to be installed at the oil separator outlet so as to contain any pollution material (in the event of an emergency).

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U4.

18. Any A1 use within the units shown shall be restricted to use as a sandwich bar and/or coffee shop only, and for no other use within Class A1 of the Schedule to the Town and Country Planning (Use Classes) Order 1987 (as amended by the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005, (or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification).

REASON: The proposed use is acceptable but the Local Planning Authority wish to consider any future proposal for a change of use having regard to the circumstances of the case.

POLICY: PPS6 - Planning for Town Centres and West Wiltshire District Plan 1st Alteration 2004 Policies SP1 and SP3.

19. During the construction phase, no plant machinery or equipment shall be operated or repaired so as to be audible at the boundary of the nearest residential property outside the hours of 07:30 to 18:00 Mondays to Fridays and 08:00 to 13:00 on Saturdays, or at any time on Sundays or Bank Holidays

REASON: In order to safeguard the amenity of the area.

POLICY: West Wiltshire District Plan - 1st Alteration Policies C36 and C38

20. No building shall be occupied until a site management plan has been submitted to and approved in writing by the Local Planning Authority. The plan shall include:
- full details of a scheme to manage the on-site car park to prevent anti-social behaviour, and measures to ensure its safe use,
 - management responsibilities for liaison with the crime prevention working group;
 - details of the provision of CCTV, with details of whether it will be linked to the Trowbridge CCTV system;
 - measures for the control of litter; and

Management of the site shall be carried out in accordance with the agreed management plan.

REASON: In the interests of public safety.

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

21. Details of lighting for the site (including measures to minimise sky glow, glare and light trespass) shall be submitted to and approved in writing by

the Local Planning Authority prior to the commencement of the relevant phase of the development. The scheme shall only be carried out in accordance with the approved details.

REASON: In the interests of pollution prevention.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy C35.

22. Any facilities for the storage of oils, fuels or chemicals shall be sited on impervious bases and surrounded by impervious bund walls. The volume of the bunded compound should be at least equivalent to the capacity of the tank plus 10%. If there is multiple tankage, the compound should be at least equivalent to the capacity of the largest tank, or the combined capacity of interconnected tanks, plus 10%; or 25% of the total volume which could be stored at any one time, whichever is the greater. All filling points, vents, gauges and sight glasses must be located within the bund. The drainage system of any bund shall be sealed with no discharge to any watercourse, land or underground strata. Associated pipework should be located above ground where possible, and protected from accidental damage. All filling points and tank overflow pipe outlets should be detailed to discharge downwards into the bund. Full details shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. The scheme shall only be carried out in accordance with the approved details.

For the avoidance of any doubt, any oil storage facility of 200 litres or more must include a bund and comply with the Oil Storage Regulations ("The Control of Pollution (Oil Storage) (England) Regulations 2001").

[Site occupiers intending to purchase or install pollutant secondary containment (bundling) should ensure that the materials are not vulnerable to premature structural failure in the event of a fire in the vicinity. Pollution Prevention Guidance 2 (PPG2) provides advice on ground storage of oil].

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U4.

23. No development other than on-site tree and ecology related works (e.g. vegetation clearance) shall commence on site until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydro-geological context of the development, has been submitted to and approved in writing by the LPA. The scheme shall also include details of how the scheme shall be maintained and managed after completion. The scheme shall subsequently be implemented in accordance with the approved details before the development is completed.

REASON: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat and amenity, and ensure future maintenance of the surface water drainage system.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U2.

CONDITION GUIDANCE: With regards to the proposed surface water drainage scheme, as the site is brown field and 90% impermeable, the EA is unsure as to why the consultants have carried out Greenfield run-off calculations. Nevertheless, the intention to restrict run-off rates to 80% of the existing discharge rate as referred to in section 6.3.1 of the FRA is duly noted and supported. The applicant is further encouraged to re-use the existing surface water outfall rather than constructing a new outfall. At the detailed design stage, more detailed surface water calculations of the attenuation system shall be required. Further details of the SuDs that will be incorporated will also be necessary. Further consideration should be given to including SuDs within the site, such as permeable paving and lined filter strips, to improve water quality. We would expect to see the following details to be submitted when discharging the above condition:

A clearly labelled drainage layout plan showing the pipe networks and any attenuation features, soakaways and drainage storage tanks. This plan should show any pipe node numbers referred to in the drainage calculations and the invert and cover levels of manholes.

A manhole schedule.

Model runs to demonstrate that the critical storm duration is being used. Confirmation of the agreed discharge rate, with any flow control devices indicated on the plan with the rate of discharge stated.

Calculations showing the volume of attenuation provided, demonstrating how the system operates during a 1 in 100 critical duration storm event. If overland flooding occurs, a plan should also be submitted detailing the location of overland flow paths and the likely depths of flooding. A 30% allowance for climate change should be incorporated into the scheme in accordance with PPS25.

Where infiltration forms part of the proposed storm water system such as infiltration trenches and soakaways, soakage test results and test locations are to be submitted in accordance with BRE digest 365.

24. Contaminated water shall not be discharged to any stream, watercourse or underground strata, whether direct or via soakaways.

REASON: To minimise the risk of pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policies C7, C9 & U4.

25. No part of the development shall be brought into use unless and until adequate sewerage infrastructure is in place to receive foul water discharges, details of the provision and location of which shall have been agreed in writing with the local planning authority. For the avoidance of any doubt, contaminated drainage or trade effluent should be directed to the public foul sewer provided that adequate capacity is available for additional flows.

REASON: To ensure that the development can be adequately drained and to prevent pollution of the water environment.

POLICY: West Wiltshire District Plan - 1st Alteration 2004 - Policy U1a.

26. The development hereby approved shall retain free from structures that would impede future development of the parcel of land as indicated on the submitted River Biss Footbridge Crossing Technical Note and Drawing No. 1027-sk-05 in order to accommodate a future footway crossing from the adjacent Cradle Bridge (former Peter Black Toiletries) site. Following the completion of works on site, the said parcel of land shall be kept clear of obstruction at all times until such time that the design of a footway crossing has been approved and constructed.

REASON: To ensure that the future provision of a River Biss footway crossing is not compromised and to keep a landing area free from obstruction.

27. Suitable ventilation and filtration equipment shall be installed to suppress and disperse any fumes and/or smell created from the cooking operations serving the individual units occupied by restaurants and food outlets. Details of the equipment shall be submitted to and approved in writing by the Local Planning Authority prior to the occupation of the development. Any works which form part of the approved scheme shall be completed before the premises are first occupied and maintained in effective condition at all times thereafter.

REASON: In order to minimise nuisance, prevent pollution and safeguard the amenities of the area in which the development is located.

28. The internal ground floor levels of the buildings shall be constructed to no lower than 36.7 mAOD, unless otherwise agreed in writing with the Council.

REASON: To reduce the risk of flooding to the proposed development and future occupants.

POLICY: PPS25 – Development and Flood Risk.

29. No development other than on-site tree and ecology related works (e.g. vegetation clearance) shall commence on site until calculations for the

provision and implementation of compensatory flood storage works have been submitted to and approved in writing by the Council (following consultation with the Environment Agency). The scheme shall be implemented in accordance with the approved programme and details.

REASON: To alleviate the increased risk of flooding.

POLICY: PPS25 - Development and Flood Risk

CONDITION GUIDANCE: The submitted FRA states that no flood risk mitigation measures are required, however, in section 6.3.8 reference is given to the provision of a flood compensation area through the re-profiling of the river bank. As the eastern part of the site falls within the current Flood Zone 3 we confirm this extra capacity is required as a precautionary measure. To discharge the above condition calculations should be submitted of the volume of the built development below our 1:100 year flood level and the extra channel capacity provided by the channel re-profiling. The calculations must also be supported by a series of more detailed river channel cross-sections.

30. No development other than on-site tree and ecology related works (e.g. vegetation clearance) shall commence on site until such time as a scheme to provide satisfactory riverside maintenance access has been submitted to and approved in writing by the Council (following consultation with the Environment Agency).

REASON: To ensure maintenance access can be provided in the interests of flood prevention.

CONDITION GUIDANCE: For the avoidance of any doubt, the EA require at least 4 metre clear vehicular access along the river corridor. There is insufficient detail provided showing this, particularly at the eastern, upstream extent of the site. It would be preferable that, if at all possible, a vehicular ramp should be provided down the central steps to the riverside.

31. If, during development, any archaeological evidence pertaining to the period before the demolished mills were erected on the site is found, the developer shall contact the local planning authority to identify whether any additional archaeological work may be necessary. In the event that any such unexpected archaeological evidence is identified, the developer shall cease work on that part of the site and allow access to it by the Local planning authority, or any archaeologist nominated by the local planning authority, to record any findings. Construction on that part of the site affected shall not recommence until the LPA have agreed that the on-site archaeological recording has been completed.

REASON: To ensure that any unexpected archaeological remains dating from before the construction of the demolished mills are recorded.

32. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

LOCATION PLAN – drawing no 1450-P00-A received on 17.11.2011
SITE CONTEXT PLAN – drawing no 1450-P01-A received on 17.11.2011
GROUND FLOOR PLAN AS PROPOSED – drawing no 1450-P02 received on 17.11.2011
FIRST FLOOR PLAN AS PROPOSED – drawing no 1450-P03 received on 17.11.2011
SECOND FLOOR PLAN AS PROPOSED – drawing no 1450-P04 received on 17.11.2011
ROOF PLAN AS PROPOSED – drawing no 1450-P05 received on 17.11.2011
NORTH & WEST ELEVATIONS AS PROPOSED – drawing no 1450-P06 Rev A received on 03.02.2012
SOUTH & EAST ELEVATIONS AS PROPOSED – drawing no 1450-p07 Rev A received on 03.02.2012
EAST & WEST INTERNAL ELEVATIONS AS PROPOSED – drawing no 1450-P08 Rev A received on 03.02.2012
SECTIONS AA, BB & CC AS PROPOSED – drawing no 1450-P09 received on 17.11.2011
TREE SURVEY PLAN – drawing no CBA 7717.01B received on 17.11.2011
TREE REMOVAL AND PROTECTION PLAN – drawing no 1027-004 Rev C received on 17.11.2011
TREE REMOVAL AND PROTECTION PLAN WITH BUILDING FOOTPRINT – drawing no 1027-005 Rev B received on 17.11.2011
TREE PROTECTIVE FENCING DETAIL PLAN – drawing no 1027-006 received on 17.11.2011
PLANTING PLAN – drawing no 1027-201 received on 17.11.2011
SITE SECTIONS – drawing no 1027-011 Rev B received on 17.11.2011
LANDSCAPE GENERAL ARRANGEMENT PLAN – drawing no 1027-001 Rev D received on 03.02.2012
ILLUSTRATIVE LANDSCAPE PLAN – drawing no 1027-002 Rev A received on 17.11.2011
SIDE ELEVATIONS PROPOSED WEST – drawing no 1027-012 Rev B received on 17.11.2011
SIDE ELEVATIONS PROPOSED EAST – drawing no 1027-013 Rev B received on 17.11.2011
TREE PIT DETAIL IN SOFT LANDSCAPE AREA – drawing no 1027-401 Rev A received on 17.11.2011
TREE PIT DETAIL IN HARD LANDSCAPE AREA – drawing no 1027-403 Rev A received on 17.11.2011
INDICATIVE PROPOSED HIGHWAY AMENDMENTS – drawing no 1032/GA/01 Rev D received on 17.11.2011
CAR PARK AUTOTRACK ANALYSIS LARGE CAR – drawing no 1032/ATR/03 Rev B received on 17.11.2011

CAR PARK AUTOTRACK ANALYSIS FIRE TENDER – drawing no 1032/ATR/04 Rev B received on 17.11.2011

SERVICE LAYBY/ BUS STOP AREA AUTOTRACK ANALYSIS – drawing no 1032/ATR/02 Rev D received on 17.11.2011

SERVICE AREA AUTOTRACK ANALYSIS – drawing no 1032/ATR/01 Rev D received on 17.11.2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

Informative(s):

- 1 In England, it is a legal requirement to have a site waste management plan (SWMP) for all new construction projects worth more than £300,000. The level of detail that your SWMP should contain depends on the estimated build cost, excluding VAT. You must still comply with the duty of care for waste. Because you will need to record all waste movements in one document, having a SWMP will help you to ensure you comply with the duty of care.
- 2 The developer/applicants are advised to note the content of Wessex Water's consultation response dated 6 December 2011. It has been confirmed that formal approval will be required from Wessex Water in respect to the proposed lowering of the existing water mains (located in an adjacent road) under Section 185 of the Water Industry Act.

The site will be served by a public mains to be provided by the developer. Buildings exceeding two-storeys will require pumped storage.

There should be separate on site systems of drainage. Subject to confirmation of flow rates and levels, connection to the local sewerage network will be possible, subject to application, via a gravity / pumped connection(s).

The current drainage layout does not comply with the adoption requirements of the Floods and Water Management Act 2010, which does not permit connection to the public foul sewer via a sewer running beneath a building. The applicant should contact Wessex Water to discuss alternative arrangements.

The drawing indicates a possible (indicative) bridged connection to a future development to the former Peter Black's site to the south. It should be noted that there are major surface and foul water sewers which run through this area. The cost to divert these sewers will be significant; and there should be no building within 8 metres of these sewers.

Surface Water Drainage:

It is assumed that surface water shall discharge to the River Biss with the Environment Agency's permission. The Drainage Drawing submitted with the application shows storm connections to the private storm drainage system serving Trowbridge Town Hall. The applicant should note there is no right of connection to this private system; and permission will need to be obtained from Trowbridge Town Hall.

DEFRA on behalf of the Government, are implementing changes whereby, it will be mandatory that all new foul sewers and lateral drains (where outside the serviced property boundary) will have to be designed and constructed in accordance with a new Mandatory Build Standard (MBS), for which the guidance document.

"Sewers for Adoption" 7th Edition(S F A 7th) is being prepared. Both documents were planned for release in the early part of 2011 but are now expected in late 2011. The proposed date for this change has slipped further to an expected 1st April 2012, although it should be noted, that this timeframe is subject to change if the legislation is delayed on it's progress through Parliament.

Any new connection to the public sewerage system under Section 106 of the Water Industry Act 1991, cannot then be made until the applicant has entered into a signed Section 104 Adoption Agreement with the Water Company. Application forms, guidance notes and processes will be suitably amended and available when required.

- 3 As detailed in the draft Construction Environmental Management Plan (CEMP), the Environmental Protection team of Wiltshire Council would like the applicant /contractor undertaking the construction of the project to meet with Officers of the Environmental Protection team prior to applying for a Section 61 Control of Pollution Act 1974 consent.

Construction Sites;

A. Any existing buildings on site should be assessed for asbestos materials prior to demolition. Any asbestos must be removed in full consultation with the Health & Safety Executive.

B. Where the site is adjacent to residential or business premises, heavy plant, noisy equipment or operations and deliveries, should not take place outside the hours of;

Monday – Friday 7.30 – 18.00

Saturday 8.00 – 13.00.

No noisy activities on Sundays or Bank Holidays.

C. All plant and equipment should be suitably chosen, sited, operated and serviced so as to minimise noise, vibration, fumes and dust. Best practical means should be employed to minimise potential nuisance to neighbouring properties. All plant should be turned off when not in use.

D. Pneumatic tools should be fitted with an integral silencer and/or purpose made muffler, which is maintained in good repair.

E. In periods of dry weather, dust control measures should be employed including wheel washing and damping down. Any stockpiles of materials which are likely to give rise to windblown dust, shall be sheeted, wetted or so located as to minimise any potential nuisance.

F Where the site is adjacent to residential or business premises, bonfires should be avoided, and all waste materials should be removed from site and suitably disposed of. At no time should any material that is likely to produce dark/black smoke be burnt (e.g. Plastics, rubber, treated wood, bitumen etc)

G. Radio noise should not be audible at the boundary of the nearest neighbouring property.

H. Any temporary oil storage tanks should be safely and securely sited so as to prevent pollution in the events of spills or leakage. It is also strongly recommended that any oil storage tank should be surrounded by an impervious oil/watertight bund having a capacity of at least 110% of the tank.

I. Both the Council and Neighbouring residential premises should be advised of any unavoidable late night or early morning working which may cause disturbance. Any such works should be notified to the Environmental Protection Department on (01225) 776655 prior to commencement.

J. For sites with more than 5 houses, and for large industrial/commercial developments, it is strongly recommended that the applicant register the site under the "Considerate Contractors Scheme". Further information and an application form can be obtained by telephoning... Tel: (01920) 872837.

- 4 It is recommended that in terms of the proposed public art strategy, a professional public art advisor or lead artist be appointed by the applicants/ developers to join the design team and to liaise with the Council's Public Arts Officer Meril Morgan to inform, plan and produce a final public art scheme.
- 5 The developer will be required to enter into a Section 278 Highway Agreement for the amendments to the local highway network as described in respective highway conditions.

- 6 The developer is advised that should any protected species or habitats be found following the required additional ecological survey work, Natural England and the Wiltshire Wildlife Trust should be contacted so as to accord with the Wildlife and Countryside Act 1981.
- 7 Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, Flood Defence Consent is required from the Environment Agency for any proposed works or structures in, under, over or within 8 metres of the top of the bank of the River Biss (designated a 'main river'). The need for Flood Defence Consent is separate from the need for planning permission. To discuss the scope of our controls and to obtain an application form please contact Colin Taylor on 01278 484654.

Under the Water Resources Act 1991 and The Land Drainage Act 1991 both the Environment Agency and Local Authority have permissive powers to maintain watercourses. Their jurisdiction depends on the watercourse designation as 'Main River' or 'Ordinary Watercourse'. However, responsibility for general maintenance of the watercourses and their banks, rest with riparian owners (i.e. the owner of the bed and / or bank of river).

- 8 Prior to development commencing on site, fencing should be erected along the Biss corridor to ensure minimal disturbance to protected species during construction, especially if the latter is during a vulnerable time i.e. breeding season. Care should be taken when working adjacent to the river corridor. Safeguards should be implemented during the construction phase to minimise the risks of pollution and detrimental effects to the water interests in and around the site. Such safeguards should cover:
 - the use machinery
 - storage of oils/chemicals and materials
 - the routing of heavy vehicles
 - the location of work and storage areas
 - the control and removal of spoil and wastes

It is recommended that the applicant refers to the EA Pollution Prevention Guidelines, which can be found at:

<http://www.environment-agency.gov.uk/business/topics/pollution/39083.aspx>

- 9 The applicant/developer is advised to note that based on the information provided the proposed lowered section of shared cycleway/footpath is likely to flood on a frequent basis. This may therefore cause future usability and maintenance issues.

A recess was taken from 1920-1930

18.b W/11/02267/REM - Land Adjoining 14 Woodrow Road, Melksham, Wiltshire

Public Participation

- Mr Alan George spoke in objection to the proposal.
- Mr Scott Hodgeson spoke in objection to the proposal.
- Mr Michael Frost spoke in objection to the proposal.

The Area Development Manager introduced the report which recommended approval, and outlined the application history of the site and stressed that the matter before the Committee dealt with reserved matters only due to past approval being granted.

Members then had the opportunity to ask technical question of the Area Development Manager, during which the question of there being no roof windows was raised.

Members of the public then had the opportunity to speak, as detailed above.

A debate followed, during which the report of the government Planning Inspector was referenced and specific conditions queried and the size of the proposed construction and access was questioned. It was clarified that several objections did not apply as a result of the initial granting of the application.

The Local Member, Cllr Rod Eaton, spoke in support of the application on that basis.

After discussion, it was,

Resolved

That reserved matters be APPROVED for the following reason(s):

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

Subject to the following condition(s):

1. The development hereby permitted shall not be occupied until the first five metres of the two accesses, measured from the edge of the carriageway, have been consolidated and surfaced (not loose stone or gravel). The accesses shall be maintained as such thereafter.

REASON: In the interests of highway safety.

2. No part of the development hereby approved shall be occupied until the parking areas shown on the approved plans have been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

3. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
 - A detailed landscape plan showing all plant species, supply and plant sizes and planting densities, and ground preparation;
 - Means of enclosure;
 - Car park layouts;
 - Other vehicle and pedestrian access and circulation areas;
 - Hard surfacing materials;
 - Proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

4. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

5. Details of existing and proposed land levels across the site, illustrated by means of spot heights, contours and sections across the site, and demonstrating the relationship between the proposed development and the surrounding land shall be submitted to and approved in writing by the Local Planning Authority. Development shall then only be carried out in accordance with the approved details. There shall be no land raising unless approved under the terms of this condition.

REASON: In the interests of proper planning of the area.

6. No development shall take place until there has been submitted to and approved in writing by the Local Planning Authority a plan indicating the positions, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the buildings are occupied or in accordance with a timetable agreed in writing with the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: To ensure the appearance of the development is satisfactory.

7. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Location Plan received on 12/8/2011
Plan 11/02267/1 received on 12/8/2011
Plan 11/02267/2 received on 12/8/2011
Plan 11/02267/3 received on 23/1/2012
DWG 050811a-rev3 received on 16/1/2012
DWG 050811b-rev2 received on 28/9/2011
DWG 050811c-rev3 received on 16/1/2012
DWG 220911a-rev4 received on 16/1/2012

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

Informative(s):

1. The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.

New water supply and waste water connections will be required from Wessex Water to serve this proposed development. Applications forms and guidance information is available from the Developer Services web pages at our website www.wessexwater.co.uk/developerservices.

18.c W/11/02863/FUL - 23 Manor Fields, Bratton, Wiltshire, BA13 4ST

Public Participation

- Mr Simon Reeve spoke in objection to the proposal.

The Area Development Manager introduced the report which recommended approval, highlighting issues of visual amenity and impact on neighbouring properties.

Members then had the opportunity to ask technical questions of the Area Development Manager, and further details regarding the specific design of the proposal were sought.

Members of the public then had the opportunity to address the Committee, as detailed above.

The Local Member, Cllr Julie Swabey, spoke in objection to the proposal.

A discussion followed, wherein the significance of the proposed extension was debated.

It was,

Resolved

That planning permission be GRANTED for the following reason(s):

The proposed development will preserve the character and appearance of the conservation area, through the use of matching materials and by not exceeding the height of the existing ridge line. Although the extension involves moving the gable wall of the house closer to adjacent properties, the extension will move it out by only 2.7 metres and given the fact that the bulk of the gable end already exists, it is not considered that extending it in the manner proposed will have a significant adverse impact on the amenity of adjacent properties. The proposal is therefore considered to be in accordance with the policies of the West Wiltshire District Plan 1st alteration.

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

2. The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

REASON: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

3. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no windows, doors or other form of openings other than those shown on the approved plans, shall be inserted at first floor level in the northern elevation of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

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

4. The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

DRAWING No. 11.37.1 received on 20 October 2011

DRAWING No. 11-37-2 received on 20 October 2011

DRAWING No. 11-37-3 Rev. A received on 12 December 2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

18.d W/11/03202/FUL - Little Ashley Farm, 187 Ashley Green, Little Ashley, Bradford On Avon, Wiltshire

Public Participation

- Mr Simon Chambers, agent, spoke in support of the application.

The Area Development Manager introduced the report which recommended refusal, highlighting the application's location in Green Belt and land classified as for agricultural use.

Members of the Committee then had the opportunity to ask technical questions of the Area Development Manager, and asked for clarification on which land was classified as agricultural and why.

Members of the public then had the opportunity to address the Committee, as detailed above.

Cllr Jonathan Seed then read a statement on behalf of the Local Member, Cllr Linda Conley, speaking in support of the application.

A discussion followed, during which the limited impact of the proposal was mentioned and ways this could be further reduced.

It was,

Resolved

That planning permission be GRANTED for the following reason(s):

The change of use and construction of the tennis court, including the perimeter fencing, would not have an unacceptable impact on the character and appearance of the rural landscape in this location, nor on the openness of the Green Belt. Accordingly, the proposal is in accordance with national guidance in PPG2 and with policy C1 of the West Wiltshire District Plan 1st Alteration.

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The surface of the tennis court, and the perimeter fencing, shall be dark green in colour.

REASON: To protect the character and appearance of the area.

- 3 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

DRAWING No. LPC/2717/1 received on 5th December 2011

DRAWING No. LPC/2717/2A received on 5th December 2011.

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

19 **Urgent Items**

There were no Urgent Items.

(Duration of meeting: 6.00 - 8.45 pm)

The Officer who has produced these minutes is Kieran Elliott, of Democratic Services, direct line 01225718504, e-mail kieran.elliott@wiltshire.gov.uk

Press enquiries to Communications, direct line (01225) 713114/713115

Agenda Item 6

WESTERN AREA PLANNING COMMITTEE

7 March 2012

Planning Applications for Determination

Item No.	Application No.	Location	Unitary Councillor and Division	Parish
6.a	W/11/02971/FUL	Erection of terrace of 6 dwellings with car parking, enclosures and associated development (resubmission of W/10/03791/FUL). - Car Park Mill Lane Bradford On Avon Wiltshire	Cllr Malcom Hewson Bradford on Avon South	Bradford On Avon
6.b	W/11/03270/FUL	Side extension to 51 Summerleaze to create two new additional dwellings (flats) - Land Adjoining 51 Summerleaze Trowbridge Wiltshire	Cllr Helen Osborn Trowbridge Lambrok	Trowbridge
6.c	W/11/03234/FUL	Conversion of single 3-storey terraced house into one 1-bedroom flat and two independent bedsits - 29A Newtown Trowbridge Wiltshire BA14 0BA	Cllr John Knight Trowbridge Central	Trowbridge
6.d	W/11/03130/FUL	Stables with new vehicular access - Land East Of 3 Lower Marsh Road Warminster Wiltshire	Cllr Keith Humphries Warminster Broadway	Warminster
6.e	W/11/03298/FUL	Replacement garage - Little Orchard Chitterne Road Codford Wiltshire BA12 0PF	Cllr Christopher Newbury Warminster Copheap and Wylve	Codford
6.f	W/11/02471/REG3	Erection of single storey modular changing accommodation consisting of 3 units and limited car parking - Former Innox Hall Site Innox Road Trowbridge Wiltshire	Cllr John Knight Trowbridge Central	Trowbridge

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REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	07.03.2012		
Application Number	W/11/02971/FUL		
Site Address	Car Park Mill Lane Bradford On Avon Wiltshire		
Proposal	Erection of terrace of 6 dwellings with car parking, enclosures and associated development (resubmission of W/10/03791/FUL).		
Applicant	Fortdene Limited		
Town/Parish Council	Bradford On Avon		
Electoral Division	Bradford On Avon South	Unitary Member:	Malcolm Hewson
Grid Ref	382768 160979		
Type of application	Full Plan		
Case Officer	Mr Kenny Green	01225 770344 Ext 01225 770251 kenny.green@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Hewson requested that this item be determined by Committee due to the following:

The proposed development makes no positive contribution to the long-term preservation and enhancement of the Conservation Area.

The proposal represents an overdevelopment of the site in a use and form that have a detrimental effect on its immediate surroundings and the Town Centre.

The proposal does not provide for the proper development of this site as assessed with regard to Policies HE 6.1, HE7.5, HE9.5 and HE10 of Planning Policy Statement 5 and District Plan Policy C18.

The form of development is inappropriate in terms of bulk, scale and visual intrusion. It also has an adverse effect on the views from Mill Lane and the setting of the Manvers House (Grade II*) and The Hall (Grade I) and its Registered Park and Garden.

1. Purpose of Report

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

Neighbourhood Responses

5 letters of public representation received.

Parish/Town Council Response

Objects to this application for the reasons cited within section 7 below.

2. Report Summary

The main issues to consider are:

Principle of Further Residential Development Within Town Policy Limits

Impact on the Conservation Area / Heritage Assets
Loss of Car Parking / On Site Servicing / Environmental Considerations
Landscape / Loss of Trees (including TPO'D tree)
Impact on surroundings / residential amenity / privacy
Archaeological and Ecological Issues
Education Contributions

3. Site Description

The application site measures about 0.12ha, located within Bradford on Avon's Conservation Area. The adopted District Plan identifies this site (along with the former Kingston Mills site), for new housing allocations and urban mixed use brownfield allocation under Policy H4A. The site is identified as being located within the Commercial Area Boundary in an area of archaeological interest.

The car park site is positioned to the immediate west of Mill Lane, a one-way carriageway which has an approximate 1 metre wide footway, introduced by the Kingston Mills developer with an on-street parking prohibition in place. Historically, the land subject to this application was associated to Manvers House, a Grade II* Listed Building, located along Kingston Road, but it has been used as a private car park for many decades.

The site is predominantly laid as tarmac hardstanding and is walled on four sides. The northern boundary is marked by a high (5.8 metres) brick wall that separates the car park and residential gardens associated to properties located along Silver Street. At the eastern end, the stone wall drops down in height to about 3 metres and has an existing 6 metre wide vehicular entrance served off Mill Lane, which has an automatic barrier. Further to the east, and about 100 metres from the application site, the 17th Century Grade I listed property known as The Hall is positioned within its protected historic park and garden landscape.

At the foot of Mill Lane, on the far side of Kingston Road is Kingston House, another substantial listed property dating from the 18th Century, which was directly related to the development of manufacturing on the Kingston Mill site.

Manvers House and its rear yard/car park are situated to the immediate south. A 4.3 metre high wall defines the southern boundary. A flight of steep, narrow steps link the application site with Manvers House. Four well established trees are located along the southern and south western corner of the car park site. Since these trees are located within the Conservation Area, they are protected. The large poplar tree located in the SW corner of the site is TPO'd in its own right.

To the west, a solid stone wall measuring about 2.7 metres encloses the site and separates it from the rear gardens associated to Silver Street properties, service yards and outbuildings.

The applicant/site owner submits that there are 33 useable parking spaces in the existing car park. 9 of these are let to local businesses, 6 to local residents and 10 are temporarily let to Linden Homes whilst the Kingston Mills site is being developed. The remainder of the spaces were to be let to the Railway Engineering Company if required, but the offer has not been taken up; and thus, the spaces have been kept vacant. As an aside, the site owner has reported that the barrier at the entry point to the car park "is regularly broken by people trying to get out of the car park. When this happens, the car park fills up with non-licensed users".

4. Relevant Planning History

97/01455/CON - Removal of 2 metres of wall and widen entrance to car park - Withdrawn - 17.02.1998

97/01665/FUL - Widen entrance and reconstruction of stone pillar and security barrier - Withdrawn - 17.02.1998

08/00917/FUL - Conversion of Manvers House to form 6 dwellings and one office suite (Class B1) and erection of 7 new build dwellings and associated works - Refused 10.09.2008

08/00918/FUL - Conversion of Manvers House to form 6 dwellings and one office suite (Class B1) and erection of 7 new build dwellings and associated works - Refused 10.09.2008

W/10/03792/CAC - Partial demolition of boundary wall - Withdrawn (application not required) 17.05.2011

W/10/03791/FUL - Erection of 6 terrace dwellings with associated car parking, enclosures and tree felling and planting - Withdrawn 15.08.2011

5. Proposal

Full planning permission is sought for the erection of 6 dwelling houses to be formed as part of a 2.5 storey, 10 metre high terraced block to be orientated east-west across the central part of the site. The attic space accommodation would be served by wall head dormers. The exterior walls of the proposed terrace would be constructed using a mix of rubble Cotswold limestone, bath stone and lime render, with sandstone and stone lintels and cills. Fenestration finishes would be of timber joinery in oak or painted. Bespoke green oak framed porches with lead canopies are also proposed. The terraced property would have clay pantile and natural slate roofs. Sedum roofed car ports/cycle stores are also proposed.

Following the withdrawal of application W/10/03791/FUL negotiations took place with the applicant's agent. These negotiations led to the height and fenestration detailing being revised. The proposed ridge height has been lowered (than previously submitted) and the terraced building would be set into the site more through site excavations; and it has been re-sited about 12-14 metres from the boundary wall separating the site and the residential properties and gardens located along Silver Street. The applicant has also reconfigured the internal space and introduced some obscure glazing to address previous concerns raised about overlooking of neighbouring properties to and from habitable windows.

In support of the application, the applicant's agent has submitted a revised Planning Statement, an updated Design and Access Statement, an Arboricultural Impact Assessment, a Transport Assessment including vehicle swept path analysis and an addendum dated November 2011.

A Unilateral Undertaking has been entered into by the applicant/site owner and the Council covering the necessary education contributions pursuant to this development. Should permission be granted for this 6-house development, the owner of the site would be legally bound to pay an index linked contribution to the Council to the sum of £25,196 to be applied for the provision of two primary school places.

6. Planning Policy

Government Guidance

PPS1 - Delivering Sustainable Development

PPS3 - Housing

PPS4 - Planning for Sustainable Economic Development

PPS5 - Planning for the Historic Environment

PPS6 - Planning for Town Centres

PPS9 - Biodiversity and Geological Conservation

PPG13 Transport

PPG24 Planning and Noise

The Emerging Wiltshire Core Strategy

Core Policy 36 - Economic Regeneration

Core Policy 41 - Sustainable Construction and Low-Carbon Energy

Core Policy 45 - Meeting Wiltshire's Housing Needs

Core Policy 50 - Biodiversity and Geodiversity

Core Policy 51 - Landscape

Core Policy 57 - Ensuring High Quality and Place Shaping

Core Policy 58 - Ensuring the Conservation of the Historic Environment

Core Policy 61 - Transport and Development

Wiltshire and Swindon Structure Plan

DP1 - Priorities for Sustainable Development
DP2 - Infrastructure
DP4 - Housing and Employment Proposals
DP5 - Town Centres, District Centres and Employment Areas
DP7 - Housing in Towns and Main Settlements
DP8 - Affordable Housing
DP9 - Reuse of Land and Buildings
T1 - Integrated Transport Plans
T3 - Public Passenger Transport
T5 - Cycling and Walking
T11 - The Strategic Transport Network
HE7 - Conservation Areas and Listed Buildings

West Wiltshire District Plan - 1st Alteration

C6a - Landscape Features
C15 - Archaeological Assessment
C17 - Conservation Areas
C18 - New Development in Conservation Areas
C20 - Change of use in Conservation Areas
C21 - Planning Permission in Conservation Areas
C23 - Street Scene
C30 - Skylines
C31a Design
C32 - Landscaping
C35 - Light Pollution
C38 - Nuisance
C40 - Tree Planting
H1 - Further Housing Development Within Towns
H2 - Affordable Housing Within Towns and Villages
H3 - Urban Brownfield Allocations
H4 - Urban Mixed Use Brownfield Allocations
H24 - New Housing Design
T10 - Car Parking
TC2 - Traffic Management and Pedestrian Priority
U1a - Foul Water Disposal
U2 - Surface Water Disposal
S1 - Education
SP5 Secondary Retail Frontages
I1 - Implementation

Supplementary Planning Guidance

Kingston Mills Development Brief
Residential Design Guide
Design Guidance

7. Consultations

Town Council - Recommends refusal of this proposed development and cites the following reasons:

The proposed development makes no positive contribution to the long-term preservation and enhancement of the Conservation Area.

The proposal represents an overdevelopment of the site in a use and form that have a detrimental effect on its immediate surroundings and the town centre.

The terrace, its balconies and ecclesiastical windows are not characteristics of the area.

The open spaces and views towards Woolley Street and Silver Street will be lost as well as the view of Kingston House. The development makes no contribution to the economy of the town.

The car park is an important facility to residents and shop owners.

The Town Council recommends that a site visit takes place prior to Wiltshire Council's Planning Committee meeting.

The proposal does not provide for the proper development of this site as assessed with regard to Policies HE 6.1, HE7.5, HE9.5 and HE10 of Planning Policy Statement 5 and District Plan Policy E18. The form of development is inappropriate in terms of bulk, scale and visual intrusion. It also has an adverse effect on the views from Mill Lane and the setting of the Manvers House (Grade 1) and The Hall (Grade I) and its Registered Park and Garden.

The Architects Planning Statement - Revised submission, sets out in some detail the outcome of discussions held with officers of Wiltshire Council since withdrawal of the earlier scheme and includes the following:

"The Planning Statement assesses the proposals against those of the previous application and highlights the changes that have been made to overcome officers' previous concerns. The remaining issues on the previous application were regarding the overall height of the terrace in relation to neighbouring buildings, and concern regarding privacy and neighbour amenity in relation to 18 Silver Street, which lies on the northern boundary of the application site. In summary these issues have been overcome by proposing to dig out and lower the terrace by approximately 1 m, and an internal reconfiguration so habitable rooms do not face Silver Street, and an additional window looking away from the neighbouring property and the use of obscure glass where a direct line of sight occurs".

The proposed reduction of 1 m in height is meaningless and other variations, particularly the use of obscure glass, demonstrate a failure of the fundamental design. If the scheme were to be properly related to its setting such inappropriate techniques would not be necessary.

This scheme has all the faults of the previous submission; it contains no community benefit to offset the disadvantages and should be refused.

The important issues that require full consideration are:

1. the original brief for the Kingston Mill site and the finally approved scheme
2. sustainable development
3. the potential contribution to the overall conservation of the town neighbourhood issues
4. District Plan policies and the policies in PPS 5 (Planning for the Historic Environment)

The development of this site should not be considered in isolation from decisions that have already been made in relation to the Kingston Mill project. Comments made on the April 2008 application for Manvers House and the Car Park are also relevant. As the Mill Lane car park remains in the ownership of Avon plc, it is not unreasonable to link the two schemes within the overall employment considerations.

It has been recognised that car parking on the Kingston Mill site is below standard and that some oversell is inevitable; there is an opportunity therefore to address this in relation to the Mill Lane car park site.

There is no justification in seeking additional dwellings without providing additional local amenities or community benefit.

With any proposal within the town centre there is a prime requirement to preserve and enhance the Bradford on Avon Conservation Area which needs to be considered in a much wider context than purely visual. Conservation Character is made up of a number of elements, of which appearance is only one part. For many years the conservation and long term viability of the listed buildings on the south side of Silver Street has made difficult because of the lack of convenient access, and in particular pedestrian safety. Ground levels in the area need to be assessed and development of the car park in isolation is premature pending a thorough investigation of the possibilities of providing links with the surrounding buildings and permeability through the site.

The existing situation with the car park cannot be said to contribute to the visual character of the town but it does make a valuable functional contribution. There is however significant potential for improvement on both counts. This can only be achieved if the development creates interesting and attractive spaces that can be integrated with the town centre and in so doing preserves and enhances the Conservation Area. The proposal for 100% residential development does not make a positive contribution, either in visual or functional terms.

District Plan Policy C18 states that proposals for new development in a Conservation Area will be permitted only if set criteria are met. Policy HE6.1 of PPS 5 requires an assessment to be made of the significance of the site being considered for development. This includes the examination of the setting. The PPS also states that there are a number of potential heritage benefits that could weigh in favour of a proposed scheme. Additional policies within PPS 5 and the accompanying guidance provide further information on how development proposals should be assessed.

Policies HE7.5, HE9.5 and HE10 require attention to the extent to which the design of new development contributes positively to the character, distinctiveness and significance of the historic environment. A successful scheme will be one whose design has taken account of the characteristics of the surroundings.

The planning system has a key role of facilitating and promoting sustainable and inclusive patterns of development, including the creation of vital and viable town centres (PPS 6 - Planning for Town Centres).

Any development needs to address the long-term impact on nearby listed buildings because this is the last remaining opportunity to do so. It is therefore reasonable to argue that a properly integrated and permeable development or use of the car park is essential if the character of the Conservation Area and if the listed buildings in this part of the town are to be properly protected. At present the car parking used by businesses and residents in the immediate locality provides an essential facility to ensure that buildings in Silver Street and Woolley Street are fully utilised and properly maintained. In addition to the objections in principle there are also design issues regarding the bulk, scale and form of the proposed scheme. The Design and Access Statement makes particular reference to "the tradition of terrace housing in Bradford on Avon" as a justification for a two storey plus attic development on this site. This however ignores the fact that terraces in Bradford on Avon are a key feature of the southern hillsides, and some of the surrounding areas, but are not typical of development in Silver Street and Woolley Street. Here, buildings sit along the road frontages or in courtyards behind.

There is at present an attractive view of the hillsides from Mill Lane across the car park and this will be entirely lost if a tall terrace block is built along the contour as suggested. The block will significantly impact on nearby buildings including affecting the setting of the Grade II* Manvers House. It may also have an impact on the Hall gardens. The planning application includes considerable design detail. In particular, there is reference to a proposal for the construction of balconies to the south elevation. Balconies are an entirely alien feature within the historic core of the town, and especially so on buildings that are based on historic precedents.

Recommendation: Refuse on the basis that:

The proposed development makes no positive contribution to the long-term preservation and enhancement of the Conservation Area. It represents an overdevelopment of the site in a single use and form that have a detrimental effect on the immediate surroundings (especially the buildings in this part of Silver Street) and the town centre.

The proposal does not provide for the proper development of this site as assessed with regard to Policies HE 6.1, HE7.5, HE9.5 and HE10 of Planning Policy Statement 5 and District Plan Policies including those related to the redevelopment of Kingston Mill.

The form of development is inappropriate in terms of bulk, scale and visual intrusion. It also has an adverse effect on the views from Mill Lane and the setting of the Manvers House (grade II*) and The Hall (grade I) and its Registered Park and Garden.

Additional Comment

To be acceptable development on this site needs to:

- * preserve the character of the Conservation Area
- * make a positive contribution to economic vitality and sustainable communities
- * be of an appropriate design for its context and make a positive contribution to the appearance, character, quality and local distinctiveness of the historic environment and to the setting and uses of neighbouring buildings

This traditional form of development in this part of Bradford on Avon is outlined in the Approved Conservation Area Character Assessment as:

"development is generally of a lower density with buildings interspersed with gardens and other areas of open space...Building types are predominantly 2-storey; terrace forms, generally not of a unified design."

The Mill Lane Car Park has considerable potential but not if developed as proposed. It is important that the opportunity is not lost. Much of the comment in this report is based on earlier versions but has been amended to take into account the Planning Statement Revised Submission and accompanying drawings and details.

Highways Authority - No objections, subject to conditions.

Council's Conservation Officer - No objections. The current proposals would not unduly harm the special character and appearance of the Conservation Area and would not result in significant harm to the setting of nearby listed buildings by reason of the scale, form, design and layout of the development. The terrace would represent a new element to the townscape when viewed from the hillside south of the river, however Bradford on Avon is characterised by terraces and tight rows of buildings. Therefore, this scheme would be in keeping with that overall theme of Bradford on Avon's character.

Council's Tree and Landscape Officer - All the previously raised arboricultural and landscape concerns have been addressed. This proposed development is supported, subject to planning conditions.

English Heritage - Previously advised in relation to application w/10/03791/FUL as follows:

This application follows the refusal of previous proposals in the summer of 2008. English Heritage raised no objection in principle to that application, but drew attention to the relationship between new build dwellings and the residential conversion of Manvers House which was then included in the proposals. Manvers House and its immediate car park is now excluded from the current proposals, but there is a need to ensure that its sustainable and viable future, whatever that may be, is not compromised by the current scheme.

English Heritage also confirmed that they were comfortable leaving such an assessment to the discretion and judgement of the planning authority.

In carrying out such an assessment, attention is drawn to the provisions of PPS5 which have come into statutory force since the previous application was considered, and the need to provide evidence on the significance of the heritage assets likely to be affected, their importance, the degree of impact which will result, and the public benefits which might justify such proposals or provide adequate mitigation.

In this case, the contribution made by the site to the special interest of the Grade II* listed Manvers House, in its spatial relationship as well as in its openness, the role of the site in defining the historic character and appearance of the conservation area, and the setting of the Grade I listed Hall, all need to be considered. While the design and footprint of the main block may accord with prevailing townscape character, the planning authority is encouraged to assure itself that the development's scale will not be unduly dominant.

It is appreciated that the site may be part of a "brownfield" area identified for development within extant planning policy, but this does not obviate the need for any set of specific proposals to justify their acceptability in compliance with statutory planning policy guidance.

Council's Education Team - No objections subject to the issuing of a Unilateral Undertaking which requires the owner of the site to provide an index linked education contribution to the sum of £25,196 prior to the commencement of any development.

This development generates a requirement for 2 primary places at £12,598 each. The proposals also generate a need for one additional secondary school place, however, in this particular case, it has been agreed not to pursue the one secondary place. As far as secondary school contributions are concerned, pupil numbers and school capacities do change over time and so s.106 requests must vary accordingly.

In relation to primary school contributions, it has been confirmed that the current numbers of pupils, and pre-school children will mean that both primary schools, serving the area will be full in the coming years. There is, therefore, a clear need for additional accommodation in relation to any new housing, irrespective of the size of the development.

Following discussions with the applicant's agent, even after the detached studio unit was deleted from the scheme, the requirements listed above remain relevant.

Council's Spatial Planning Team - Recognises that this application is a resubmission of W/10/03971, and that the changes made to the application relate to matters of design detail.

The strategic and local planning policy for Bradford on Avon is provided by the Wiltshire and Swindon Structure Plan 2016 and the West Wiltshire District Plan First Alteration (June 2004). The majority of the policies in the Structure Plan and District Plan are currently saved. District Plan Policy H4A (urban mixed use brownfield allocations) is particularly relevant to this proposal. Policies C15 (archaeological assessment), C17 (conservation areas), C18 (new development in conservation areas), H1 (future housing development within towns) and SP5 (secondary retail frontages) also apply.

The Wiltshire 2026 consultation was undertaken between October and December 2009 to inform the development of the Wiltshire Core Strategy. Relevant material from the consultation document and responses to this are discussed below.

Background:

The site is located within the Kingston Mills urban mixed use brownfield allocation, as identified by Policy H4A of the District Plan. The site is within a Conservation Area, and is within an Area of Archaeological Interest. The site is also within the Commercial Area boundary.

There was a previous planning application at this site in 2008, with proposals including the conversion of offices at Manvers House into residential dwellings and the provision of new build residential dwellings on the Mill Lane car park (ref. 08/00917/FUL). This application was refused. The planning policy response to the 2008 application raised concerns about the loss of employment use at Manvers House and this was one of the reasons for refusing the application. With regards to the proposed development on the car park site, the 2008 policy response stated that "the provision of new build housing should be considered in relation to other matters such as traffic, conservation and amenity matters"; and that, in particular, "the implications for traffic flow and parking within this part of Bradford on Avon should be investigated given the existing degree of congestion". It was also noted that a separate application for 170 dwellings on the Kingston Mill site (ref. 06/02394/FULES, since permitted) would already provide more than the 130 dwellings indicated for the Kingston Mill site by policy H4A.

The key issue in respect to this application is:

Whether residential development on this site would be acceptable in principle, and whether matters of traffic flow, parking, conservation and amenity have been sufficiently addressed.

As noted above, the Mill Lane car park forms part of the Kingston Mills development site identified by Policy H4A as suitable for about 130 dwellings and "small scale retail, further education, financial services office and leisure/arts". Permission has already been granted for comprehensive mixed use redevelopment of a large portion of the Kingston Mills site (not including the Mill Lane car park), to include provision of around 170 dwellings. Any proposal for residential use on this site would therefore need to be considered within the wider context of the redevelopment of the whole Kingston Mills site. However, as the car park is not currently in employment use, and is located within the town

policy limits, it is considered that small-scale residential development would be acceptable in principle (policies H1 and SP5 of the District Plan refer).

The policy comments relating to the new build proposals in 2008 are still relevant, and the implications for traffic flow and parking, and conservation and amenity matters should be considered. The Wiltshire 2026 consultation document noted that "poor air quality as a result of high traffic volumes and congestion in the town centre" is one of the key issues in Bradford on Avon, and responses to the consultation indicated that traffic problems are an issue in the town.

The Council will need to be satisfied that issues of traffic and parking are sufficiently addressed. In particular, there is a question over where the current users of the car park will park, should the application be permitted.

The site is located within an Area of Archaeological Interest, and an archaeological assessment is therefore required under Policy C15 of the District Plan.

The Council will also need to be satisfied that matters of conservation and amenity have been sufficiently addressed.

Policy Recommendation: It is considered that residential development on the Mill Lane car park site is acceptable in principle, as indicated by Policies H1 and SP5 of the District Plan. The Council will need to be satisfied that matters of traffic flow, parking, conservation and amenity have been sufficiently addressed.

Council's Drainage Engineer - As the site is located within a sewerage area for both storm and foul drainage, it would be up to Wessex Water to accept and agree to additional connection flows from the site.

Council's Economic Development Officer - Objects to this residential proposal on the basis that the town has lost most of its employment sites to residential use in recent years which has increased out commuting. The vision that the Bradford on Avon Development Trust has is supported in terms of identifying the Mill Lane Car Park having potential for employment use with better access being provided for the vacant units on Silver Street and the potential to create additional workspace surrounding the car park. In this vision, the car park would remain to serve the northern side of the town where there is very little parking space available.

Council's Affordable Housing Officer - The proposed development does not trigger a need for any AH contributions.

Council's Archaeologist - No objections. The site was evaluated in 2007 ahead of an expected application and no significant archaeology was recovered and no further action is recommended.

Council's Ecologist - Previously advised having no objections.

Wessex Water - New water and waste water connections will be required. Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer.

Council's Environmental Health - No objections raised.

8. Publicity

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

Expiry date: 23 December 2011

Summary of points raised:

7 letters of representation received raising the following objections:

Duncan Hames MP - Alongside objections raised by constituents about the value of homes on the site, residential privacy and the effect on Manvers House and The Hall are matters of concern. It is further felt that housing on the site would not provide lasting or economic benefits to residents and parking and traffic problems would be exacerbated. Concerns are also raised about whether the development preserves or enhances the Conservation Area.

Alternative proposals exist, such as turning the car park into a public one, which would benefit many more residents.

Constituents have informed me that even though the land is covered by the Kingston Mills Development Brief, the current planning proposals will not bring any "lasting benefits to the town, its workforce and residents". My constituents feel that there are a number of alternative proposals that could fulfil these conditions, but that the construction of residential housing on Mill Lane is detrimental to the future of Bradford on Avon. I have also been advised that the proposals breach Policies HE 6.1, 7.5 9.5 and 10 of Planning Policy Statement 5 and District Plan Policy C18.

Members of the Bradford on Avon Development Trust feel that residential housing on this site will not provide any positive contribution towards efforts to preserve or enhance the Conservation Area, as well as having an adverse effect on the views from Manvers House and The Hall - both of which are listed buildings. A similar planning application in the same area was rejected by the planning authority in 2008, and my constituents are unable to find any changes in the last two years that would invalidate the reasons given for the refusal.

Additionally, it is felt that residential housing will only have the capacity to benefit the families living there, although there are a number of alternative proposals that could increase employment or alleviate parking problems for many more residents.

The Mill Lane Car Park, although currently in need of regeneration, has the potential to bring lasting positive contributions to the residents and local businesses of Bradford on Avon.

Bradford on Avon Preservation Trust - Objects and argues that the site is totally unsuitable for further housing development and must be used to encourage business development. With the commitment of the owner of the yard above the site, this car park could afford a convenient access up into Silver Street and parking for customers who need to do business there through the archway of the old brewery. The turnover of the shops and other businesses in Silver Street has been tragically fast in recent years because of the difficulty of getting there and the lack of parking.

This whole area immediately to the north of the river has been the industrial heart of the town from time immemorial and has been deprived of that possibility by the redevelopment of the Kingston Mills site. The Preservation Trust recommends refusal in principle and confirmed having no interest in details of design in this case, so further revisions to the design carry no weight.

The Trust fully concurs with the Town Council's recommendation for refusal and its comprehensive account of its reasoning. The Trust, however, would like to add a further reference to PPS 5.HE 3.1 which gives advice on maintaining economic vitality in historic areas. Silver Street is already under serious threat with no less than three premises being vacated in the past six months.

There is no off-street public parking north of the river in Bradford and this site offers the last opportunity to create some in the commercial and historic centre of the town, which is already a Conservation Area with numerous listed buildings. Silver Street suffers from very narrow footpaths, or none at all. This car-park, if retained and made public, would greatly add to the economic viability of this street and the commercial buildings being built within the Kingston Mills redevelopment.

The Traffic Assessment with the approved planning application for the Kingston Mills redevelopment admitted a shortfall of on-site parking spaces. On street space for parking eleven vehicles has been lost by the creation of a footpath along Mill Lane. The subsequent raising of the Social Housing units on the redevelopment from 17 to 53 is expected to increase the demand for residential parking, and thereby cause even greater overspill of demand to nearby streets and the north side of the town centre.

In sum, housing on this site would be unsustainable by aggravating rather than mitigating the existing problem of inadequate parking for residents and businesses. Anyway, further housing is accepted by Wiltshire Council to be no longer needed within the town.

This proposal must not be decided under delegated powers, but refused by the Planning Committee of Wiltshire Council on principle, not just because of poor design. The proposals will not benefit the character of the town and will add nothing to the activity, amenity or visual quality of the Conservation Area.

Wiltshire Heritage - On behalf of the Council for British Archaeology (CBA) and the Wiltshire Archaeological and Natural History Society (WANHS), the following comments are made:

The site is well known to us and it is argued that the revised proposals would be detrimental to the surrounding landscape of the protected buildings by introducing structures that impose on the sight lines from existing buildings as they exceed the roof lines and are of totally different architecture.

The courtyard is bounded by walls which predate some of the surrounding listed buildings and the ground will certainly hold archaeology relating to the Saxon occupation of the town north of the River. The proposal seeks the removal and demolition of parts of the retaining walls (measuring over 2 metres in height). The walls should not be removed and the archaeology should be preserved in an accessible way.

This development would be contrary to HE3.4 of PPS5 and thus undermine the local distinctiveness of this courtyard and its place in the historic environment of the town.

The dense development would not be in line with HE7.4 and HE7.5 as it does not make a positive contribution to the surrounding heritage assets nor bring sustainable economic development to the town. It could be argued that the loss of parking for local shops, restaurants, offices would have their economic sustainability impeded by the loss of such facilities, especially since that they are the only facility on the north side of the River.

In addition to the above, the following objections were received from 4 local residents:

Local residents agree with the objections raised by the Town Council and the Preservation Trust. The site is a vital future resource with potential to contribute towards the economic growth of the community. Building on this land will permanently block access to the area behind the buildings on the south side of Silver Street.

The application disregards the urgent community need for sustainable economic provision/enhanced employment opportunities. Given the site's position, it should principally be considered as a priority site / resource for small businesses. It is essential that the site is used efficiently.

This area is underutilised because the current access is extremely difficult and dangerous, but could be developed for commercial use. The balance between commercial and residential property in the centre of Bradford-on-Avon is, sadly, very skewed in favour of the latter.

The car park in its present form is not particularly attractive, though it could be made so. However, even though operated privately, it does make a positive contribution to the town by providing much-needed parking for local residents, shop owners and businessmen.

The proposed development would adversely affect the character and appearance of the Conservation Area.

Whilst the height of the terrace and neighbouring amenities are not the only of concern, the reduction in height by one metre does not alter the fact that the building would be intrusive in both its bulk and its style and lead to overlooking / loss of daylight and loss of privacy to neighbours.

The 2008 application was refused on the grounds that the residential requirements for the Town had been met by the Kingston Mills site. The Town does not need more housing.

This is the only car park on the north side of the town and because most houses have no garages or driveways. Unlike residents on the south side of the town, locals residents have no residents' parking permits.

It will adversely affect existing properties, by way of privacy loss, inferior spatial resolutions, together with a cumulative impact on the immediate locale.

It is contrary to Policy PPS5 (HE6.1; HE7.5; HE9.5; HE10 and District Plan Policy C18.

The proposal is contrary to the spirit and specifics of the Development Brief.

The submitted Design & Access Statement is entirely spurious.
The proposed design, layout and appearance of the development will not contribute to the historical structures around or the grain of character of the wider Conservation Area.
This is a purely profiteering proposal that would not benefit residents and businesses.
Insensitive overdevelopment of the site.

9. The Applicant's Case

The applicant recognises that whilst the 2008 applications were refused, there was no in principle objection raised or reasoned grounds for refusal covering the erection of houses on the car park site. Subject to satisfying adopted District Plan Policy, the site is identified for such purposes and therefore the principle has been established. The redevelopment of Manvers House no longer forms part of the proposals.

It is also stressed that "PPS3 advocates housing development on brownfield land in suitable locations which offer a good range of community facilities and with good access to jobs, key services and infrastructure. As the site is within Bradford Town Centre it is afforded easy access to all of the facilities that it provides. There are also good bus links to nearby towns and cities".

The scheme would be able to "plug-in to the one-way transport strategy devised for Kingston Mills proposals". The parking proposals have been subject to discussions and negotiations with Council highways officials. The design for the car parking allows vehicles to reverse out of parking spaces and leave the site in forward gear.

The applicant further submits that "Mill Lane is characterised by its enclosure on both sides by an almost solid building line, either by buildings or by high boundary walls...This character will not be altered by the proposed development because the terrace [would] continue this solid building line".

"The layout of the dwellings has been reconfigured to create a terrace of dwellings orientated to sit on the contours of the town. This is because throughout the steep slopes of the northern side of Bradford on Avon, the short terraces running along the corridors can be seen as evidence of the incremental pattern of development here over many centuries that, with extreme topography, have created such distinctive urban character. Based on this, the layout has been revised to make it more in keeping with the urban form of Bradford-on-Avon".

"All of the buildings beyond the car park turn their back on the site and so there, are no proximate windows overlooking, with one exception. Above the wall at the northern side of the car park is a building with windows directly overlooking the site. Beyond this elevation, there is another building with windows looking over the car park. The design of the proposed dwellings has taken into account the proximity of these buildings to the site. For this reason the terrace has been located closer to the southern end of the site providing a distance of 14.5m between. It is only the attic floor of the proposed development that presents any potential issues with overlooking and this was fully considered in the design process. The windows of the attic floor looking out from the northern elevation belong to a small bedroom and bathroom. These rooms also have roof lights to supplement the intake of light and therefore the windows facing the northern boundary are small. It is considered that adequate measures have been taken to prevent any significant overlooking and amenity issues; however obscure glazing could be used if additional measures were deemed necessary.

Further to this, the window located above the northern boundary wall is clearly not part of a habitable room as its window is partly boarded up. Therefore there are no amenity issues arising from it.

Careful consideration has also been given to the potential for the proposed development to overshadow surrounding buildings. Bradford on Avon is characterised by its topography and by the different orientation of buildings caused by organic, incremental growth of the town.

The proposed building would not be incongruous and overshadow buildings in the vicinity. The buildings have been orientated and located far away enough from the boundaries to ensure this. This is in accordance with Policy C38 of the Local Plan".

The applicant's architect argues that "the way buildings are perceived within the wider urban landscape is always determined by the largest buildings. There are, inevitably, given the complexity of towns; some lesser buildings will disappear in such views, hidden by others. So it did not seem unreasonable to test the height of the proposed new building against the most significant of the existing as these are the ones that manifest in distant views.

The important thing to note is that this car park site within Bradford on Avon town is quite a large site, but it is entirely level in an east/west direction (whereas Silver Street falls) and in a north/south direction falls far less than Mill Lane. The gradient across it in a north/south direction is actually only 2 ½ degrees.

Perhaps the best way to judge how the buildings should fit within this location is to look at the way they would lie within a photo montage prepared to a photograph taken from Bradford on Avon's well known high point, the Scout Hut, south of Bridge Street. A photographic montage submitted on 18 July was taken after the scaffolding on the Kingston Mills was removed and thus features, for the first time, the effect of the variation of prepared house types with the lower hip roof buildings at the western end.

In overall impact terms this would present an appearance wholly consistent with the character of Bradford on Avon where many terraces present their best face to the valley, but terraces are rarely built of more than 4 or 6 dwellings and within them there is much variation and many eccentricities.

Within Bradford on Avon, there are only a limited number of high points from which issues like this can be considered. East of the Scout Hut the foreground becomes obscured by trees, to the west, buildings and view lines follow the curves of the roads leading out of the town and there are no elevated view points at all to the west from which this site is significant.

Building Hierarchies

The Council's Conservation officer previously made a point about the hierarchies of development on the site, compared with that of surrounding buildings. A separate photograph was submitted showing the 3 dwellings running west of Mill Lane. All have attic accommodation of varying degrees and one features a stone fronted gable and eaves line set around one metre above the floor level the gable window serves. This was one of the direct precedents used to produce this design and is common throughout the town. However, it was decided for this application to make the gables more compact and narrower.

One of the notable characteristics of Bradford on Avon is how buildings of different classes and qualities sit cheek by jowl to a very unusual degree. It is a most distinctive feature with fine and substantial 18th century mansions sitting alongside diminutive cottages.

Since the Silver Street buildings are very well hidden behind high rear boundary walls, the true Conservation Area Character context set by this site is that determined by this relationship with the boundary and landscaping of The Hall nearby and Manvers House whose walled garden this once was. The applicant submits that the proposed buildings are not out of scale with the substantial eastern elevation of the property at the top of Mill Lane and the gable end of our terrace will be seen within the generous spatial setting that the grounds of The Hall create. It is common to find that with a building of the substantial scale and status of The Hall that buildings in its vicinity reflect that status.

Close Quarter Views

As various 3D illustrations and model photos show, the gable end of Mill Lane adds a note of drama of a kind found all over Bradford on Avon all the more interesting because of the contrasts of street width, building height and variety of form.

The other close-quarter view available is that from Kingston Road where the lower level car park of Manvers House is undeveloped and so reveals the high rubble stone wall behind which this elevated site is located. This wall is around 5 metres high and substantially determines the degree of visibility of the new houses. So for someone walking along Kingston Road, the line of sight and the site's

boundary wall would obscure all but a few metres of the walling of the terrace below its eaves line and it would not loom over Kingston Road.

Bradford on Avon is a remarkable town due to the severity of its topography and the way this is heightened and exaggerated by the presence of great variety of structure for the most part displaying craftsmanship in stone and an eccentric variety of form and architectural character. The town's character is all the more remarkable by the fact that, particularly in its centre, it has a large number of buildings of substantial scale whose juxtaposition frames urban views and makes for rich overall visual experience from a multitude of viewpoints.

Closing remarks

In the evidence prepared in support of this application, it has been demonstrated that the proposed revised terrace is not in fact out of scale as regard its length, its number of storeys or its height when measured either by reference to surrounding ridge heights, by reference to topography or by reference to its impact within a photomontage from the only significant distant viewpoints the town affords.

In terms of status, this is an unusually well-crafted building supported by a large amount of detailed drawing, which has been designed, quite rightly, to reflect the architectural status of The Hall and that of Manvers House, rather than that of the buildings within Silver Street which are substantially screened from it.

If the alternative to the scheme were to be to provide a terrace of ordinary two storey dwellings, such as that previously considered in 2008, the character contribution to the town would be much less. There is evidence that there is no case for concern about loss of privacy for the gardens of the Silver Street properties in view of the relationships of height between the dwellings of those gardens and properties and the functions that will take place within the rooms under consideration.

If the only way to win the support of the Council for development on this site is to revert to a wholly '2 storey to eaves' design and it must be recognised that it would have to be more humdrum and risk presenting when done as just another piece of urban infill.

There are times, especially in Conservation Areas where it is right to add something of distinctiveness, especially given the site's proximity to and the status of The Hall.

10. Planning Considerations

Principle of Further Residential Development Within Town Policy Limits

Government advice contained within PPS 3 (as revised in June 2010) states, inter alia, that the planning system and decisions should deliver a mix of housing, both market and affordable, particularly in terms of tenure and price, to support a wide variety of households in all areas and the provision of a sufficient quantity of housing taking into account need and demand and seeking to improve choice. It is also duly acknowledged that PPS3 (as revised) removed the prescriptive minimum housing density requirement.

Whilst having due cognisance of the above, the site is identified in the adopted West Wiltshire District Plan - 1st Alteration as forming part of a 2.18 hectare landholding which includes the Kingston Mills site, which is still being re-developed. For the avoidance of any doubt, both the Kingston Mills site and the Mill Lane car park site are both included within Policy H4A - titled 'Urban Mixed Use Brownfield Allocations'. This Policy suggests that both the Kingston Mill site and the Mill Lane car park could be redeveloped "to include about 130 dwellings" and "small scale retail, further education, financial services office and leisure/arts".

The car park site is located entirely within the defined Town Policy limits of Bradford on Avon. Notwithstanding the fact that the Kingston Mills redevelopment has led to an increased number of residential units beyond what the Policy initially identified, under Policy H1 proposals for new housing development in this area may be appropriate provided, inter alia, that the siting, layout and design considerations are satisfactory, and that they are in keeping with the character of the surrounding

area and that providing such development does not give rise to highway problems or create inappropriate backland or tandem development.

Policy H24 stresses that new housing should face onto, with windows and doors overlooking, the street or other public areas. Whilst offering some innovative design opportunities in new developments, the Policy also states that details, materials and finishes should complement the local characteristics.

West Wiltshire District Plan Policy C31a states that all new development, residential or otherwise, is required to respect or enhance the townscape features and views, existing patterns of movement, activity and permeability and historic layout and spatial characteristics. Policy C38 further states that new development will not be permitted if neighbouring amenities and privacy values are significantly detrimentally affected.

Whilst local residents have raised concerns about the above and referenced the emerging Core Strategy as grounds for refusal, Members are advised that officers, including the Council's Highways Authority and the Spatial Planning team, submit that a small-scale residential development would be acceptable in principle and would not conflict with established Policy. Within the Emerging Core Strategy for Wiltshire, the Town is "not identified as a strategic location for employment". Instead, the "economic self containment of Bradford on Avon will be addressed through delivering employment growth as part of strategic development and retaining all existing employment sites" (page 49 of the Wiltshire Core Strategy).

Whilst each application should be assessed on its own merits, the abovementioned 2008 planning application is a material consideration. It is recognised that Manvers House no longer forms part of the development proposals. It is further submitted that in planning terms, whilst the car park may well service local businesses, it is not considered employment land, and therefore, this development would not result in any loss of employment buildings/land or floorspace. It is also important to stress that in refusing planning application 08/00917/FUL, the Council did not raise any principle objection to developing the car park site (which would consequently displace private car parking). Officers argue that since the site has been identified having redevelopment opportunities as enshrined within the Council's adopted District Plan, the loss of a privately owned car park should not be grounds for refusal.

Impact on Conservation Area / Heritage Assets

Planning Policy Statement 5 - Planning for the Historic Environment and Section 66 & 72 of the Planning (Listed Building and Conservation Area) Act 1990 highlights that the Local Planning Authority has a duty to pay special attention to the desirability of preserving and enhancing the setting of a building or buildings of special architectural or historic importance and character or appearance of the Conservation Area.

The site is within the Bradford on Avon Conservation Area and any development of the site has the potential to affect the settings of Grade II, II* and I listed buildings. There is relevant planning history on this site and it is argued that the principle of developing on the car park site has been previously accepted. The Bradford on Avon Conservation Area Character Assessment does not identify the car park as an important open space, it is simply identified as a car park. Therefore, the principle of developing this site raises no objection.

Throughout the planning process, the Council's Conservation officer has been involved with the negotiations held with the applicant's agent. As reported above, the Conservation officer is supportive of this revised proposal. The proposed terrace of six properties have been lowered in height compared to the previous submissions. The car park is a hard space bounded by a mixture of stone and brick walling. The area has the appearance of a courtyard and this forms part of its character within the Conservation Area.

The current proposal is a straight terrace of six dwellings along with two car port structures against the north boundary wall. This follows a withdrawn 2010 scheme for a taller building. The sections of the stone boundary wall along Mill Lane to be removed would be a regrettable loss, however under

current legislation these sections could be removed without the need for Conservation Area Consent or Planning Permission and therefore, no objections can be justifiably raised.

This site is flat although it is on a hill where a difference in ridge heights would be expected between the buildings at the top and those at the base. The lowered height of the proposal (in relation to the previous submission) would now fit in with that rhythm of descending ridge heights and the terrace would not appear too tall for the area. It would relate to the height of the rear projection of No. 18 Silver Street without visually dominating that structure.

As such, the scale of the proposed terrace would not result in harm to the special character and appearance of the Conservation Area or to the settings of surrounding listed buildings.

The layout would mean that the development would retain a courtyard, albeit in a different shape, but a courtyard would remain nevertheless. This element of the character of the area would therefore be somewhat retained.

The car port designs are acceptable and the use of a flat sedum roofs is a good solution in this location.

Loss of Car Parking / On Site Servicing / Environmental Considerations

As reported above, following lengthy discussions with the applicant's agent, the Council's Highways Authority raise no objection to the revised housing development, subject to conditions.

It is recognised that if approved, this development would result in a displacement of existing car parking. Whilst the concerns raised about the loss of car parking are duly acknowledged, the fact that the Mill Lane car park is in private ownership cannot be ignored. It must also be recognised that the short term lease arrangements/agreements which allow local businesses and local residents to use the car park, could be curtailed without any Council involvement. In addition to the above, adopted District Plan identifies the car park site for residential / urban mixed use redevelopment.

On the basis of the above, whilst the consequences of the development are fully respected, Members are advised that it would be unreasonable for the Council to refuse planning permission on the grounds of loss of the private car park and cause displaced parking.

As part of the consultation exercise, Wessex Water advised that surface water run off cannot connect to their foul mains, as it would potentially cause unacceptable overflow issues downstream. After advising on Wessex Water's comments, the applicant's agent advised that an alternative system would involve the provision of soakaways and possibly incorporating a retention system to stretch the infiltration over a longer period. At present, the car park is mainly in hard standing and is served by a couple of gulleys draining the surface water. However, if this development is approved, there would be less hard standing with the provision of gardens and soft and hard landscaping, which could assist in draining future surface water. Should the application be approved, a suitably worded condition would be necessary to cover surface water drainage.

The Council's Environmental Health team were consulted and took part in the early discussions held with the applicant's agent. Following a site inspection and review of the proposals, no environmental objection was raised.

Landscape / Loss of Trees (including a TPO'D tree)

Along with the case officer and the conservation officer, the Council's tree and landscape officer has been party to lengthy discussions with the applicant's agent. Following the submission of the revised plans, which includes the felling a Poplar tree, which is subject to a TPO, the above officer raised no objections. In tree and landscape terms, the development would be considered acceptable, subject to conditions.

Impact on Surroundings / Residential Amenity/Privacy

Officers recognise that the applicant's agent has endeavoured to address the concerns raised about the impacts the terraced development would have upon residential amenity and privacy. A sketch plan drawing (dwg. no 10056/SK/19/4/2011) was submitted in an attempt to contextualise the likely impacts of the terrace on its immediate neighbours. This sketch plan and its accompanying letter from the architect implies that there is 22 metre separation or thereabouts between the northern facade of the proposed terrace and the southern rear habitable elevations of residential properties along Silver Street. There is a 22 metre separation in some cases, but some of the Silver Street properties project much closer to the car park than others. For example, No. 18 Silver Street has a rear extension which is understood to be used as a garden room and has two glazed window openings on its rear facade. Following the withdrawal of application w/10/03791/FUL, the applicant has amended the siting of the terrace, lowered its previously proposed ridge height, re-configured the internal space and introduced obscure glazing to windows which would otherwise potentially cause demonstrable harm through overlooking or loss of privacy.

In addition to the revisions made to the design and detailing, it is recognised that a high wall separates the lower level car park site from the Silver Street properties and gardens. This will in part, afford neighbouring residents a degree of privacy. The applicant's architect makes a cogent point of highlighting a "typical situation" whereby dwellings of two storeys with 12 metre gardens separating each other, and thus have a separation of 24 metres, consequently results in overlooking of 50% of neighbours garden ground from upper floor windows.

Officers note that the owner/occupier of the Hall, the Grade I listed property located 105 metres to the east of the car park site, has raised an objection to the eastern gable window opening. The separation between the site and the Hall and the well established tree planting within the Historic Park and Garden is sufficient to ensure that the proposed development would not detrimentally affect the character, the setting of or amenities enjoyed by the listed Hall property.

Archaeological and Ecological Issues

The Council's Archaeologist and Ecologist both confirmed that they wished to raise no objections. The application proposals are therefore seen to accord with the respective guidance contained within PPS5 on Archaeological issues and PPS9: Biodiversity and Geological Conservation.

Education Contributions

The Council's Education Team report that as a result of considerable pressure in Bradford on Avon, contributions would be sought for primary school places. No contributions have been earmarked for secondary places as capacity exists at St Lawrence School. It is understood that the education team remain concerned that following on from representations to the Core Strategy, there is predicted growth of Bradford-on-Avon to the east and therefore they have started anticipating the school places that this will generate.

Adopted District Plan Policy S1 and the Education Services own 'Policy for Requesting Section 106 Contributions for Education Infrastructure' state that where reasonable and appropriate, education infrastructure contributions shall be sought from developers in accordance with the requirements of the Local Education Authority. The Head of the Council's Schools Strategic Planning recommends that if this application was to be approved, the 6 house development would create a need for 2 primary school spaces, calculated at £12,598 each. This index linked sum of money stated would contribute towards the expansion of Fitzmaurice Primary, together with Council funds to meet the demographic pressures.

The above contribution requirement had been the subject of lengthy discussions between planning officials, the education service and the applicant's agent during the course of application w/10/03791/FUL, which was ultimately withdrawn in mid August 2011. Under that application, the applicant was initially opposed to being subjected to the above obligation. However, after meeting with Council officials on 12 May 2011, the applicant's agent confirmed that they would no longer challenge the necessity of the abovementioned contribution.

For the avoidance of any doubt, the Unilateral Undertaking was issued on 20 February 2012 which legally binds the owner of the site to pay the appropriate index linked sum of monies required prior to any commencement of works on site. If this application is granted permission, a directive covering the Unilateral Undertaking is required.

CONCLUSION

The site is a brownfield site identified in the adopted development plan for redevelopment. The residential use proposed is one of the uses identified as suitable for this area. The design represents a form of terraced development that is in keeping with the character of the area and uses traditional materials that are appropriate for this location. The proposal will enhance the appearance of this part of the conservation area by replacing an undistinguished private car park with carefully designed houses. The proposal is therefore in accordance with the Council's planning policies for the area, and with the educational contribution, addresses the demands on local infrastructure imposed by the development. Accordingly, planning permission is recommended.

Recommendation: Permission

For the following reason(s):

This proposed application would be an appropriate form of development within the Conservation Area and within the setting of Listed Buildings; and through negotiations, the revised scheme overcomes previous grounds for refusal; and any additional concerns can be overcome by planning conditions.

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

- 3 No development shall commence on site (including any works of demolition), until a Construction Method Statement, which shall include the following:

- (a) the parking of vehicles of site operatives and visitors;
- (b) loading and unloading of plant and materials;
- (c) storage of plant and materials used in constructing the development;
- (d) the erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
- (e) wheel washing facilities;
- (f) measures to control the emission of dust and dirt during construction;
- (g) a scheme for recycling/disposing of waste resulting from demolition and construction works; and
- (h) measures for the protection of the natural environment.
- (i) hours of construction, including deliveries;

has been submitted to, and approved in writing by, the Local Planning Authority. The approved Statement shall be adhered to throughout the construction period. The development shall not be

carried out otherwise than in accordance with the approved construction method statement without the prior written permission of the Local Planning Authority.

REASON: To minimise detrimental effects to the neighbouring amenities, the amenities of the area in general, detriment to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

POLICY: PPG24 - Planning and Noise and West Wiltshire District Plan 1st Alteration 2004 policy C38

- 4 No development shall commence on site until details of the proposed ground floor slab levels have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved levels details.

REASON: In the interests of visual amenity.

POLICY: West Wiltshire District Plan 1st Alteration 2004 policies C18, C31a and C38.

- 5 The development hereby permitted shall not be occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

- 6 Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only.

REASON: In the interests of highway safety.

- 7 The roads, including footpaths and turning spaces, shall be constructed so as to ensure that, before it is occupied, each dwelling has been provided with a properly consolidated and surfaced footpath and carriageway to at least base course level between the dwelling and existing highway.

REASON: To ensure that the development is served by an adequate means of access.

- 8 No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

REASON: In the interests of highway safety.

- 9 No part of the development shall be occupied until the visibility splays shown on the approved plans have been provided with no obstruction to visibility at or above a height of 0.6 metres above the nearside carriageway level. The visibility splays shall be maintained free of obstruction at all times thereafter.

Reason: In the interests of highway safety

- 10 The development hereby permitted shall not be occupied until the cycle parking facilities shown on the approved plans have been provided in full and made available for use. The cycle parking facilities shall be retained for use in accordance with the approved details at all times thereafter.

REASON: To ensure that satisfactory facilities for the parking of cycles are provided and to encourage travel by means other than the private car.

- 11 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting

or amending that Order with or without modification), the car port(s) hereby permitted shall not be converted to habitable accommodation.

REASON: To safeguard the amenities and character of the area and in the interest of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: T10

- 12 Details of any external lighting shall be submitted to and approved in writing by the local planning authority before the dwelling houses hereby approved have been brought into use. Development shall be carried out in accordance with the approved details.

REASON: In the interests of preventing light pollution and nuisance

POLICY: West Wiltshire District Plan - 1st Alteration policies C35 and C38.

- 13 The development hereby permitted shall not be occupied until provision shall be made within the site for the disposal of surface water so as to prevent its discharge onto the highway. Details of such provision shall have first been submitted to and approved by the Local planning Authority.

REASON: In the interests of Highway safety.

- 14 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 modification, no development falling within Schedule 2, Part 1 Classes A-E of the Order, shall be carried out without the express planning permission of the Local Planning Authority.

REASON: In order to protect the amenity interests of neighbours and to safeguard the character of the Conservation Area and to enable the local planning authority to consider individually whether future additions and alterations should be granted.

POLICY: PPS5 - Planning for the Historic Environment and West Wiltshire District Plan - 1st Alteration policies C18, C31a and C38.

- 15 No development shall commence on site until details of the obscure glazing to be used throughout the scheme for all wc and bathroom windows have been submitted to and approved in writing by the Local Planning Authority. The obscure glazing shall be installed as approved and prior to the first occupation of the development hereby approved and thereafter shall be maintained in accordance with the approved details.

REASON: In the interests of residential amenity and privacy.

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

- 16 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

LOCATION PLAN drawing no. 10056(L)001 Rev A received on 11.11.2011
BLOCK PLAN drawing no. 10056(L) 002 Rev H received on 09.02.2012
TOPOGRAPHIC PLAN drawing no. 10056(D)003 Rev A received on 11.11.2011
EAST ELEVATION drawing no. 10056(D)009 Rev E received on 11.11.2011
WEST ELEVATION drawing no. 10056(D)017 Rev G received on 11.11.2011
NORTH ELEVATION (UNITS 5 & 6) drawing no. 10056(L)010 Rev F received on 09.02.2012
SOUTH ELEVATION (UNITS 5 & 6) drawing no. 10056(L)011 Rev G received on 09.02.2012
FULL ELEVATIONS drawing no. 10056(D)018 Rev G received on 11.11.2011
SITE SECTIONS 1 / 2 drawing no. 10056(D)022 Rev D received on 11.11.2011
SITE SECTIONS 2 / 2 drawing no. 10056(D)023 Rev D received on 11.11.2011
CAR BARN PLAN drawing no. 10056(L)021 Rev E received on 11.11.2011
PORCH DETAIL PLAN drawing no. 10056(D)001 Rev C received on 09.02.2012
CONTEXT PLAN drawing no. 10056(L)014 Rev F received on 09.02.2012

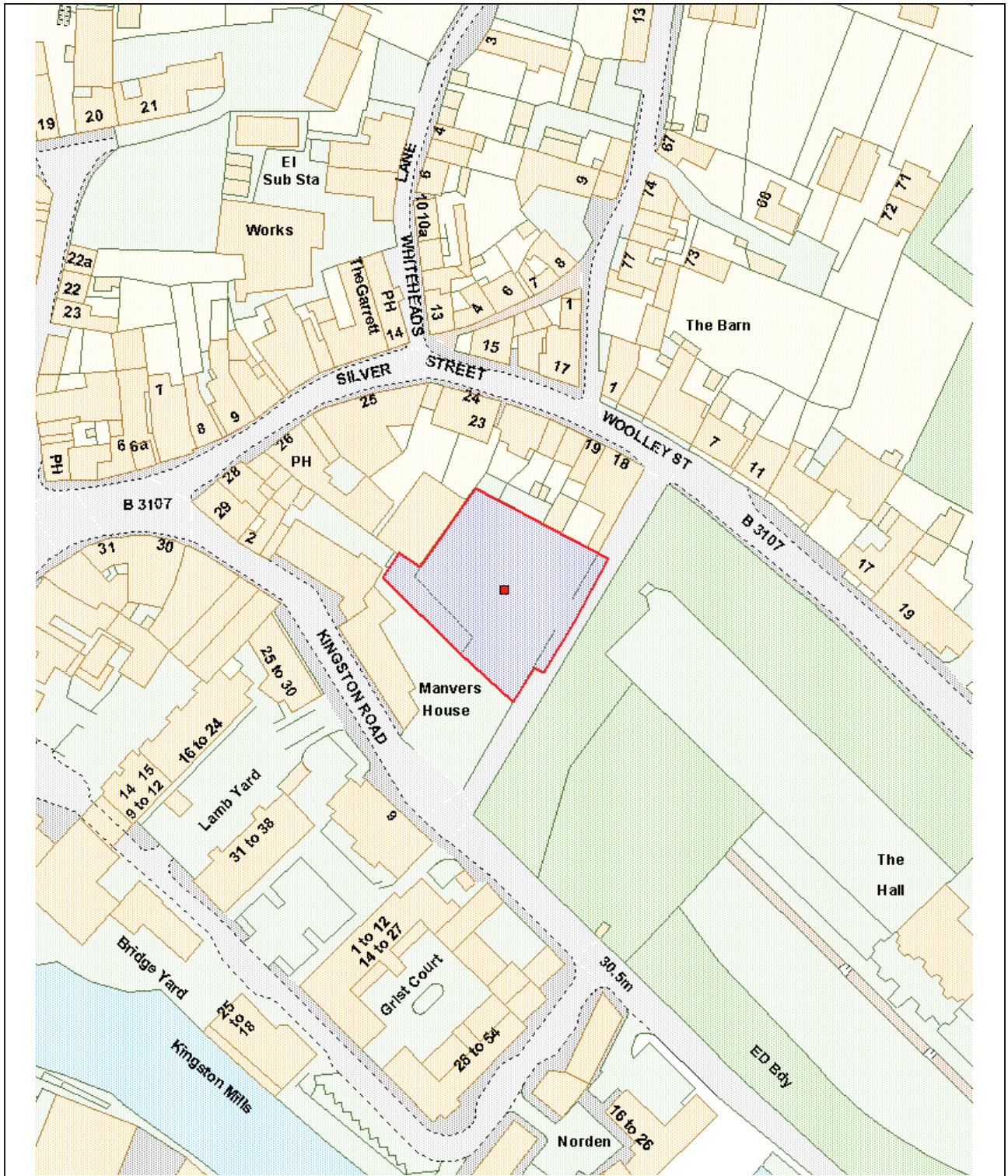
GROUND / FIRST FLOOR PLANS drawing no. 10056(L)015 Rev F received on 09.02.2012
SECOND / ROOF PLANS drawing no. 10056(L)016 Rev E received on 09.02.2012
WINDOW DETAIL PLAN drawing no. 10056(D)002 Rev A received on 11.11.2011
BALCONY DETAIL PLAN drawing no. 10056(D)003 Rev A received on 11.11.2011
TREE CONSTRAINTS PLAN received on 11.11.2011
TREE PROTECTION ZONE BARRIER PLAN received on 11.11.2011

REASON: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

Informative(s):

- 1 The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway

Appendices:	
Background Documents Used in the Preparation of this Report:	



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MSA: 10002961

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	07.03.2012		
Application Number	W/11/03270/FUL		
Site Address	Land Adjoining 51 Summerleaze Trowbridge Wiltshire		
Proposal	Side extension to 51 Summerleaze to create two new additional dwellings (flats)		
Applicant	Morris Developments		
Town/Parish Council	Trowbridge		
Electoral Division	Trowbridge Lambrok	Unitary Member:	Helen Osborn
Grid Ref	384184 156942		
Type of application	Full Plan		
Case Officer	Mr James Taylor	01225 770344 Ext 01225 770249 james.taylor@wiltshire.gov.uk	

Reason for the application being considered by Committee

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

- * Scale of development
- * Visual impact upon the surrounding area
- * Relationship to adjoining properties
- * Design - bulk, height, general appearance
- * Environmental/highway impact

* Other: Impact on the area, loss of amenities, this development is fundamentally altering the character of the area, front and side gardens are being lost, all in all we are getting a deterioration of the local built environment which will have a negative impact on local people. In light of opposition from the people living in this area.

1. Purpose of Report

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

Neighbourhood Responses: Two letters of objection received to original submission.

Trowbridge Town Council Response: Final comment – “Objection, the proposal represents overdevelopment, would be visually intrusive and detrimental to local amenity”.

2. Report Summary

The main issues to consider are:

- * Principle of development; and conformity with the criteria of policy H1 of the Local Plan
- * Highway safety;
- * Residential amenity of neighbouring property and the development itself;
- * Planning history.

3. Site Description

The application site is part of the side garden of 51 Summerleaze. This is a 2-storey, semi-detached, 3-bedroom dwelling which has an enclosed and private rear garden, a side garden and a front garden enclosed with a low brick boundary wall.

The area has clearly been subject to a number of changes in the built form which have evolved the character of the area to one where smaller dwellings are becoming more prevalent. In the immediate vicinity of the application site some changes are evident. For example the other half of this semi-detached pair has been extended and converted to flats; dwellings opposite have been extended and converted to a greater number of flats also. Their frontage has been turned over entirely to hard surfacing for parking.

4. Relevant Planning History

04/00520/FUL – Conversion/two storey extension to form 4 flats (at 38 Summerleaze)– Permission on 03.06.2004

05/03007/FUL - Conversion and extension of existing dwelling to form four flats (at 49 Summerleaze) – Permission on 17.02.2006

06/01436/FUL - Conversion/extension to dwelling to form four flats (at 40 Summerleaze) – Permission on 13.07.2006

07/02398/FUL - Erection of dwelling and link garages (at 29 Westfield Road) – Permission on 11.10.2007

5. Proposal

This is a proposal to build an extension to the existing terrace that has the form and appearance of a semi-detached house but that contains one ground and 1 first floor flat. To facilitate this a single storey attached structure would be demolished and a building would be erected using matching materials, matching eaves and ridge heights and employing a projecting gable to match others in the locality. The width of the extension would be 6.8 metres and a gap of approximately 1 metre would be maintained to the north east boundary to retain a rear access to the amenity area.

The proposal details the creation of a completely open frontage laid to hard standing for up to 5 vehicles. This would allow 2 for the existing 3-bedroom dwelling, 2 for the 2-bedroom ground floor flat and 1 for the 1-bedroom first floor flat.

This scheme is a revised proposal following discussions with officers. The original submission was for a larger footprint up to the boundary of the site to create 2x 2-storey dwellings (a 1-bedroom and a 2-bedroom). A full re-consultation has been carried out on the revised proposals.

6. Planning Policy

West Wiltshire District Plan 1st Alteration (2004)

C31a: Design; C38: Nuisance; H1: Further Housing Within Towns

National guidance

PPS1: Delivering Sustainable Development; PPS3: Housing; PPG13: Transport

7. Consultations

Trowbridge Town Council

No objection to original proposal. Objection to revised plans – “The proposal represents overdevelopment, would be visually intrusive and detrimental to local amenity.”

Highways

No objections subject to conditions relating to the provision of parking facilities.

Wessex Water
No objections.

8. Publicity

The application was advertised by site notice and neighbour notification. Expiry date: 13 February 2012.

Two letters received regarding the original submission. No comments have been received regarding the revised proposals. Summary of points raised to original scheme:

- * Whilst the need for more accommodation is understood, why should it all be concentrated on the corner of Summerleaze and Westfield Road_
- * There are already 12 flats due to conversions in the area;
- * Can the extra demand on sewerage and drains be coped with;
- * Previous development has area looking untidy; and
- * Walls have been knocked down and not been repaired by landlord.

9. Planning Considerations

- * Principle of development.

The application site is part of the residential curtilage of 51 Summerleaze and is within the built-up area of Trowbridge. The relevant planning policy is therefore policy H1 of the local plan. This permits the erection of new houses subject to compliance with the detailed criteria of this policy. The criteria are addressed in turn below:

- * Siting, layout and design considerations and whether they are in keeping with the character of the surrounding area.

The proposal creates a built form (semi-detached house in appearance) that utilises the side garden area of this semi-detached property. The proposal has a gable end 2-storey projection which would reflect that on the other half of the semi-detached pair and create a sense of symmetry. Indeed these projecting gables are typical of the street scene at this point. The eaves and ridge heights, the materials and all other aspects are in keeping with the existing built environment. As such it can only reasonably be concluded that the siting, layout and design are in keeping with the surrounding area.

- * Whether inappropriate backland or tandem development.

The proposals are not backland or tandem development. The extension is to the side, not the rear, and maintains the existing form and width of the terrace of houses at this point. The projecting gable 'bookends' the existing gable at the other end of the terrace and is in keeping with the character and appearance of the street scene at this point.

- * Whether adequate provisions can be made for surface waters and flood risk.

The area is designated as flood zone 1, the lowest probability of flooding. Wessex Water have no objection to the proposals. However it would be prudent to add a condition to seek a more sustainable drainage strategy than discharging surface water to the main sewer. This may simply include grey water harvesting and soakaways given the small scale of development.

- * Whether adequate provisions can be made for connection to water and sewerage systems without harm to the environment.

The proposals are located within an established urban environment where there are known water and sewerage facilities. The application details use of these and Wessex Water raises no objection.

- * If any visual gap or open area, important for public recreation and amenity would be lost.

The proposals would involve the erosion of a gap, but this particular gap between dwellings is not considered to be of any significant value to the character or appearance of the area or its amenity, and similar gaps have been lost due to other developments in recent years. The proposals are on private land and as such would not affect any public recreation interests.

* Highway safety;

The proposal details 5 car parking spaces to serve the existing dwelling and the proposed flats. This is in accordance with the Council's adopted minimum residential parking standards given the type of accommodation being created.

* Residential amenity of neighbouring property and the development itself.

The proposals would not be overlooked by any existing development and would not themselves create any significant overlooking issues as the only first floor gable window is an obscure glazed bathroom window. The built form has been set in from the boundary to the east and would not cause any dominant or overbearing impact to occupiers of 29 Westfield Road.

* Planning history.

The site itself has no relevant history. However it is noted that 4 sites in immediate proximity around this junction of Summerleaze and Westfield Road have been subject to positive planning decisions which have resulted in a higher density development and projecting gables. This has been noted in the public consultation responses. Whilst the maxim of each case being assessed on its merits holds, it is hard to ignore these decisions as all but 1 has been implemented and this has changed the character of the area at this point to one where smaller dwellings are more prevalent. It is on the basis of the existing character that the development must be assessed.

Some of the issues raised regarding the type and tenure of property at this point, poor maintenance / poor control of tenant's behaviour by landlords and general untidy or unsightly development have been noted. Much of this is beyond the reasonable control of the planning system and the scope of this application. However a condition to require some frontage soft landscaping is suggested. This condition is necessary in order to try to create a better street scene and soften the development proposals; however within the scope of this application there is nothing that can be reasonably done to improve neighbouring sites.

* Other material considerations

The proposals retain a rear access, so bin and recycling storage can be facilitated conveniently at the rear, depending on the behaviour of occupiers.

* Summary and conclusions

In summary, the proposal creates a built form of development that is in keeping with the character and appearance of the area and will provide smaller accommodation in a sustainable location to those seeking it. As the proposal is in accordance with the criteria set out in policy H1, and there are no other adverse impacts, permission is recommended.

Recommendation: Permission

For the following reason(s):

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

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall be carried out in accordance with the following approved plans:

Drawing: 11.45.1 received on 15 December 2011 (site plan only);
Drawing: 11.45.1 Rev A received on 30 January 2012;

Drawing: Parking plan received on 30 January 2012;
Drawing: 11.45.4 Rev A received on 30 January 2012; and
Drawing: 11.45.5 Rev A received on 30 January 2012.

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing building.

REASON: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

- 4 The development hereby permitted shall not be first occupied until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

- 5 No part of the development hereby approved shall be first occupied until the parking area shown on the approved plans has been consolidated, surfaced and laid out in accordance with the approved details. This area shall be maintained and remain available for this use at all times thereafter.

REASON: To ensure that adequate provision is made for parking within the site in the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: T10

- 6 The development hereby permitted shall not be occupied until the flank boundary features have been reduced to not more than 0.6 metres for 1 metre back from the adjacent footway. These features shall be maintained at that height at all times thereafter.

REASON: In the interests of highway safety.

- 7 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority. All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the flats or the completion of the development whichever is the sooner. All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 8 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: U2

- 9 Notwithstanding the hereby approved plans a rear access shall be provided to serve the amenity areas of both the approved development and 51 Summerleaze before the first occupation of the development. Details of this shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of any development. The approved details of access shall be maintained in perpetuity.

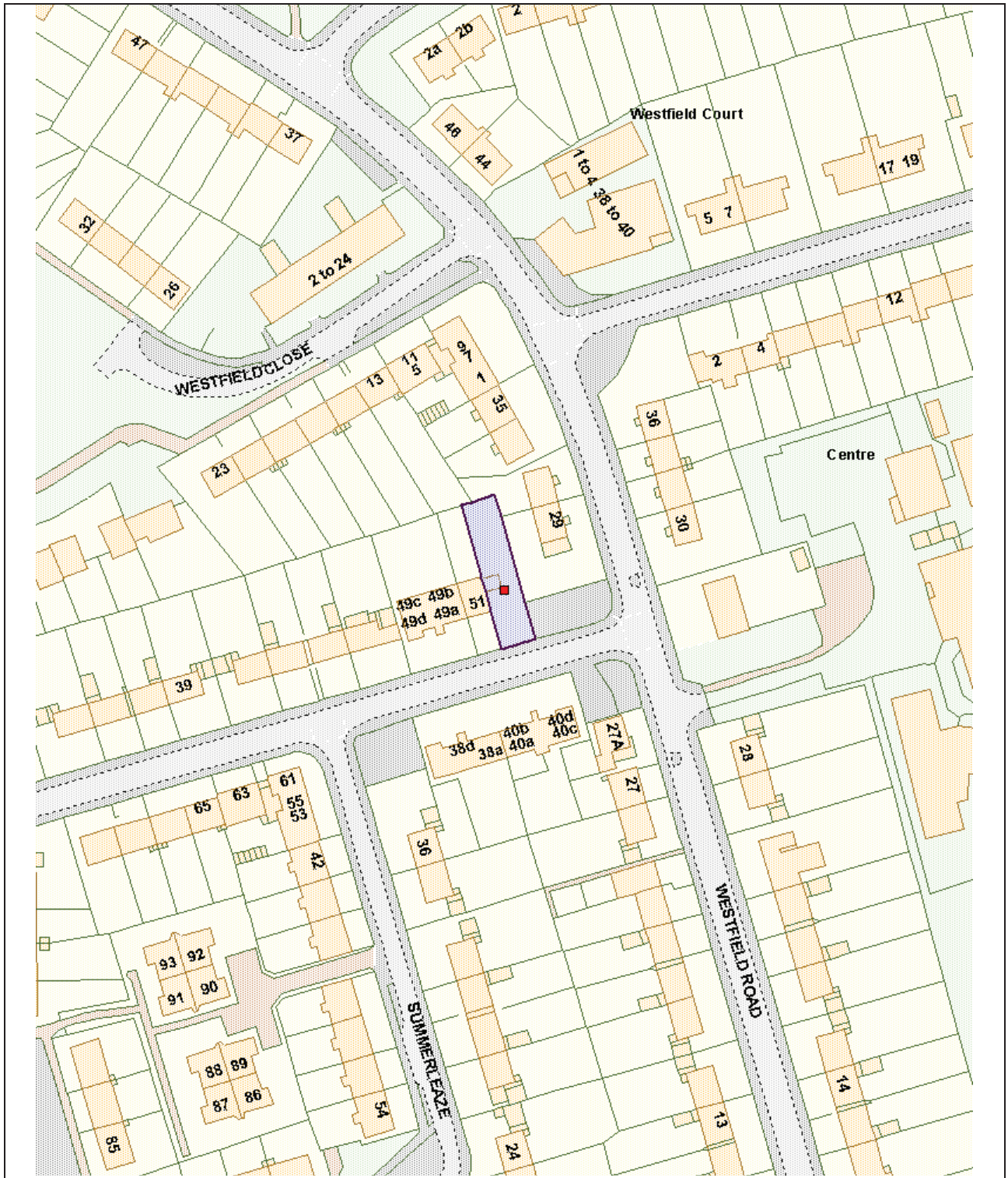
REASON: To ensure that rear access to private and secured amenity areas is maintained to facilitate bin, recycling, bicycle storage etc.

POLICY: West Wiltshire District Plan 1st Alteration (2004) Policy H1.

Informative(s):

- 1 The developer is advised to contact Wessex Water to ensure that any section 105a sewers (formally private sewers and lateral drains) that may be existing on the site are identified and then, as appropriate, suitable action is taken to ensure proper drainage and sewerage to serve residential property is provided. Wessex Water may be contacted on 01225 526000.
- 2 The consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a licence may be required from Wiltshire's highway authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway.
- 3 The developer is advised that any details of landscaping should include frontage planting to compliment the built form and soften the hard landscaping / parking area. To discuss this further you are advised to contact the planning case officer on 01225 770249.

Appendices:	
Background Documents Used in the Preparation of this Report:	



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MSA: 100022961

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REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	07.03.2012		
Application Number	W/11/03234/FUL		
Site Address	29A Newtown Trowbridge Wiltshire BA14 0BA		
Proposal	Conversion of single 3-storey terraced house into one 1-bedroom flat and two independent bedsits		
Applicant	Mr Michael Dolan		
Town/Parish Council	Trowbridge		
Electoral Division	Trowbridge Central	Unitary Member:	John Knight
Grid Ref	385241 157519		
Type of application	Full Plan		
Case Officer	Mr David Cox	01225 770344 Ext 01380734826 david.cox@wiltshire.gov.uk	

Reason for the application being considered by Committee

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

- * Scale of development
- * Visual impact upon the surrounding area
- * Relationship to adjoining properties
- * Car parking

Councillor Knight adds "The development would harm the character of the conservation area, which would be eroded by the sub-division of this building.

1. Purpose of Report

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

2. Report Summary

The main issues to consider are:

- * Principle of Development.
- * Impact on car parking.
- * Impact on the conservation area.
- * Impact on the listed buildings in the vicinity.

3. Site Description

No 29A Newtown is a three storey four bedroom mid terraced building located within a residential area and opposite the Newtown Primary School. The buildings on this terrace range from three storeys to two storeys high. The property is not a listed building. Some of the ground floors in the vicinity have commercial units with two take-aways, a hair dresser and a white goods shop and have residential accommodation above.

4. Relevant Planning History

There is no relevant planning history on this site.

5. Proposal

The proposal is to convert the building into three units. On the ground floor there would be a flat which would have its own kitchen, bathroom, living room and bedroom. On the first and second floors there would be a single bedsit on each floor with its own independent bathroom and kitchen.

The only physical changes to the building would be replacing the existing timber framed windows with Upvc double glazing. This does not require planning permission.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004 - Policies

H1 – Further Housing Development within Towns; C17 – Conservation Areas; C19 – Alterations in Conservation Areas; C31a – Design; C38 – Nuisance

Planning Policy Statement 3 – Housing; Planning Policy Statement 5 – Planning for the Historic Environment; Planning Policy Guidance 13 – Transport

7. Consultations

Trowbridge Town council

Objection due to the over sub-division of the building impacting on a listed building and poor car parking.

Highways

On the understanding that the proposed use would not be expected to create a materially greater parking demand compared with the existing use, maximised, there is no highway objection.

8. Publicity

The application was advertised by site notice/press notice /neighbour notification. Expiry date: 10 February 2012. No comments received.

9. Planning Considerations

Principle of Development:

The application site is within the built up limits of Trowbridge and the existing building is used as residential accommodation. Therefore there is no principle objection to the proposed development.

Impact on car parking:

Only a few dwellings in this area benefit from private off road parking and most rely on on-street parking. However, consideration must be given to the Council's adopted Wiltshire Car Parking Strategy 2011. This strategy sets out minimum parking standards that new housing development should provide. It requires four bedroom houses to have a minimum of 3 parking spaces and one bedroom flats to have 1 space each. This proposal, for three 1 bedroom flats would mean that there would be no material change in demand as the number of spaces generated matches that from the existing use. Therefore on this basis it is not considered that an objection can be reasonably raised.

An additional consideration is that the site is located in a sustainable location very close to the town centre. The application site is within a 5 minute walk of the train station and bus stops and there are plenty of retail and social facilities that can be easily reached by foot.

Impact on the conservation area:

It is not considered that there would be any harm to the character or appearance of the conservation area as there would be little change to the external appearance and the residential use of the building would be retained. Both neighbouring properties and the ground floor of No29A have plastic double glazed windows. Therefore it would be unreasonable to object to the replacement of the other windows with uvpc.

Impact on the listed buildings in the vicinity:

The property itself is not a listed building. the closest listed building (Grade II) is No 26 (on the same terraced row) and is approximately 23 metres away from No 29A. It is not considered that this proposal would have any material impact on the setting of the listed building.

In conclusion, it is considered that the proposal is in accordance with the Council's planning policies and would not have any adverse impact on the character or appearance of the area.

Recommendation: Permission

For the following reason(s):

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

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans:

Site Location Plan received on 13 December 2011

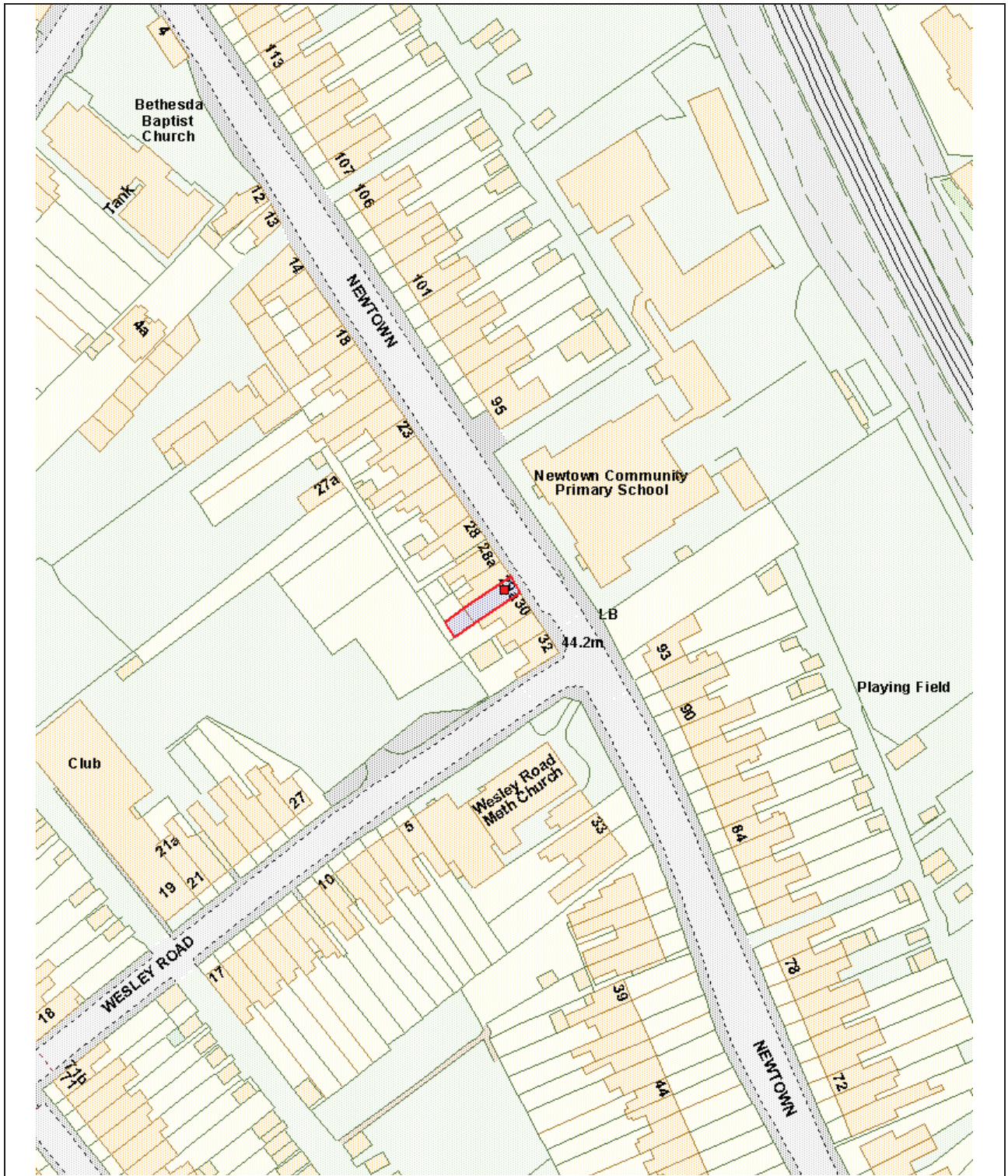
Elevations plan no date stamp

Proposed Ground and First Floor Plan received on 13 December 2011

Revised First Floor Plan received no date stamp

Reason: To ensure that the development is carried out in accordance with the approved plans that have been judged to be acceptable by the local planning authority.

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MSA: 100022961

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	07.03.2012		
Application Number	W/11/03130/FUL		
Site Address	Land East Of 3 Lower Marsh Road Warminster Wiltshire		
Proposal	Stables with new vehicular access		
Applicant	Mr A Jones		
Town/Parish Council	Warminster		
Electoral Division	Warminster Broadway	Unitary Member:	Keith Humphries
Grid Ref	387465 144028		
Type of application	Full Plan		
Case Officer	Mr Matthew Perks	01225 770344 Ext 01225 770207 matthew.perks@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Ridout has requested that this item be determined by Committee due to the environmental/highway impacts and the presence of the flood plain.

1. Purpose of Report

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

Neighbourhood Responses

Three letters of response were submitted, two of objection and one making observations on restricting the proposed use of the site.

Town Council Response - Warminster Town Council objects to the proposal.

2. Report Summary

The main issues to consider are:

- potential impacts on the countryside and Special Landscape Area;
- flood risk; and
- neighbour amenity.

3. Site Description

The application site is a rectangular portion of paddock of approximately 0.56ha in extent. It is located to the south of Lower Marsh Road, to the south and immediate east of Town Policy Limits and adjacent to the residential property at No. 3 Lower Marsh Road owned by the applicant. It therefore falls within the open countryside, and the surrounds are designated as a Special Landscape Area. The site is located largely within Flood Zone 3.

4. Relevant Planning History

W/09/02317/FUL : Stables with new vehicular access : Withdrawn 10.11.2009 for further information in relation to flooding.

5. Proposal

The application is for the erection of a stable block comprising two loose boxes, a hay and feed store, a tack room and tractor store. The building would be in an "L"-form with length dimensions of each of the "legs" of 12m. The width of the legs would be 4m. A ridge height of 3.7m is proposed. Materials would be timber with a plastic-coated sheeting roof. A vehicular entrance/exit is also proposed off of Lower Marsh Road providing access onto a block-paved parking and turning area to the north and east of the building. The proposal is to provide stabling for two ponies and associated storage and equipment space. The application is supported by a Flood Risk Assessment.

6. Planning Policy

West Wiltshire District Plan First Alteration 2004

C1- Countryside Protection ; C3 - Special Landscape Areas; C31A - Design; C38 - Nuisance; E10 - Horse Related Development

National guidance

PPS1: Delivering Sustainable Development; PPS7: Sustainable Development in Rural Areas; PPS25: Development and Flood Risk

7. Consultations

Town council

Warminster Town Council objects to the proposal, noting: "On flood plain" and "Proposed the application is called in"

Highways

No objection. Conditions recommended in relation to access splays, gates and gradient. A note to the applicant on the provision of a pipe to the highway ditch is also recommended.

Wessex Water

No objection.

Environment Agency

No objection in principle to the proposal. The Flood Risk Assessment is noted. The submitted plans show that the floor level of the proposed stables will be set at existing ground level and the building will be of a porous design i.e. be able to let flood waters enter and leave the building, without impeding flood flows or reducing flood storage capabilities. Where the vehicle access and hard-standing area would be block paved, and disposal of surface water will be to soakaway, the soakaway should be shown to work. An informative to the applicant regarding the construction of the bridge over the existing drainage ditch is recommended. Under the terms of Section 23 of the Land Drainage Act 1991 any works (permanent or temporary) that may affect the flow of an 'ordinary' watercourse will require the prior written consent (Flood Defence Consent) of the Environment Agency. The need for this consent is separate from the need for planning consent. The applicant is advised to contact Daniel Griffin on 01258483351 to discuss the scope of our controls.

Wiltshire Council Landscape Officer

The proposals were discussed with the Landscape Officer, who recommends a landscaping condition to address the works to the hedge and the surfacing of the access/turning area.

8. Publicity

The application was advertised by site notice and neighbour notification. Expiry date: 06.01.2012

Summary of points raised:

- Unfortunate that development is proposed in Special Landscape Area, but it is understood that an "agricultural" use may be permitted;
- Approval of dwellings to west was not meant to compromise "transitional view" between countryside and urbanised area and the recent use of this site for storage of building materials, forklifts and caravans has affected this;
- this shouldn't be the first of a ribbon of agricultural developments along Lower Marsh Road;
- building appears to have a large footprint;
- use should be restricted;
- lack of clarity on how a soakaway would work on this site in floodplain;
- how will waste from equine use be disposed of;
- Wessex Water should be consulted;
- hazards associated with access directly opposite entrance to Henford House - conflict with users of that facility;
- still a gap in the original hedge that formed the boundary of the town;
- existing problems with drainage may be exacerbated;
- vehicles should be restricted to those associated with stabling only;
- no access from this site into the drives of 4 to 5 Lower Marsh Road should be permitted.

9. Planning Considerations

Potential impacts on the open countryside and Special Landscape Area

The West Wiltshire District Plan Policy E10 states that proposals for equestrian facilities and changes of use will be required to have regard to minimising their effects on the appearance of the countryside and to highway implications. An additional consideration is that of the Special Landscape Area (Policy C3) which requires particular attention to avoid development harmful to the character of the landscape.

In this case the stable building would be of a standard low-profile form and appearance utilising materials of wood cladding under roof sheeting, albeit with a footprint large enough to accommodate the loose boxes, feed store, tack room and tractor. In terms of British Horse Society guidance the main criteria in considering the size of any stabling are that the animals should be able to stand up and turn around without difficulty, and to lie down and roll easily without the risk of injury. The Society recommends a minimum stable size of 3.6 metres by 3.6 metres for average sized horses, the height being between 2.7 and 3.3 metres. In this instance the loose boxes would have dimensions of 3.9m x 3.6m and 3.6m x 4.9m and the internal roof height would be approximately 3.4m. The building would be seen in views from the south but would be seen in the context of the edge of town residential development, and the backdrop of the ridge and "Henford House" on the opposite side of the road. From Lower Marsh Road itself the building would be largely screened by the existing vegetation to the boundary. It is considered that, provided acceptable materials are utilised, the building would not be an inappropriate structure in this context and would not give rise to unacceptable harm to the landscape setting. However, in noting the neighbouring comments it is considered that a condition constraining the use of the site, building and surrounding hardstanding to private equestrian purposes would be reasonable and appropriate.

Neighbours also express concern about the proximity of the access to the Henford House entrance and potential conflicts. The highways officer has raised no objection in this regard and, whilst the narrow nature of Lower Marsh Road is acknowledged, it is not considered that the relatively infrequent anticipated use of the access serving a private equestrian use for two ponies would be likely to generate unacceptable highway hazards.

Flooding

The Town Council and neighbours have raised concerns regarding flooding. Following the withdrawal of an earlier application for further information in respect of this issue, a Flood Risk Assessment was prepared and submitted in support of this proposal. The Assessment included a level survey of the site and indicates that the locality of the stable building in the north western corner of the site is not within Flood Zone 3, although the remainder is. The Conclusion is that the stable block therefore "...does not require any compensatory measures for loss of Flood Plain Volume". The access also does fall within Zone 3, hence the proposal for a bridge in order to maintain the current potential volume of the drainage ditch.

The Environment Agency evaluated the content of the Assessment and has confirmed no objection given the design and location of the building. It is considered that in the light of this response there is no Flood Plain reason for refusal. However, it is considered that a condition requiring the use of permeable paving to the hardstanding area would be appropriate as a measure to reduce run-off. The informative recommended by the Environment Agency regarding separate Flood Defence Consent should also be included in any permission. A further condition requiring drainage details is also considered relevant and reasonable to address the comments of the Environment Agency, as well as neighbour observations.

Amenity issues

The site is in a locality and use that would permit the accommodation of the two horses without planning permission. However the location of the building and concentration of the equine activity around the stables indicates that it would be appropriate to require details in respect of manure storage and disposal by way of condition in order to limit any potential for harm to neighbouring amenity.

10. Conclusion

Provided that appropriate conditions are made applicable, permission is recommended.

Recommendation: Permission

For the following reason(s):

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

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details and samples of the materials to be used for the external walls and roofs 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: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

- 3 No development shall commence on site until details for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) have been submitted to and approved in writing by the Local Planning Authority. Before the

development is first brought into use, the works for such storage and disposal shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.

REASON: In the interests of public health and safety, in order to protect the natural environment and prevent pollution.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and C38

- 4 No horse manure or any other materials shall be burnt on site.

REASON: In order to minimise nuisance and safeguard the amenities of the area.

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

- 5 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:

- indications of all existing trees and hedgerows on the land including measures to ensure that the boundary hedge between No 3 Lower Marsh Road and the countryside is re-instated;
- details of trees and hedges to be retained, together with measures for their protection in the course of development;
- means of enclosure;
- the layout of the parking and turning area, and proposed surfacing materials; and
- other vehicle and pedestrian access and circulation areas.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 6 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a and C32

- 7 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: U2

- 8 The development hereby permitted shall only be used for the private stabling of horses and the storage of associated equipment and feed and shall at no time be used for any commercial purpose whatsoever, including for livery, or in connection with equestrian tuition or leisure rides.

REASON: In the interests of highway safety and/or to protect the living conditions of nearby residents.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10 and C38

- 9 The development hereby permitted shall not be first brought into use until the splayed access area between the carriageway edge and the field boundary has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10

- 10 Any gates to close the access shall be set back on the field boundary (existing hedge) and shall be made to open inwards (away from the highway) only.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10

- 11 The gradient of the new access shall not at any point be steeper than 1 in 15 for a distance of 4.5 metres measured back from the carriageway edge.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: E10

- 12 The development hereby permitted shall be carried out in accordance with the approved plans:

Drawing: Locality Plan received on 25 November 2011;

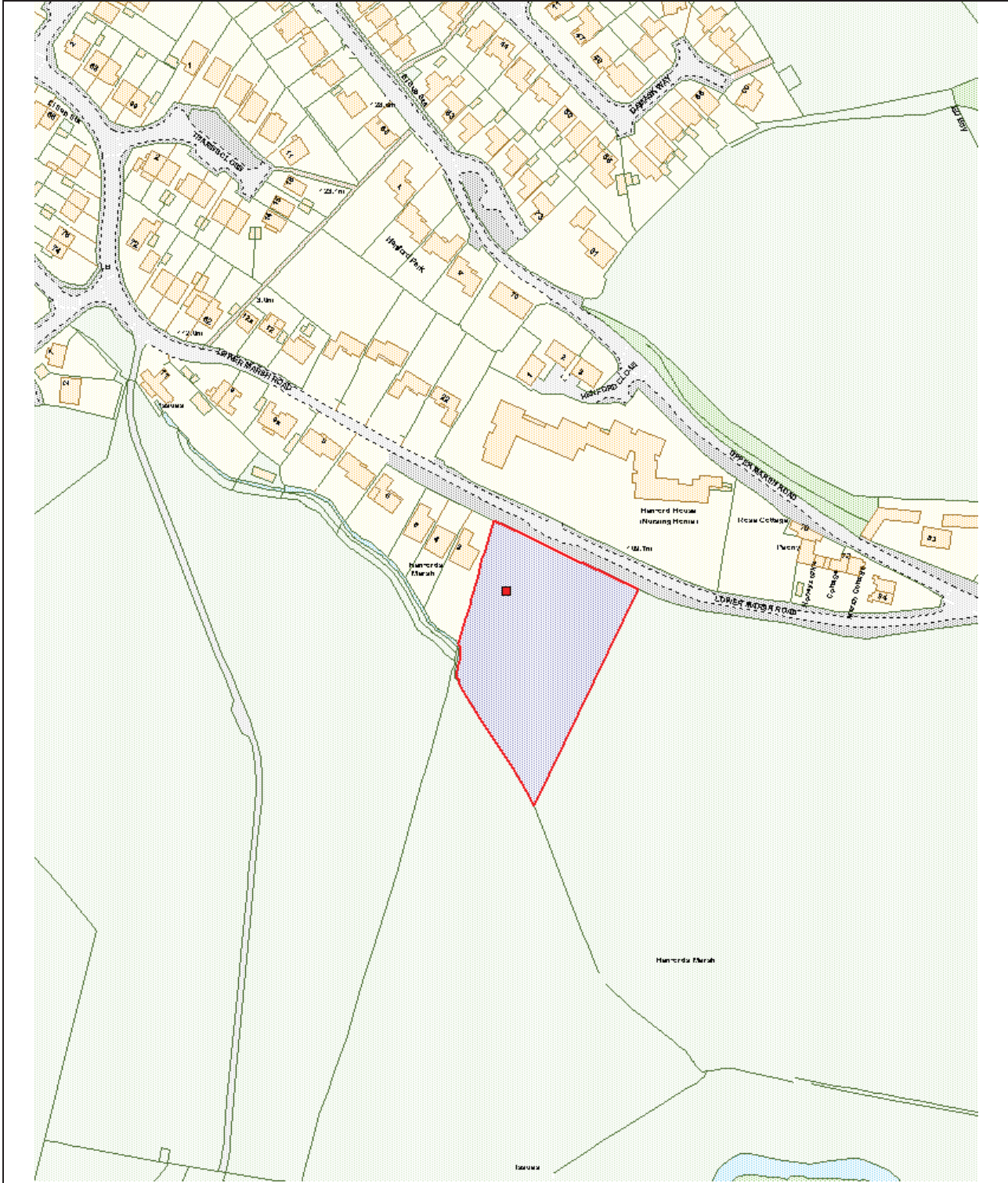
Drawing: No. 2924 received on 25 November 2011;

REASON: For the avoidance of doubt and in the interests of proper planning.

Informative(s):

- 1 The applicant is advised to contact Wessex Water 01225 526000 with regard to the protection of water infrastructure prior to the commencement of works.
- 2 The applicant is advised that under the terms of Section 23 of the Land Drainage Act 1991 any works (permanent or temporary) that may affect the flow of an 'ordinary' watercourse will require the prior written consent (Flood Defence Consent) of the Environment Agency. The need for this consent is separate from the need for planning consent. The applicant is advised to contact Daniel Griffin at the Environment Agency on 01258483351 with regard to the proposed bridging of the drainage ditch. There should be no interruption to the surface water drainage system of the surrounding land as a result of the operations on the site. Provisions must be made to ensure that all existing drainage systems continue to operate effectively.
- 3 The new access crosses a highway ditch which will require to be piped as part of the development. In this connection the applicant is advised to contact the Wilton Highways Office, Tel 01722 744440.

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MSA: 100022961

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	07.03.2012		
Application Number	W/11/03298/FUL		
Site Address	Little Orchard Chitterne Road Codford Wiltshire BA12 0PF		
Proposal	Replacement garage		
Applicant	Mr & Mrs Abbott		
Town/Parish Council	Codford		
Electoral Division	Warminster Copheap And Wylve	Unitary Member:	Christopher Newbury
Grid Ref	397185 139789		
Type of application	Full Plan		
Case Officer	Miss Carla Rose	01225 770344 Ext 01225 770283 carla.rose@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
Design- bulk, height, general appearance

1. Purpose of Report

To consider the above application and to recommend refusal of the proposal.

Neighbourhood Responses

One letter was received in support of the application.

Parish Council Response - No objections

2. Report Summary

The main issue to consider is the impact on the appearance of the area, and particularly the view of the brook and its setting from the bridge.

3. Site Description

The site is located in a garden that runs down to the Chitterne Brook at a point where Chitterne Road crosses the brook. A two storey house is currently under construction replacing the bungalow that previously stood on this site. The house is set back from the brook. A single garage that previously served the bungalow is located close to the house and some 8-9 metres from the Brook. A grass bank slopes down to the brook.

4. Relevant Planning History

11/01007/FUL Demolition of existing bungalow and construction new 2 storey house. Permission 24.06.2011

5. Proposal

The proposal involves the removal of the existing single storey garage and its replacement with a larger double garage and attached study. Whilst the single garage is located between 8-9 metres from the brook and presents a gable end with a narrow width of 3.6 metres towards the brook, the proposed new building is only 3 metres from the brook at its closest point and presents a rear wall of 9.4 metres in length towards the brook. The new building would have a hipped end at one end and a gable end at the other. The walls of the garage are proposed to be reconstructed of reconstructed stone and timber cladding to match the new dwelling. A slate roof is also proposed to match the new dwelling.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004

C2 – Area of Outstanding Natural Beauty; C31a – Design; C38 – Nuisance

Planning Policy Statement 25: Development and Flood Risk

The site, as with the whole of the vilage, lies within the Area of Outstanding Natural Beauty.

7. Consultations

Codford Parish Council

No objections

Environment Agency

Refer to Standard Advice

8. Publicity

The application was advertised by site notice and neighbour notification. One representation has been received from the owner of the dwelling on the opposite side of the brook stating that he has no objection to it. He considers the design to be more in keeping with the new house and may provide some additional privacy.

9. Planning Considerations

The sole issue in relation to this application is the visual impact of the proposal on the appearance of the area, and particularly on the view from the street of the Chitterne Brook and bankside. There is no objection to the principle of replacing the existing single garage with a larger one, but there is an objection to the siting proposed in this application, which is little changed from the earlier proposal that was refused.

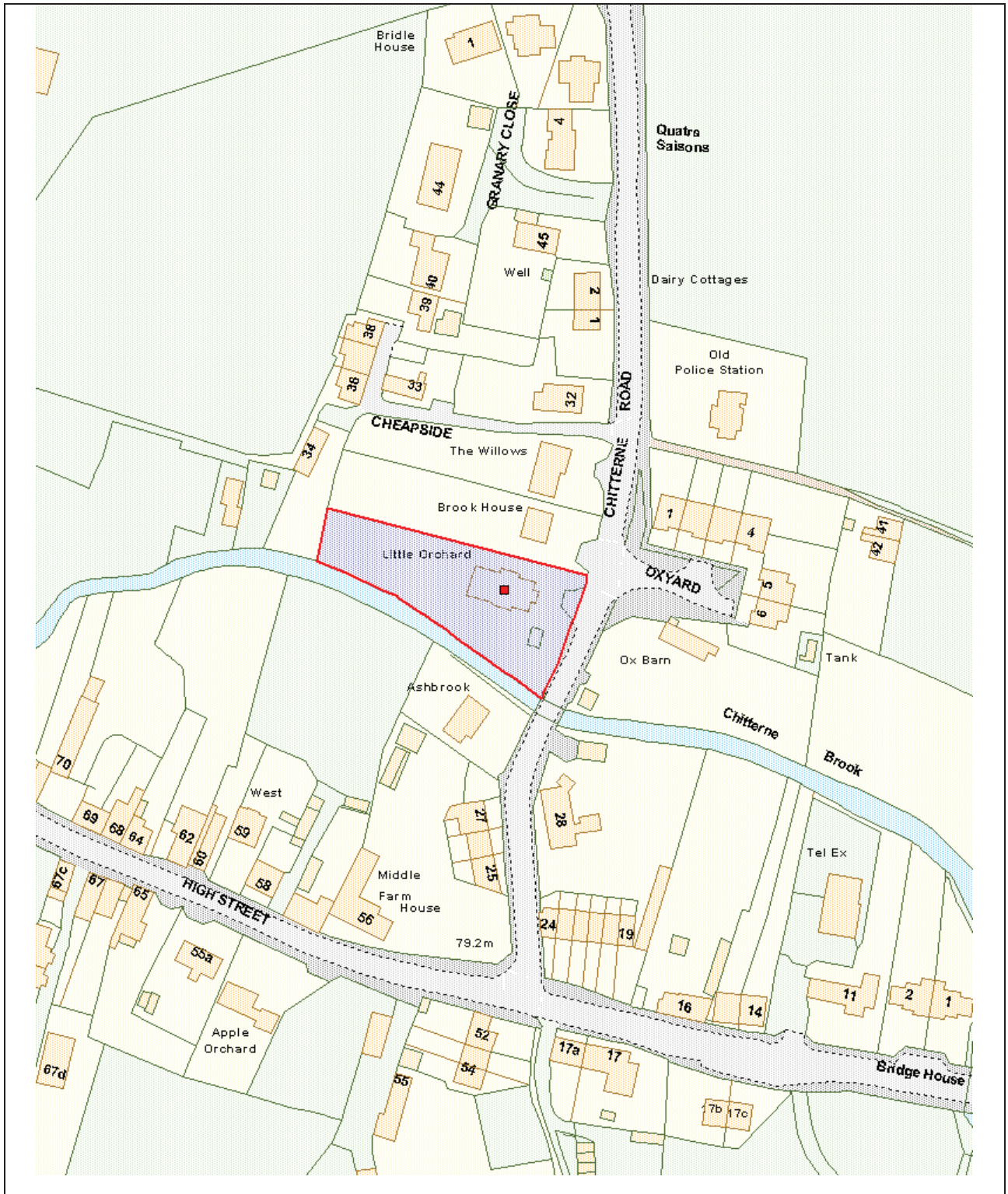
At present, the view from the Chitterne Road where it crosses the brook, is of an open grassed setting to this side of the stream. The existing garage does not intrude on this as it has a narrow profile towards the bank and is set back 8-9 metres from the Brook. The current proposal is for a much larger structure much closer to the Brook, which turns its back on it and reduces the open setting of the brook at this point, where it is in close public view from the road. The erection of this structure, 9.4 metres in length and 3 metres from the bank at its closest point would have an adverse impact on the currently open and pleasant setting of the stream and the appearance of the area. The increase in distance from the Brook of this proposal, compared to the previous proposal is no more than 1 metre, and this is inadequate to protect the appearance of the area. There is adequate room to provide a double garage at the same distance from the bank as the existing garage, where it would not have these adverse impacts. Accordingly, refusal is recommended.

Recommendation: Refusal

For the following reason(s):

- 1 The proposed garage by reason of its proposed location, mass and height would result in an unduly prominent and visually intrusive feature to the detriment of the street scene and the Area of Outstanding Natural Beauty contrary to policy C31a and C2 of the West Wiltshire District Plan 1st Alteration 2004.

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MSA: 100022961

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	07.03.2012		
Application Number	W/11/02471/REG3		
Site Address	Former Innox Hall Site Innox Road Trowbridge Wiltshire		
Proposal	Erection of single storey modular changing accommodation consisting of 3 units and limited car parking		
Applicant	Wiltshire Council / Colin Brown		
Town/Parish Council	Trowbridge		
Electoral Division	Trowbridge Central	Unitary Member:	John Knight
Grid Ref	384999 158015		
Type of application	Reg 3 Application		
Case Officer	Mr James Taylor	01225 770344 Ext 01225 770249 james.taylor@wiltshire.gov.uk	

Reason for the application being considered by Committee

This is the Council's own development on its own land and there have been public objections raised during the consultation process. Under the current Scheme of Delegation, the application must therefore be determined by the Committee.

1. Purpose of Report

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

Neighbourhood Responses: - 5 parties have commented on the development proposals via the statutory planning consultation process.

Trowbridge Town Council Response: No objection.

2. Report Summary

The main issues to consider are:

- * Principle and planning policy;
- * Highway safety;
- * Neighbour amenity; and
- * Design / character and appearance of the area.

3. Site Description

The application site is currently a vacant plot of land that has been left to become overgrown. Part of it contains a disused tennis court, whilst the majority is unkempt grass.

The site is located at the northern end of the Stallards Recreation Ground in Trowbridge, adjacent to the judo hall and close to a football pitch hired out to teams. The site is enclosed with a mixture of fencing and hedges to the boundary; There are a number of trees subject to tree preservation orders on the periphery site.

To the north and west of the application site are residential properties. To the south is the designated recreation area and grassed land of the recreation ground. The application site is actually outside of the former West Wiltshire District Plan 1st Alteration 2004 policy R2 'protection of recreation space' designation. This policy was replaced by Policy LP2 of the Leisure and Recreation DPD when that was adopted in 2009.

4. Relevant Planning History

None.

5. Proposal

This is a proposal to erect a set of 3 modular buildings to provide changing accommodation for football players and match officials using the pitch facilities at the Stallards Recreation Ground.

The modular buildings would be sited together in a linear arrangement with a footprint of approximately 22.4 metres in length and 3 metres in depth. The overall height would be approximately 3 metres. The form of the buildings would be a typical prefabrication structure with a flat roof. The walls have been detailed as plastic coated steel finished in goosewing grey to the officials' changing room and blue to the players' changing rooms.

In addition to this it is proposed to carry out some hard landscaping of the site to provide for a minimum of 26 car parking spaces. Soft landscaping within the application site will be to manage a tree protection zone so as to ensure that trees subject to TPO are not affected, including their roots. External of the site, on other land within the Council's control it is proposed to carry out indigenous species planting.

Access to the site is proposed from the existing gateway to the north west corner at the junction of the unadopted Linden Place and the unclassified Innox Road. Innox Road is the route by which access is obtained to the wider road network via the junction with Bradford Road to the east.

6. Planning Policy

West Wiltshire District Plan 1st Alteration (2004)

C31a: Design ; C38: Nuisance; CF1: General community Facilities and Services

National guidance

PPS1: Delivering Sustainable Development; PPG13: Transport; PPG17: Planning for Open Space, Sport and Recreation.

7. Consultations

Trowbridge Town Council

No objection

Highways

No objection – "I can confirm that the revised drawing now shows the existing corner access as the primary means of access to the site and that the shown parking layout is acceptable. Due to this, I recommend that no highway objection is raised, subject to conditions."

Tree and Landscape Officer

No objection subject to conditions to safeguard the existing trees..

Ecology

No objection subject to conditions.

8. Publicity

The application was advertised by site notice and neighbour notification. Expiry date: 2 February 2012.

5 parties showed an interest in the development via the statutory planning consultation process. Ultimately 4 raised objections.

Summary of points raised:

- * The elevation drawing is pitiful need better details/photos;
- * Concern over appearance of buildings and impact on character of the area;
- * Inappropriate location, should be near the doctors' surgery;
- * Players and officials could use the existing car park off Bradford Road, no need for a further one;
- * Congestion on Innox Road will be exacerbated/highway safety is a nightmare;
- * Land is subject to a covenant to be used for leisure of Trowbridge residents only;
- * Gated parking is not leisure;
- * Why are they for the use of footballers only?;
- * May lead to overspill parking on Linden Place which is unadopted and maintained privately;
- * Who will hold the key for changing facilities;
- * Likely to be a hot spot for vandalism and graffiti – who will pay to repair them?;
- * Money should be spent on repairing the tennis courts thus restoring the land to its rightful purpose;
- * The statement that the pitch is underused is not correct, and if it were it is not because of the lack of facilities but the poor state of the pitch;
- * Damage to field by football activity precludes other recreation uses;
- * Slow Worms are on the site, a protected species; and
- * The area should be turned into a wildlife reserve.

9. Planning Considerations

- * Principle and planning policy.

The site is located immediately to the north of what has been formally designated as the Stallard Street Recreation Ground. The now superseded policy R2 of the local plan did not allocate the application site as part of the recreation ground. The subsequent Leisure and Recreation DPD also omits the application site from both the 'high quality' and 'low value' recreation sites. Furthermore, it is also noted that the proposals would create a further community facility and enhance/supplement the provision of the formally adopted recreation space immediately to the south. This would occur from the provision of formal changing room facilities to both players and officials using the football pitch at Stallards Recreation Ground. This accords with the terms of Policy CF1 of the local plan..

- * Highway safety.

The proposal is located on an edge of location where there are no restrictions to on-street parking and many of the residential properties rely on the on-street parking provision as they have no private parking. There is therefore a very high demand for these 'free' car parking spaces on the adopted highways. Furthermore it is acknowledged that Linden Place is an unadopted road and so any parking pressures on this are a private matter.

The public consultation responses have all raised concern over additional pressure on the street parking facility, but also points to the pressure on the local roads and junction with the wider highway network at Bradford Road that would be created by players and officials visiting the site by car.

The highway officer has raised no objection to the proposals. The amount of parking spaces provided is likely to be sufficient for both teams and officials. The access is at a corner with an unadopted road and unclassified road, the highway officer has raised no objection to this arrangement and it is noted that this is an existing (albeit not currently used) gateway to the site. Whilst pressures of movements from residential parking, town centre parking and recreation parking is accepted to be high in the area; it is considered that the development should assist locals by enabling those using the sports facility to find off-street parking.

- * Neighbour amenity.

The proposed modular buildings would not be located in close proximity to residential property and due to their scale no harm would occur in this respect. The nearest dwelling is over 30 metres distant and on the opposite side of the road

It is understood that players currently change inside and outside of their cars before and after fixtures in/near the existing Bradford Road car park to the south. Given that this is a family area with children's playing facilities near the existing Bradford Road car park, it is clearly preferable to have a proper facility for players to change indoors.

* Design / character and appearance of the area.

The proposals would create an area of hard standing for the car parking but the periphery of the site would be a landscaped buffer. This would mitigate any visual impact from the hard standing and the modular buildings from nearby vantage points.

* Other material considerations

The proposals would see the use for community benefit of an overgrown area of land. The existing mature trees protected by a TPO will be safeguarded by the recommended conditions and should be unaffected.

* Summary

In summary, the proposals provide an opportunity to enhance the community use of a recreational asset, namely the playing field. There should be no significant adverse impacts on the amenity or appearance of the area. The proposal accords with planning policies and is accordingly recommended for approval.

Recommendation: Permission

For the following reason(s):

The proposed development is in conformity with the policies of the development plan and would result in no harm to acknowledged planning interests. Any concerns are outweighed by other material planning considerations, the benefit of providing enhanced recreation and community facilities, and can be adequately controlled by the appropriate use of planning conditions.

Subject to the following condition(s):

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

REASON: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 No development shall commence on site until details of the finished wall colour to be used on the development 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: In the interests of visual amenity and the character and appearance of the area.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

- 3 The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a

- 4 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage

details, has been submitted to and approved in writing by the Local Planning Authority. The development shall not be first brought into use until surface water drainage has been constructed in accordance with the approved scheme.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: U2

- 5 No demolition, site clearance or development shall commence on site until an Arboricultural Method Statement (AMS) prepared by an arboricultural consultant providing comprehensive details of construction works in relation to trees shall be submitted to, and approved in writing by, the Local Planning Authority. All works shall subsequently be carried out in strict accordance with the approved details. In particular, the method statement must provide the following: -

- * A specification for protective fencing to trees during both demolition and construction phases which complies with BS5837:2005 and a plan indicating the alignment of the protective fencing;
- * A specification for scaffolding and ground protection within tree protection zones in accordance with BS5837:2005
- * A schedule of tree works conforming to BS3998.
- * Details of general arboricultural matters such as the area for storage of materials, concrete mixing and use of fires;
- * Plans and particulars showing the sighting of the service and piping infrastructure;
- * A full specification for the construction of any arboriculturally sensitive structures and sections through them, including the installation of boundary treatment works, the method of construction of the access driveway including details of the no-dig specification and extent of the areas of the driveway to be constructed using a no-dig specification;
- * Details of the works requiring arboricultural supervision to be carried out by the developer's arboricultural consultant, including details of the frequency of supervisory visits and procedure for notifying the Local Planning Authority of the findings of the supervisory visits; and
- * Details of all other activities, which have implications for trees on or adjacent to the site.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on and adjacent to the site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice and section 197 of the Town & Country Planning Act 1990.

POLICY: West Wiltshire District Plan 1st Alteration 2004 – policies C31a and C32.

- 6 The development shall be carried out as specified in the approved Arboricultural Method Statement (AMS), and shall be supervised by an arboricultural consultant.

Reason: To prevent trees on site from being damaged during construction works.

POLICY: West Wiltshire District Plan 1st Alteration 2004 – policies C31a and C32.

- 7 A pre-commencement site meeting shall be held and attended by the developer's arboricultural consultant, the designated site foreman and a representative from the Local Authority to discuss details of the proposed work and working procedures prior to any demolition, site clearance and any development. Subsequently and until the completion of all site works, site visits should be carried out on a monthly basis by the developer's arboricultural consultant. A report detailing the results of site supervision and any necessary remedial works undertaken or required shall be submitted to and approved in writing by the Local Planning Authority. Any approved remedial works shall subsequently be carried out under strict supervision by the arboricultural consultant following that approval.

Reason: In order that the Local Planning Authority may be satisfied that the trees to be retained on-site will not be damaged during the construction works and to ensure that as far as possible the work is carried out in accordance with current best practice.

POLICY: West Wiltshire District Plan 1st Alteration 2004 – policies C31a and C32.

- 8 No development shall commence until a full No-Dig specification and a cellular containment system for works within the root protection area/canopies of protected and retained trees has been submitted and approved in writing by, the Local Planning Authority. The construction of the surface shall be carried out in accordance with approved details and thereafter retained.

REASON: In order to protect trees on and adjacent to the site which are to be retained with surfacing placed near to or over the trees root system.

- 9 No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:-

- indications of all existing trees and hedgerows on the land;
- A detailed soft landscape scheme shall include all species, planting sizes and planting densities, spread of all trees and hedgerows within or overhanging the site, in relation to the proposed buildings, roads, and other works;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- hard surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
- retained historic landscape features and proposed restoration, where relevant.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY: West Wiltshire District Plan 1st Alteration 2004 - policies C31a and C32.

- 10 All soft landscaping comprised in the approved details of landscaping shall be carried out in the first planting and seeding season following the first occupation of the building(s) or the completion of the development whichever is the sooner; All shrubs, trees and hedge planting shall be maintained free from weeds and shall be protected from damage by vermin and stock. Any trees or plants which, within a period of five years, die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with others of a similar size and species, unless otherwise agreed in writing by the local planning authority. All hard landscaping shall also be carried out in accordance with the approved details prior to the occupation of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

POLICY: West Wiltshire District Plan 1st Alteration 2004 – policies C31a and C32.

- 11 Prior to the commencement of any development on site (including preparation and enabling works) an Ecological Construction Method Statement shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure biodiversity interests are protected.

POLICY: Planning Policy Statement 9: Biodiversity and Geological Conservation.

12 Prior to the development being first brought into use / occupied an ecological management plan for the site shall be submitted to and approved in writing by the Local Planning Authority.

REASON: In order to ensure biodiversity interests are protected.

POLICY: Planning Policy Statement 9: Biodiversity and Geological Conservation.

13 On or before 7 March 2017 the modular changing rooms shall be removed from the site and the land restored to its former condition (or otherwise approved in writing by the Local Planning Authority) in accordance with a scheme of work submitted to and approved in writing by the Local Planning Authority.

REASON: In the interests of amenity, in order to secure the restoration of the land upon removal/extinguishment of a building for which permission can be justified only on the basis of a special temporary need.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

14 The development shall be carried out in accordance with the hereby approved plans:

Drawing: Site location plan;
Drawing: Revised block plan;
Drawing: 09-0058-02;
Drawing: 08-0612-02;
Drawing: 1989/22/1 Rev O; and
Drawing: Topographical survey.

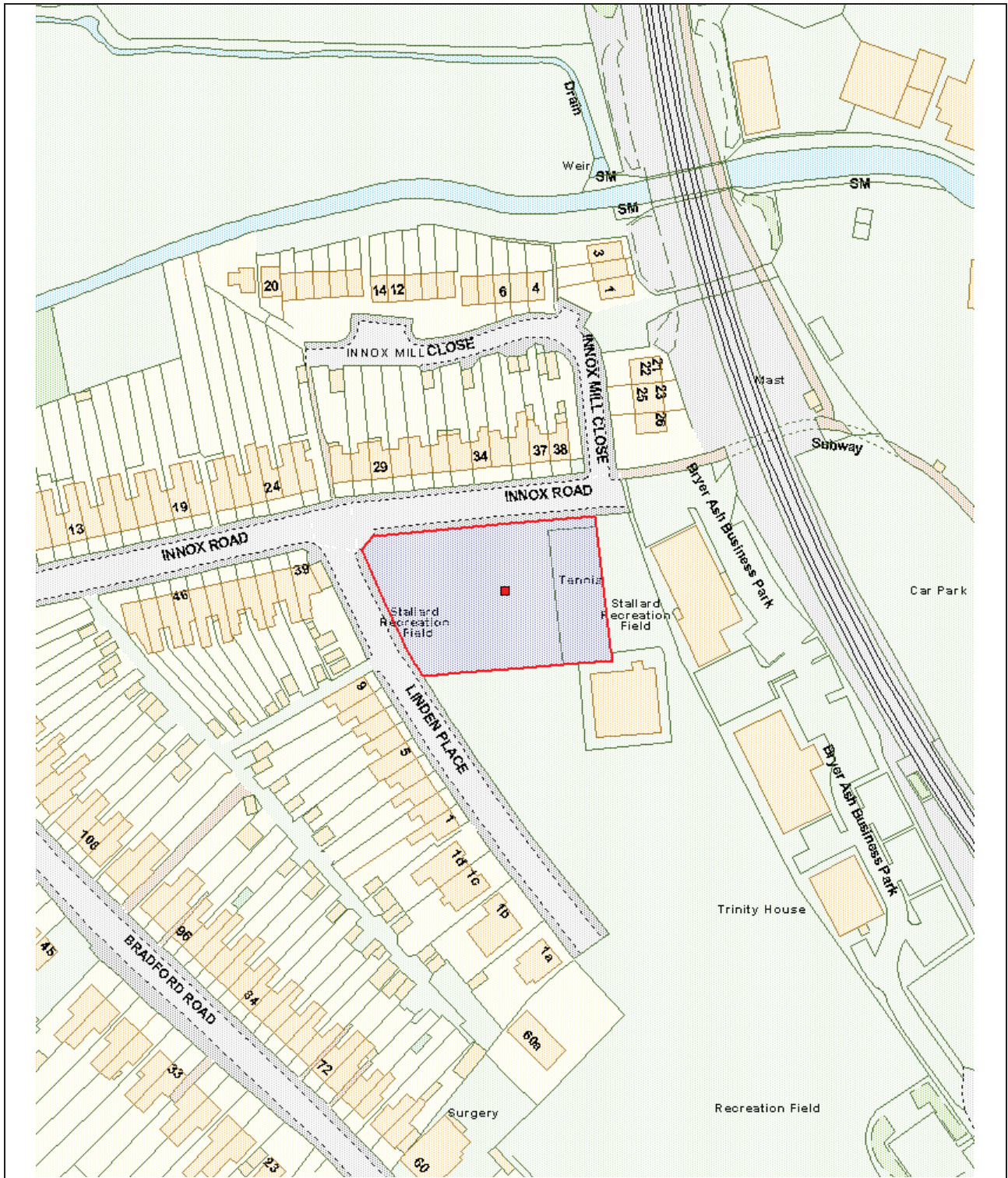
REASON: In order to define the terms of this permission and in the interests of proper planning.

Informative(s):

1 The developer is advised to contact the Council's tree and landscape officer in relation to conditions 5, 6, 7, 8, 9, and 10 on 01225 770232.

2 The developer is advised to contact the Council's tree and landscape officer in relation to conditions 11 and 12 on 01225 713241.

Appendices:	
Background Documents Used in the Preparation of this Report:	



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