

AGENDA

Meeting: Western Area Planning Committee
Place: Ridgeway Space - County Hall, Trowbridge BA14 8JN
Date: Wednesday 16 October 2013
Time: 6.00 pm

Please direct any enquiries on this Agenda to Kieran Elliott of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718504 or email kieran.elliott@wiltshire.gov.uk

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

This Agenda and all the documents referred to within it are available on the Council's website at www.wiltshire.gov.uk

Membership:

Cllr Trevor Carbin	Cllr Christopher Newbury (Chairman)
Cllr Ernie Clark	Cllr Horace Prickett
Cllr Andrew Davis	Cllr Pip Ridout
Cllr Russell Hawker	Cllr Jonathon Seed
Cllr John Knight	Cllr Roy While (Vice Chairman)
Cllr Magnus Macdonald	

Substitutes:

Cllr Nick Blakemore	Cllr David Jenkins
Cllr Rosemary Brown	Cllr Gordon King
Cllr Terry Chivers	Cllr Helen Osborn
Cllr Linda Conley	Cllr Jeff Osborn
Cllr Dennis Drewett	Cllr Graham Payne
Cllr Keith Humphries	Cllr Fleur de Rhé-Philipe

AGENDA

Part I

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

1 **Apologies for Absence**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 8*)

To approve the minutes of the last meeting held on 4 September 2013.

3 **Chairman's Announcements**

To receive any announcements through the Chair.

4 **Declarations of Interest**

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

5 **Public Participation and Councillors' Questions** (*Pages 9 - 10*)

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 9 October 2013.** 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.

A question from Councillor Ernie Clark is included with this agenda.

6 **Planning Applications** (*Pages 11 - 12*)

To consider and determine the following planning applications:

- 6a **W/12/00697/FUL: Land West Of Codford Station, Station Road, Codford (Upton Lovell Parish)** (*Pages 13 - 22*)
- 6b **W/12/02346/FUL: Kingston Mills, Kingston Road, Bradford On Avon** (*Pages 23 - 30*)
- 6c **W/12/02347/FUL: Kingston Mills, Kingston Road, Bradford On Avon** (*Pages 31 - 40*)
- 6d **W/12/02348/LBC: Kingston Mills, Kingston Road, Bradford On Avon** (*Pages 41 - 46*)
- 6e **W/13/01080/FUL: Glove Factory Studios, 1 Brook Lane, Holt, Trowbridge** (*Pages 47 - 70*)
- 6f **13/01891/FUL: Honeywell Farm, Silver Street Lane, Brokerswood, Westbury, BA13 4EY** (*Pages 71 - 76*)
- 6g **13/01573/FUL: Land East of 14 Farleigh Rise, Monkton Farleigh, Bradford on Avon, BA15 2QP** (*Pages 77 - 82*)
- 6h **13/02078/FUL: Manor Farm, Upton Lovell, Warminster, BA12 0JN** (*Pages 83 - 90*)
- 6i **13/01823/FUL: The Lodge, 6 Westwood Road, Trowbridge, BA14 9BR** (*Pages 91 - 96*)
- 6j **13/02371/FUL: 57 Damask Way, Warminster, BA12 9PP** (*Pages 97 - 102*)

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

WESTERN AREA PLANNING COMMITTEE

DRAFT MINUTES OF THE WESTERN AREA PLANNING COMMITTEE MEETING HELD ON 4 SEPTEMBER 2013 IN THE RIDGEWAY SPACE - COUNTY HALL, TROWBRIDGE BA14 8JN.

Present:

Cllr Trevor Carbin, Cllr Ernie Clark, Cllr Andrew Davis, Cllr John Knight,
Cllr Magnus Macdonald, Cllr Christopher Newbury (Chairman), Cllr Graham Payne
(Substitute), Cllr Fleur de Rhé-Philippe (Substitute), Cllr Pip Ridout and Cllr Roy While (Vice
Chairman)

68 Apologies for Absence

Apologies for absence were received from Councillors Horace Prickett, Russell Hawker and Jonathon Seed.

Councillor Seed was substituted by Councillor Graham Payne.

Councillor Prickett was substituted by Councillor Fleur de Rhé-Philippe.

69 Minutes of the Previous Meeting

The minutes of the meeting held on 14 August 2013 were presented. It was,

Resolved:

To approve as a true and correct record and sign the minutes.

70 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.

71 Declarations of Interest

Councillor Andrew Davis declared a non-pecuniary interest on the applications under Minutes 76 and 77 - *W/13/00451/FUL and W/13/00711/FUL* - by virtue of being a member of Warminster Town Council's Planning Committee where the items had previously been considered, but would consider the applications on their merits and participate in the debate and vote.

Councillor Magnus Macdonald declared an interest in Minute numbers 76 and 77 - *W/13/00451/FUL and W/13/00711/FUL* - by virtue of being a paid director of Selwood Housing, the applicants. Councillor Macdonald took no part in the debate or vote on the items.

72 **Public Participation and Councillors' Questions**

No questions had been received from councillors or members of the public.

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

73 **Planning Applications**

The Committee considered the following applications:

74 **W/13/00882/FUL: Land East of 2 Manor Farm Cottages, The Marsh, Longbridge Deverill, Wiltshire**

Public Participation

Mr Philip Crowther spoke in objection to the application.

Mr John Robins, applicant, spoke in support of the application.

Mr Michael Fowler, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended refusal. In a correction to the report, it was stated the footprint of the proposed double story building would be approximately 197m² and not 210m². It was further stated there had been four letters of objection, and twelve in support of the application.

It was then confirmed the proposed buildings lay outside the village policy limit within the open countryside and in an Area of Outstanding Natural Beauty (AONB), and that there was no outstanding permission on the site resulting from that previously granted in 1967, which had since lapsed, and the key issues included the principle of development and impact on the countryside, AONB and the access.

Members of the Committee then had the opportunity to ask technical questions of the officer. In response to queries it was confirmed by the officer that two out of the four dwellings of the original outline permission on the site had both been given reserved matters approval with a restriction that they be occupied in connection with the agriculture industry. However, as one of those dwellings permitted had been proven to have been occupied in defiance of that justification for a period of ten years or more, a certificate of lawfulness had been granted allowing it to be occupied without the said agriculture tie, although the tie remained in place on the other dwelling.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Fleur de Rhé-Philippe, then spoke in support of the application.

A debate followed, where the status of the site as being in the open countryside was raised, and the impact on neighbouring properties and the wider area, including regarding highways, was assessed. The legal position of the 1967 permission on the site as detailed in the report was discussed, and it was reiterated that it had been established by officers that the permission was no longer extant.

At the conclusion of debate,

Resolved:

To REFUSE the planning application for the following reasons:

- 1. The proposed residential development is located outside of the defined Village Policy Limits for Longbridge Deverill as identified in the West Wiltshire District Plan 1st alteration in an area of open countryside carrying an Area of Outstanding Natural Beauty designation. The status of the site, including the Village Policy Limit, is not proposed for any change in the draft Wiltshire Core Strategy that has been submitted to the Secretary of State and has been subject to examination in May/June 2013. The proposed development, located on open land within the Area of Outstanding Natural Beauty, would have an adverse impact on the character and appearance of the area, constituting an unwarranted urbanisation of, and intrusion into, the AONB and countryside, to the detriment of the visual openness and quality of the area and to the enjoyment that users of the nearby public footpath currently enjoy. No rural occupation or other exceptional circumstances have been presented which would outweigh the harm associated with the development. The proposals are therefore contrary to policies C1, C2, H17 and H19 of the West Wiltshire District Plan 1st Alteration (2004), the emerging Core Strategy and the National Planning Policy Framework 2012.**
- 2. The proposal, located outside of village policy limits, is contrary to the National Planning Policy Framework (Section 4 paragraphs 29, 30 & 37), and the emerging Core Strategy for Wiltshire (Policy 60), which seek to reduce the need to travel, influence the rate of traffic growth and reduce the environmental impact of traffic overall in support of sustainable development.**

75 **13/01781/FUL: Ellbridge Farm, Chalfield Road, Lower South Wraxall, Wiltshire**

The Chair announced that the application had been withdrawn by the applicant prior to the commencement of the meeting.

76 **W/13/00451/FUL: Garage Blocks, South of 8 to 10, Epping Close, Warminster, Wiltshire**

Public Participation

Ms Esther Einfelds spoke in objection to the application.

Mr Paul Walsh, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended approval be granted. Key issues were stated to include the principle of the development, impact upon the area and amenity from the design and scale, and highways considerations. It was further stated that drainage issues for the surrounding estate would be mitigated as a result of the application.

Members of the Committee then had the opportunity to ask technical questions of the officers.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Pip Ridout, then spoke in objection to the application, and requested it be noted that she lived on the same estate as the current and next applications on the agenda.

A debate followed, where the width of the road leading to the proposed development and parking difficulties were raised, and the scale of the development and proposed resolution of drainage difficulties in the area assessed.

At the conclusion of debate, it was,

Resolved:

To GRANT planning permission for the following reasons:

The decision to grant planning permission has been taken on the grounds that the proposed development would not cause any significant harm to interests of acknowledged importance and having regard to the National Planning Policy Framework and the following policies and proposals in the West Wiltshire District Plan 1st Alteration 2004 namely Saved Policies H1, C18, C31a and C38 and the Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following conditions:

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

REASON: To comply with 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 drawing numbers:**

120901: 101, 110737 L(0): 01, 04 received on 13th March 2013

110737 L(0): 03A, 05, 06 received on 3rd April 2013

110737 L(0) 02A received on 25th April 2013

120901: 201 received on 16th August 2013

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

- 3 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 having regard to Saved Policy C31a of the West Wiltshire District Plan 1st Alteration 2004.

- 4 No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with drawing number 110737 L(0)01 received by the Local Planning Authority on 13th March 2013. The areas shall be maintained for those purposes at all times thereafter.**

REASON: In the interests of highway safety having regard to advice in the National Planning Policy Framework and the Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

- 5 Demolition or construction works shall not take place outside 08:00 hours to 18:00 hours Mondays to Fridays and 08:30 hours to 13:00 hours on Saturdays nor at any time on Sundays or Bank Holidays.**

REASON: In the interest of neighbouring amenity have regard to Saved Policy C31a of the West Wiltshire District Plan 1st Alteration 2004.

77 W/13/00711/FUL: Land South East of 3 to 7 Savernake Close, Warminster, Wiltshire

Public Participation

Ms Ann Whitaker spoke in objection to the application.

Ms Esther Einfelds spoke in objection to the application.

Mr Paul Walsh, agent, spoke in support of the application.

The Planning Officer introduced a report which recommended permission be granted. Key issues were stated to include the principle of the development which would lead to a loss of open space, access arrangements and drainage issues. Attention was drawn to the existence of a large area of open space immediately to the southwest of the site, and plans to improve the drainage of the estate as a whole.

Members of the Committee then had the opportunity to ask technical questions of the officer. Details were sought of the impact of the proposed design and access arrangements on the neighbouring row of houses to the east of the site, and the exact width of the proposed access as compared to other roads in the area.

Members of the public then had the opportunity to present their views to the Committee, as detailed above.

The Local Member, Councillor Pip Ridout, then spoke in objection to the application.

A debate followed, where the design of the estate with small gardens and areas of open space was noted, and the quality and appropriateness of the large open space to the south was assessed. Parking issues were discussed, and whether the proposals would enhance the area or set a precedent for open space development.

At the conclusion of debate, it was,

Resolved:

To REFUSE planning permission for the following reason:

The proposed development by reason of the layout, design, siting, and scale within an existing area of open space would be harmful to the character and amenity of the area contrary to policies H1 and C31a of the West Wiltshire District Plan 1st Alteration (2004).

78 **13/01472/FUL: 32 Horse Road, Hilperton Marsh, Trowbridge, Wiltshire, BA14 7PF**

Public Participation

Ms Heather Evans spoke in objection to the application.

Ms Felicity Marks spoke in objection to the application.

Cllr Kate Hayes, Hilperton Parish Council, spoke in objection to the application.

The Planning Officer introduced the report which recommended that permission be granted. The key issues were stated to include the scale of the proposed extension and the impact upon neighbouring properties and the surrounding area, which officers considered acceptable.

The Committee then had the opportunity to ask technical questions of the officer.

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

The Local Member, Councillor Ernie Clark, then spoke in objection to the application and moved a motion for refusal.

A debate followed, where the potential loss of neighbouring trees, the impact of a second storey extension on the amenity of the neighbours and if the changes would respect or enhance the view from the nearby Hilperton gap open space was discussed. It was noted the Council's Arboriculture Officer had stated that neither of the trees under potential threat was of such quality to warrant a Tree Preservation Order (TPO) being placed upon them, and therefore providing grounds for refusal.

At the conclusion of debate, it was,

Resolved:

To GRANT planning permission for the following reason:

On balance the alterations and extensions would not cause any harmful impact on either the appearance of the host dwelling, character of the surrounding area or the amenity of neighbouring properties and therefore is in accordance with the policy.

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:**

Drawing No's P-001; P-002; P-003; P-004; P-005; P-006; P-007; P-008; and Arboricultural Report, received 24 June 2013

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.

- 3 During the construction work construction vehicles shall not enter or leave the site from Monday until Friday between the hours of 08:30 and 09:15 and between 14:45 and 15:30.**

REASON: In the interests of highway safety

- 4 All works relating to the demolition/development with implications for trees shall be carried out as specified in the approved arboricultural method statement, and shall be supervised by an arboricultural consultant holding a nationally recognised arboricultural qualification.**

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

79 Urgent Items

There were no Urgent Items.

(Duration of meeting: 6.00 - 8.40 pm)

The Officer who has produced these minutes is Kieran Elliott of Democratic Services, direct line 01225 718504, e-mail kieran.elliott@wiltshire.gov.uk

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

Wiltshire Council

Western Area Planning Committee

16 October 2013

Item 5 - Public Participation

From Councillor Ernie Clark, Hilperton Division

Question 1

The 'East of Trowbridge' development being built by Persimmon has several conditions attached to it relating to completion of the Hilperton Relief Road. Is the planning enforcement team keeping a watching brief to ensure that the developer does not exceed the permitted number of houses before the road is completed and open to the public? How close is Persimmon to the 'trigger point' by when the road must be open for use by the public?

Response

The Council is keeping a watch on this development. The number of houses occupied was 99 on April 1st this year. The trigger for the completion of the road is 450, or August 22nd 2016 as a backstop, so we are still some way off the trigger either in completions or the backstop date.

Neil Tiley in the Council's Spatial Planning Team records the number of housing completions each year in April, so it would be worth seeking an update from him next April on the number of houses completed here by then.

Mike Wilmot
Area Development Manager, Central

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Wiltshire Council

Western Area Planning Committee

16 October 2013

Index of Applications

	APPLICATION NO.	SITE LOCATION	DEVELOPMENT	RECOMMENDATION
6a	W/12/00697/FUL Member site visit 14:00 16 October	Land West Of Codford Station, Station Road, Codford, Wiltshire	Change of Use to establish use classes B1(c) & B8 within existing retained buildings and associated external access, parking and yard areas. Removal of four out buildings, refurbishment of remaining buildings and provision of new toilet block facility	APPROVAL
6b	W/12/02346/FUL	Kingston Mills, Kingston Road, Bradford On Avon, Wiltshire	Change of Use of Building N from Class B1 offices to form three residential units	APPROVAL
6c	W/12/02347/FUL	Kingston Mills, Kingston Road, Bradford On Avon, Wiltshire	Change of use of the first floor of Building T (also known as the Lamb Building) from Class B1 Offices to Five residential units and associated internal works comprising sub-division and associated works	Delegation to Area Development Manager for APPROVAL subject to s106 legal agreement.
6d	W/12/02348/LBC	Kingston Mills, Kingston Road, Bradford On Avon, Wiltshire	Change of use of the first floor of Building T (also known as the Lamb Building) from Use Class B1 Offices to Five residential units and associated internal works comprising sub-division and associated works	APPROVAL
6e	W/13/01080/FUL	Glove Factory Studios, 1 Brook Lane, Holt, Trowbridge, Wiltshire	Extension to existing Glove Factory studios workhub (class B1) following the demolition of existing modern single-storey buildings, and formation of new ancillary car park and associated landscaping works	APPROVAL
6f	13/01891/FUL	Honeywell Farm, Silver Street Lane, Brokerswood,	Establish a holiday let within the residential curtilage of existing property. Demolition of existing garage and	REFUSAL

		Westbury, Wiltshire, BA13 4EY	outbuildings.	
6g	13/01573/FUL	Land east of 14 Farleigh Rise, Monkton Farleigh, Bradford on Avon, BA15 2QP	Proposed Cattery	REFUSAL
6h	13/02078/FUL	Manor Farm Upton Folly, Upton Lovell, Warminster, Wiltshire. BA12 0JN	Agricultural workers bungalow	REFUSAL
6i	13/01823/FUL	The Lodge, 6 Westwood Road, Trowbridge, Wiltshire, BA14 9BR	Ground floor sun room extension to replace existing conservatory. Removal of existing roof over main house. New rooms in the roof construction and turret.	REFUSAL
6j	13/02371/FUL	57 Damask Way, Warminster, Wiltshire, BA12 9PP	Two storey side extension, conversion of garage to domestic room	APPROVAL

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	W/12/00697/FUL		
Site Address	Land West Of Codford Station, Station Road, Codford, Wiltshire		
Proposal	Change of Use to establish use classes B1(c) & B8 within existing retained buildings and associated external access, parking and yard areas. Removal of four out buildings, refurbishment of remaining buildings and provision of new toilet block facility		
Applicant	The Trustees Of The Barbara De Brye Will Trust		
Town/Parish Council	Upton Lovell		
Electoral Division	Warminster Copheap And Wylve	Unitary Member:	Cllr Christopher Newbury
Grid Ref	395284 140198		
Type of application	Full Plan		
Case Officer	Jemma Boustead	01225 770344 Ext 01225 770211 Jemma.Boustead@wiltshire.gov.uk	

Background

Members will recall that this application was deferred at the last meeting of the committee on 12th June 2013. The purpose of the deferral was:

- 1) For members to undertake a site visit;
- 2) To seek clarification of the highway status

The site visit will take place before the meeting on October 16th.

Highway Issues

In response to the concerns raised at the last Planning Committee, the agents have submitted further drawings showing a proposed lay-by to allow large vehicles to pass each other on the private access to the site and the installation of a give way sign. This would therefore ensure that vehicles do not have to wait by the level crossing which is located on a bend where Councillors were concerned that accidents may occur. The Council's Highways Officer considers that the proposed changes would bring about a substantial highway benefit and Network Rail have raised no objections to the proposed scheme.

A traffic survey has also been undertaken and was conducted on Station Road, South of the railway line and before the 'S' bend. This traffic survey showed that the proposed visibility splays are more than sufficient for the proposed use. This is supported by the Council's Highway Officer.

Concerns were raised by the planning committee regarding the traffic assessment that was submitted with the application where the site in terms of predicted traffic movements was compared against traffic generated from a poultry farm. This particular use was adopted on the advice of the Council's Highways Officer and is therefore considered to be an appropriate comparison and methodology.

Concerns by the Planning Committee were also raised regarding the amount of proposed parking spaces as this could imply a greater amount of traffic movements than described in the application. When the application was first submitted, the application saw no increase in proposed parking spaces. However to ensure that the site complies with the Council's own Car Parking Strategy where

proposed parking spaces are based upon floor area, 30 extra spaces were required and as such are now proposed. The Developer is of the opinion that the site would not require or use this amount of parking spaces.

The report below has been amended since the publication of the last agenda to include such matters as the comments of Network Rail.

REASON FOR THE APPLICATION BEING CONSIDERED BY THE PLANNING COMMITTEE

Councillor Newbury has requested that the application be called to the Planning Committee for the following reasons:

- o Scale of development
- o Visual impact upon the surrounding area
- o Relationship to adjoining properties
- o Environmental or Highway impact
- o Design - bulk, height, general appearance

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
- design issues and impact upon the immediate area
- impact on amenity
- highway and access considerations

3. Site Description

The site is identified as land west of Codford Station which is located in the open countryside and within an Area of Outstanding Natural Beauty. The site is located on Station Road, approximately 450 metres to the south of the A36. Surrounding the site to the north, east and west is agricultural land and to the south is the railway line.

The site itself is relatively flat, covers approximately 1.2 hectares and is accessed via a private roadway off Station Road. There are several buildings on the site which in their existing form provide a floor space of approximately 2,280 square metres.

The application seeks the change of use of the site for B1 (Business) and B8 (Storage and Distribution) uses which will utilise existing buildings and the existing access, parking and yard areas. The proposal also involves the demolition of four out buildings and the provision of a new toilet block.

The buildings that are proposed to be removed include 2 existing portacabin style structures, a small brick built toilet facility, a timber frame building and a temporary office accommodation. All of these buildings have been considered to be lightweight in construction and provide no worthwhile or viable employment space. The remainder of the buildings will be made good and a small brick outbuilding would be erected to provide a communal toilet area which will result in an overall total floor space of 2,210 square metres.

4. Relevant Planning History

There is little planning history on the site and the design and access statement refers to the MoD using the site as a depot. Letters from neighbours also suggest that for a temporary period Guinness used the site but it is not understood what exactly for and residents have also stated that for a period of time the site was also used to assemble cabinets for displaying fireworks in shops.

5. Proposal

The application submitted was for B1, B2 and B8, however the B2 (General Industrial) use has since been removed from the description and is the proposal is now only requesting a mix of B1 and B8 uses.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004
C1 Countryside Protection
C2 Areas of Outstanding Natural Beauty
C31a Design
C32 Landscaping
C38 Nuisance
E6 Rural Employment
E8 Rural Conversions

Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

National Planning Policy Framework (NPPF) requires development that is sustainable and in accordance with the policies of the development plan to be approved, unless material considerations indicate otherwise.

7. Consultations

UPTON LOVELL PARISH COUNCIL

Object due to the traffic issues as they have been grossly underestimated and safety issues, with a sharp right angle bend immediately after the level crossing to the left of the entrance which would create many problems as vehicles leave the site. The road as you leave the A36 is extremely narrow and would be difficult for a large van or lorry to pass any vehicle coming the other way.

CODFORD PARISH COUNCIL

Concerns with impact upon the environment, road safety hazards, disturbance to the peaceful ambience of the area due to increased commercial activity

WILTSHIRE COUNCIL HIGHWAYS

No objection to a B1 and B8 use. The amended plans show that the proposal would bring about substantial highway benefits

WILTSHIRE COUNCIL ENVIRONMENTAL PROTECTION

No objections to a B1 and B8 use subject to conditions regarding deliveries and lighting

WILTSHIRE COUNCIL ECONOMIC DEVELOPMENT OFFICER

Support the change of use as it will bring a disused building back into use.

AONB LANDSCAPE AND ENVIRONMENT ADIVSOR

The AONB welcomes the exclusion of B2 uses. However storage and distribution in a rural location is still a concern as such a use involves both delivery and distribution traffic that would be more appropriate to an edge of town business park.

WESSEX WATER

New water supply and waste water connections will be required to serve the proposed development. New regulations also require all new sewer connections serving more than one dwelling to be subject to a signed adoption agreement with Wessex Water before the connection can be made.

NETWORK RAIL

No objections to the amended drawings

8. Publicity

The application was advertised by site notice, press notice and neighbour notification. Expiry date: 12th April 2013

4 Letters were received and following is a summary of points raised:

Inadequate access for extra traffic, the road from the A36 narrows and two cars cannot pass, there is also an ancient bridge. There is already a lot of farm traffic including grain lorries, milk tankers and buses, no notice given to adjoining land owners, existing buildings are elderly and represent the relics of what was a temporary army ammunitions centre during two world wars, located within the AONB where industry should not be provided, it will have an impact upon the character and appearance of

the countryside area, this part of the A36 is the most dangerous with 5 major accidents where people have been killed, there was a previous proposal to change the use of the land into an Eco Centre but was not pursued because of the impact on the countryside and lack of proper access, associated noise from an increase in traffic, access is off a sharp bend, we are heading towards a twenty-four hour society so the noise 24/7 would not be appropriate to a rural setting, this urbanisation would represent poor planning, concerns with the transport assessment as the crop research station was a tiny operation with few vehicle movements on a daily basis.

9. Planning Considerations

9.1 PRINCIPLE & IMPACT UPON THE AREA

The site is located in the open countryside where Policy C1 states: Development proposals in the open countryside will not be permitted, other than those which encourage diversification of the rural economy and rural recreation, unless there is an agricultural, forestry or other overriding justification such as essential transport improvements, schemes of national importance or overriding benefit to the local economy. Acceptable mitigation measures will be implemented where appropriate.

The site is also located within an Area of Outstanding Natural Beauty where policy C2 states that Priority will be given to the landscape over other considerations and development proposals likely to be detrimental to the special landscape character will not be permitted. Proposals for new development essential to the economic and social well-being of the rural community will be permitted, having regard to highways, access, scale, design, materials, location, siting, landscaping and other appropriate environmental considerations.

The NPPF states that great weight should be given to conserving landscape and scenic beauty in AONB and Local Planning Authorities should support sustainable growth and the expansion of all types of business and enterprise in rural areas, both through conversion of existing buildings and well designed new buildings;

Policy E6 of the Local Plan supports the above statement as it states outside the Western Wiltshire Green Belt, proposals for the establishment or expansion of small scale employment enterprises in existing premises or on new sites will be permitted provided that:

- A They do not create significant highway or flood risk problems;
- B The scale, design, siting, materials of any buildings, their use and type of operation maintain or enhance, and are compatible with, the rural character of the area and do not harm acknowledged nature conservation interests;
- C The proposals are compatible with neighbouring land uses, are not detrimental to residential amenities and do not give rise to pollution issues such as excessive noise, smoke, fumes, effluent or vibration.

The site has a history of uses and the buildings are existing, therefore the impact upon the scenic quality of the landscape within the designated Area of Outstanding Natural Beauty and the open countryside is considered to be minimal. The proposed change of use is also considered to be of benefit to the rural economy and therefore is considered to comply with Policies C1, C2 and advice contained in the NPPF. The detailed parts of Policy E6 will be looked at in greater detail below.

9.2 DESIGN ISSUES

Policy C31a of the Local Plan relates to design and ensures that new development respects existing landscape features, views, patterns of movement and minimises the visual impact of roads, vehicles and parking areas. Policy E8 allows the conversion of rural buildings in the open countryside to business uses subject to the following criteria

- A The building is of substantial, sound and permanent construction and capable of conversion without extensive alteration, rebuilding, and/or extension or otherwise significantly altering its original character;
- B The proposed conversion safeguards and/or enhances the essential form, structure, character, and important traditional features of the building and the countryside;
- C It can be satisfactorily serviced and does not create highway problems;
- D It does not harm the natural environment including the water environment.

In considering such proposals the District Council will require structural surveys of buildings proposed for conversion.

A report on the condition of the existing buildings has been submitted as part of the application which highlights that the buildings that are to be converted are of substantial construction and need minimal alterations. The site also utilises existing buildings and as such the use would respect existing patterns of development meaning there would be little visual impact upon the wider landscape and would not harm the natural environment.

One building is proposed to be rebuilt and this is the communal toilet block which is proposed to be a modular building which is considered to be appropriate to its immediate surroundings. A condition requiring details of this modular building before it is constructed would be required on any approval.

There are existing trees located within the overall site, however few are located in the vicinity of the existing buildings and none would be affected by the proposed works. Further soft landscaping is proposed near to the entrance of the site following the removal of an existing toilet block which is considered to be appropriate.

The proposal is therefore considered to comply with the relevant parts of Policy E6 and Policies C31a and E8.

9.3 IMPACT UPON AMENITY

Policy C38 which relates to nuisance and states that: Proposals will not be permitted which would detract from the amenities enjoyed by, or cause nuisance to neighbouring properties and uses. Consideration will be given to such issues as any loss of privacy or overshadowing, levels or types of traffic generation, the storage of hazardous materials, the generation of unpleasant emissions such as odour, fumes, smoke, soot, ash, dust or grit, the extension of existing unneighbourly uses and the creation of an untidy site. Development will not be permitted if the amenities of its occupiers would be affected adversely by the operation of existing or proposed neighbouring uses.

The site is located over 250 metres from the nearest neighbouring residential property and as such it is considered that the proposed change of use would not have an impact on neighbouring amenity in terms of overlooking or overshadowing. Noise from the site has also been considered especially as local residents have highlighted concerns about noise from heavy traffic accessing and leaving the site and a concern raised by a neighbour regarding a 24 hour society and there being noise from the site 24/7. It is important to note that some of the residential properties back onto the rail network that is the main line between Warminster and Salisbury where a significant amount of noise currently exists. However, conditions can be attached to any approval ensuring that the site is not used and no deliveries are made to and from the site between 07:00hrs and 23:00hrs as advised by the Environmental Protection Officer.

No external lighting is proposed.

It is therefore considered that the proposal would not have an impact upon neighbouring amenity and complies with Policy C38.

9.4 ACCESS AND HIGHWAYS

Access to the site remains unchanged and the existing hardstanding area is to be made good, levelled and resurfaced and parking is to be marked out in white lining. Nine new car parking spaces are also proposed all of which are considered to be appropriate.

Concerns have been raised from residents regarding heavy vehicles leaving and entering the site and regarding the transport statement not being correct as it has states many more vehicle movements than actually happened. It is important to note that although one company may not have had many traffic movements another similar company within the same use class could move onto the site and the traffic movements may be significantly more which would not itself require the site to gain new planning permission. As the site is redundant an exact vehicle movement count cannot be undertaken and as such the transport assessment has taken an average of vehicle movements associated with similar use. In this particular case a poultry farm was used as a case study and the assessment states

that on average the vehicular trips would be reduced. The transport assessment has been looked at by the Highways Officer who raises no objections to the proposal.

Residents raised concerns regarding noise and highway problems due to existing milk tankers, grain lorries and busses that currently pass their properties, however this does highlight that large vehicles can already utilise the existing road network without detriment.

9.5 OTHER

Concerns have been raised regarding immediate land owners not being consulted on the planning application. However the Local Planning Authority only consults existing properties and do not have details of land owners of fields. However a site notice was erected at the entrance of the site and therefore the Local Planning Authority has completed its consultation process requirements.

Recommendation: Permission

For the following reason(s):

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following Conditions

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

REASON: To comply with 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 drawing numbers 101, 102, 103, 105, 106 received on 13th April 2012, drawing number 107A received on 18th September 2013 and drawing number 104B received on 24th September 2013.

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

- 3 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Class B1 and B8 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 has been considered to be acceptable but the Local Planning Authority wish to consider any future proposal for a change of use and its impact upon the AONB, the wider landscape and any impact upon the existing road network.

- 4 The delivery and despatch of goods to and from the site shall only take place between the hours of 07:00 hrs and 23:00hrs Mondays to Fridays and between 08:00hrs and 18:00hrs on Saturdays. Deliveries and despatch of goods shall not take place outside of these hours.

REASON: To ensure the creation/retention of an environment free from intrusive levels of noise and activity in the interests of the amenity of the area having regard to Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004.

- 5 The development hereby approved shall not be first brought into use until the access and parking areas have been implemented in accordance with drawing number 104A received by the Local Planning Authority on 22nd April 2013, drawing number 107A received by the Local Planning Authority on 18th September 2013 only. The areas shall thereafter be maintained for those purposes at all times thereafter.

REASON: In the interest of highway safety having regard to advice contained in the NPPF.

- 6 Prior to the communal toilet block being constructed on site, details of the exact location, material and colour of the structure shall be submitted to and approved in writing by the Local Planning Authority. The building shall then be carried out in accordance with the approved details.

REASON: To ensure that the modular building does not have an impact upon the AONB and wider landscape having regard to Saved Policies C1, C31a, C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF.

- 7 All soft landscaping works shown on drawing number 104A received by the Local Planning Authority on 22nd April 2013 shall be carried out in the first planting and seeding season following the first occupation of the buildings 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

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features within the AONB having regard to Saved Policies C31a and C32 of the West Wiltshire District Plan 1st Alteration 2004 and advice contained in the NPPF

- 8 Prior to the use hereby permitted being put into the use the buildings annotated as E, F, G and I shown on drawing number 101 received on 13th April 2012 shall be demolished and the material removed from the site.

REASON: To protect the landscape quality of the AONB having regard to advice contained in the NPPF.

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

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REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	W/12/02346/FUL		
Site Address	Kingston Mills, Kingston Road, Bradford On Avon, Wiltshire		
Proposal	Building N - Change of Use from Offices permitted under planning permission W/09/03495/FUL to form 3 x Residential Units		
Applicant	Linden Homes Western Ltd		
Town/Parish Council	Bradford On Avon		
Electoral Division	Bradford On Avon South	Unitary Member:	Cllr Ian Thorn
Grid Ref	382748 160897		
Type of application	Full Plan		
Case Officer	Jemma Boustead	01225 770344 Ext 01225 770211 Jemma.Boustead@wiltshire.gov.uk	

REASON FOR THE APPLICATION BEING CONSIDERED BY THE PLANNING COMMITTEE

This application was deferred at a previous meeting of this committee to allow the agent to clarify inconsistencies within the submitted application details and to allow time for a meeting between the applicants and the Town Council. This meeting has since taken place.

Councillor Thorn supported the previous Councillor Hewson's request that the application be called to the Planning Committee for the following reason:

The change of use would have a significant and deleterious effect on the commercial vision for the site and the town that was accepted by the developer in the originally granted application for this site.

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
- design issues, impact upon the immediate area and listed building
- impact on amenity
- highway and access considerations

3. Site Description

This application relates to the Kingston Mills Development in Bradford on Avon. The particular site in question is known as Building N and is located behind the Budgens building.

4. Relevant Planning History

06/02394/FULES - Comprehensive mixed use re-development comprising 170 dwellings, commercial floor space and associated works. - Approved 30/10/08

06/2400/LBC - Comprehensive mixed use re-development comprising alterations to Buildings 2, 43-44, 53, 55, 70, 76, 77 second floor extensions to Building 70, demolition of Buildings 41, 42, 61, 62-65, 68, 71, 72, 73, 75, 78 and associated works - Approved 08/02/08

Although not related to this specific site Wiltshire Council have recently (July 2013) lost an appeal for housing on a site in Devizes which was allocated for employment in the Kennet Local Plan (Bureau

West, Horton Road, Devizes E/2012/0268/FUL) . Wiltshire Council had interest from businesses who wanted to use the site but due to the need for housing in the Wiltshire Area; the lack of identification of the site for employment in the Council's Employment Land Review and the availability of business premises elsewhere in the locality (including land allocated for employment in the forthcoming Core Strategy) the Inspector allowed the appeal.

5. Proposal

This application relates to the Kingston Mills Development in Bradford on Avon. The particular site in question is to the rear of the Budgens shop. This application seeks to change the use of the ground floor from business to residential to form 3 dwellings (2 two-bedroom and 1 one-bedroom). No external changes are being made to the building. The floor space of this unit is 176.4 sq metres.

It is important to highlight that there is another planning application nearby for the change of use from business to residential which is subject of a separate report on this agenda.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004

H1 Further Housing Development in Towns; H16 Conversions of Properties to Flats; C4

Landscape Setting;

C15 Archaeological Assessment; C17 Conservation Areas; C19 Alterations in Conservation Areas;

C30 Skylines;

C31a Design; C38 Nuisance

Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

National Planning Policy Framework (NPPF)

7. Consultations

Town Council - Object. The mixed use scheme for this site was subject to extensive consultation and negotiation and needs to be implemented as permitted in order to achieve a properly sustainable development. The Kingston Mill development has been accepted as essential to the regeneration of the town centre and the success of this would be adversely affected by these proposals. The provision of additional residential units will adversely affect the economic, social and environmental balance of the project and is therefore contrary to the NPPF and the emerging core strategy. The proposal is also contrary to Policy E5 and the arguments presented to justify the proposed change of use is flawed. The availability of the space needs to be designed as space available in the town and not in the whole of the Western Wiltshire Area. Similarly reference to Kingston Farm should be disregarded. In addition information regarding the efforts made to market the commercial space indicate a passive approach with no evidence of active promotion. The provision of 8 additional dwellings will add to the already overstretched facilities for parking and refuse on the site.

Bradford on Avon Development Trust - Object - The developers website is not up to date with current photos of the business units and does not do a good job of selling the units. The starting price of £15/sqft is well above the going rate for the town which is more like £10/£12/sqft and therefore it prices people out of the market. In October/November 2012 a considerable number of advertising boards suddenly appeared which were clearly visible to the 20,000 vehicles that cross the bridge every day. This was the first time that such an obvious and low-cost form of advertising have been tried. The loss of employment will not be supported in accordance with Core Policy 35 of the Core Strategy which will help address the historic loss of employment land in the town due to market forces and the attractiveness of Bradford on Avon to retired people, second home owners and commuters which have exerted pressure on former employment sites in the town to be converted to residential use. No proactive record of marketing has been carried out. There is evidence that prospective tenants/purchasers wishing to acquire space but who have withdrawn through a lack of agreement over terms.

Wiltshire Council Conservation Officer - No Objection

Wiltshire Council Economic and Regeneration Officer - Support

Environment Agency - No objections subject to an informative regarding flood defence

English Heritage - The application should be determined in accordance with your specialist advice

Wiltshire Council Highways - No objections

8. Publicity

The application was advertised by site notice/press notice /neighbour notification. Expiry date: 26th February 2013

Wiltshire Council received 7 letters of objection from the general public raising the following concerns:

- Parking is already a problem on the site and more residential properties will exacerbate this problem.
- The present arrangement for the disposal of household rubbish is inadequate
- Health Centre and schools are already at full capacity

9. Planning Considerations

9.1 PRINCIPLE OF DEVELOPMENT

The site is located within the settlement boundary of Bradford on Avon where the principle for residential development is considered to be appropriate. As the building is existing and there are to be no external changes it is considered that there would be no implications to flood risk or archaeology or any impact to the landscape quality or skyline of the town. The proposal is therefore considered to comply with Policies H1, C4, C15 and C30.

Policy H16 relates to the conversion of buildings to flats. The proposal is not considered to be an over intensive sub division, would not have an adverse affect upon the external appearance of the building, complies with the parking requirements, has suitable recreation facilities within the immediate vicinity, would not cause any neighbouring amenity issues and would not be subject to flood risk. The proposal is therefore considered to comply with Policy H16.

The proposal sees the loss of a business unit and therefore Policy E5 needs to be taken into consideration which states that the loss of any employment floorspace will only be permitted where the following criteria are satisfied:

- (i) there is an adequate supply and mix of genuinely available land and premises elsewhere in the locality for employment uses;
 - (ii) such proposals are compatible with neighbouring land uses and do not create bad neighbour uses;
 - (iii) such proposals do not give rise to, or continue existing traffic or environmental problems.
- The proposed change of use to residential is considered to be compatible with neighbouring land uses and would not give rise to or continue existing traffic problems. The loss of employment floorspace will be looked at in the following section.

9.2 ECONOMIC

Historically there has been a gradual but persistent loss of employment land in the town to the extent that the town now offers a low range of employment opportunities and has a high level of out commuting to Bath. The Kingston Mill site is located within the town centre and is of mixed use and comprises approximately 160 dwellings, 680sq m retail, 1120 sq m restaurants/cafes and 2278 sq metres office space. The scheme was approved on the basis that it would provide jobs for local people and be a corner stone of Bradford on Avon's town centre regeneration. The historic centre is extremely constrained in terms of development potential and the Kingston Mills site was the only remaining town centre site capable of accommodating office space of a reasonable size. It is a highly sustainable location being within easy walking distance of the train station and all town centre amenities.

Evidence collated by Wiltshire Council and independent consultants suggests that based on growth projections there is a need to deliver between 2 and 3 hectares of new employment land at Bradford on Avon up to 2026. The draft Core Strategy now includes a strategic site for mixed use development to the south east of the town at Kingston Farm. It is a strategic objective of the draft Wiltshire Core Strategy to deliver a thriving economy and also states that the loss of employment land in Bradford on Avon will not be supported.

Extensive negotiations have taken place between the Development Management Team, the manager from Economic Regeneration and the developers. Subsequent marketing information has been submitted to the Local Planning Authority which shows how the units have been marketed (which includes Newspapers, Estate Agents, websites, Caters Advertisers, Marketing Brochures and on site advertisement), who has had interest in the units and the reasons why they have not been taken up. This particular unit has been marketed since February 2010. The majority of the reasons why offers have not been brought forward relate to parking requirements.

The building under consideration has good views over the river and is in close proximity to other office buildings. However due to the partially enclosed walkway on the riverside, the building is relatively dark and has a low ceiling which will be even lower once a suspended ceiling has been installed. The entrance is immediately adjacent to the residential access and needs more work before it is useable. There are also 2 parking spaces for this unit. This building was originally residential but was changed to offices in 2009.

The cost of the units has been subject of concern by different objectors. The site has been marketed at a price of £15 sq ft and when compared to prices in other towns and the current economic market this is considered to be high. However the developer has confirmed that the quoting rent is £15 sq ft but is looking to achieve around £12 sq ft and rent free months have been included within any negotiations. Concerns have been raised by the general public that the developer has been putting potential purchasers off, thereby increasing the potential for residential. The Local Planning Authority have requested through the people who have phoned to highlight this issue that businesses who have apparently had problems in letting premises on the Kingston Mills site come forward and to date nothing has been received. As such this matter cannot be given any weight when making a decision on this application.

The developer has been reasonably successful in letting the majority of the retail units within the development and the remaining available units are considered not to be suitable for residential or office use. The developer is also confident of their ability to let them. The developer has also let some office units on the site and therefore there is clearly some market interest in smaller office units in this location and a willingness to pay a reasonably high rate in Wiltshire. The office space has access to only 2 parking spaces and therefore many people who have been interested in the site have been deterred.

Recent legislation issued by the Government allows units previously used for business uses to be converted to residential uses for a temporary period of three years without the need for planning permission. The unit subject of this application would not be able to convert to residential under these regulations as the unit is new, has never been used for employment and there is also a condition on the original application that restricts the employment uses changing to any other uses. However it does highlight the concerns of the Government over existing empty B1 units. It is also pertinent to note that the site is not included in the Wiltshire Employment Land Review. The absence of such identification was a material consideration by the Inspector who allowed the appeal in Devizes mentioned above.

Due to the location of the site, the residential uses above, the darkness of the unit and its access to the building alongside the conversion works that need to be undertaken, it is considered that it would not be viable for a business use to be in this particular location. These matters are considered to be a material planning consideration when making a recommendation on this application and therefore as the unit is considered to be unsuitable for office use the proposed change of use to residential is considered to be appropriate.

It is also considered that the loss of 176.4 square metres of business floor space is relatively small when compared to the 2278 sq metres that was approved for office space and would not have a significant or detrimental impact upon available employment spaces within Bradford on Avon.

It is not considered that by approving this application it would set a precedent for other units on the site to change to residential as site specifics have been taken into consideration (namely the siting and location of the unit in question). It has also been made clear to the developer that no other change of use of business units to residential other than those subject of current planning applications would be welcomed. Due to the number of other available units that are available to let on the site and

the units that are already being occupied, the site would still remain as a mixed use site. It is also considered that this proposal would not have an impact upon the strategic employment site at Kingston Farm where the proposed units are larger and there is considerably more room for parking.

9.3 DESIGN ISSUES & IMPACT UPON THE WIDER AREA & LISTED BUILDING

There are no external changes being proposed as part of this application and therefore it is considered that there would be no impact upon character and appearance of the Conservation Area. It is therefore considered that the proposed changes would comply with Policies C17, C19 and C31a of the Local Plan.

9.4 IMPACT UPON AMENITY

It is considered that the proposal would not have an impact upon neighbouring amenity in terms of overlooking or overshadowing as the building and windows/doors are existing. There are also no immediate residential properties that can be overlooked or overshadowed.

It is therefore considered that proposal would comply with Policy C38.

9.5 ACCESS AND HIGHWAYS

Access to the site will not be changed as part of this application. 1 parking space is proposed for each of the 2 bedroom units and no parking spaces are proposed for the one bedroom units. The proposed parking is in accordance with the parking provision originally approved at Kingston Mills and therefore is considered to be acceptable.

9.6 OTHER

Many of the objections received relate to existing problems regarding parking and refuse. These issues have been acknowledged however this application is unable to overcome existing problems and therefore are not able to be taken into consideration when making a recommendation on this application.

9.7 CONCLUSION

It is considered that as the proposal complies with the relevant policies of the development plan, the proposal is recommended for approval subject to a supplemental agreement to the original Section 106 to ensure that the residential properties comply with the previous requirements.

Recommendation: Permission

Planning permission be granted at a future date subject to the Area Development Manager being satisfied to the completion of a supplemental planning agreement to ensure the residential properties subject of this permission comply with the original Section 106 Legal Agreement attached to 06/02394/FULES

For the following reason(s):

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

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.

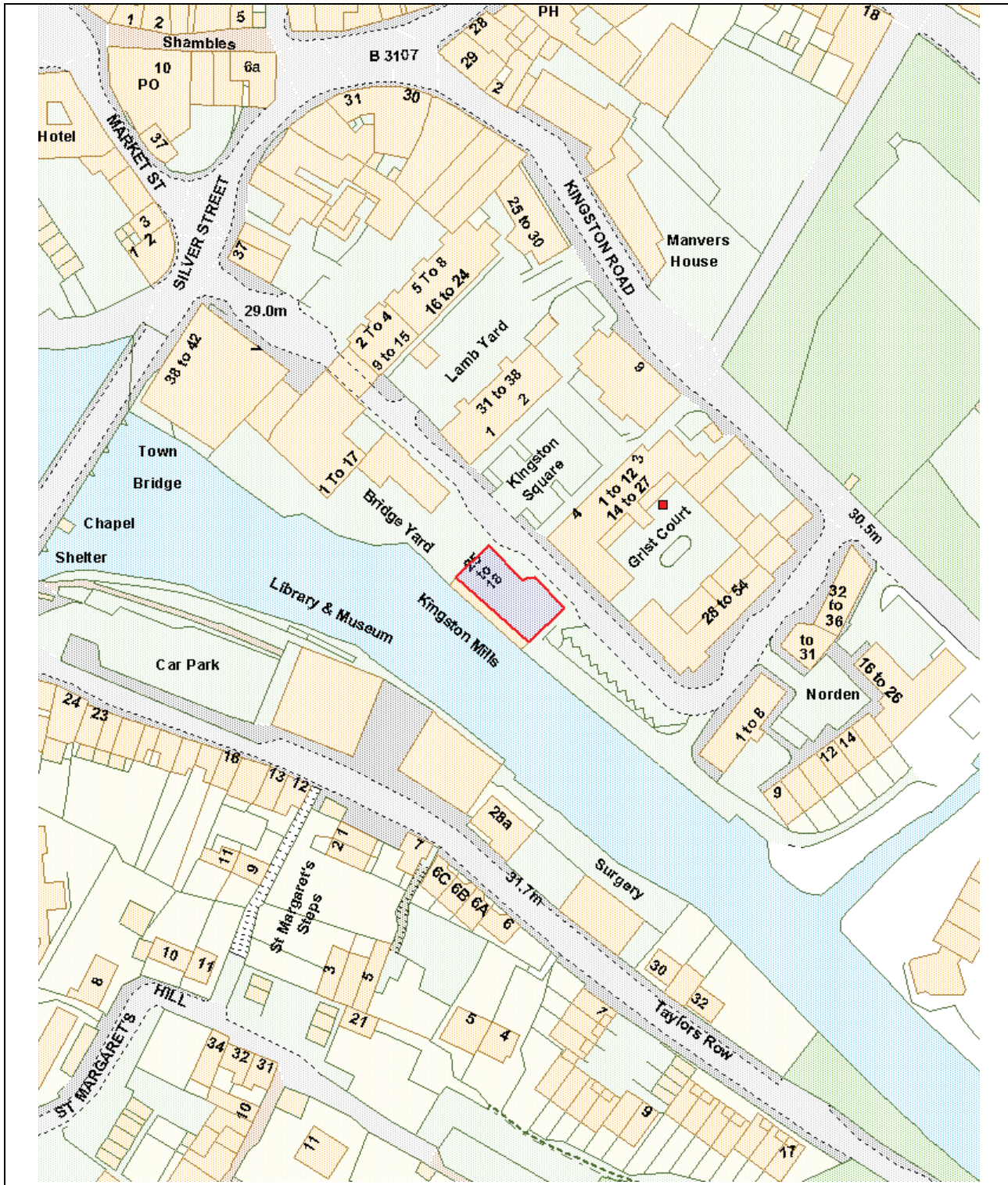
- 2 The development hereby permitted shall be carried out in accordance with drawing numbers 10026(L)361 C, 3114/P/001 N received on 11th January 2013 and drawing number 8008(l)243_B received on 5th September 2013

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

Informative(s):

- 1 This permission shall be read in conjunction with a Supplemental Planning Agreement to the original Section 106 Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated __

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



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REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	W/12/02347/FUL		
Site Address	Kingston Mills, Kingston Road, Bradford On Avon, Wiltshire		
Proposal	Change of use of the first floor of Building T (also known as the Lamb Building) from Restaurant and Offices to Five x Residential Units and associated internal works comprising sub-division and associated works		
Applicant	Linden Homes Western Ltd		
Town/Parish Council	Bradford On Avon		
Electoral Division	Bradford On Avon South	Unitary Member:	Cllr Ian Thorn
Grid Ref	382748 160897		
Type of application	Full Plan		
Case Officer	Jemma Boustead	01225 770344 Ext 01225 770211 Jemma.Boustead@wiltshire.gov.uk	

REASON FOR THE APPLICATION BEING CONSIDERED BY THE PLANNING COMMITTEE

This application was deferred at a previous meeting of the Committee to allow the agent to clarify inconsistencies within the submitted application details and for a meeting between the applicants and the Town Council. This meeting has since taken place.

Councillor Thorn supported the previous Councillor Hewson's request that the application be called to the Planning Committee for the following reason:

The change of use would have a significant and deleterious effect on the commercial vision for the site and the town that was accepted by the developer in the originally granted application for this site.

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
- design issues, impact upon the immediate area and listed building
- impact on amenity
- highway and access considerations

3. Site Description

This application relates to the Kingston Mills Development in Bradford on Avon. The particular site in question is the unit above the existing restaurant to the rear of the Budgens shop.

4. Relevant Planning History

06/02394/FULES - Comprehensive mixed use re-development comprising 170 dwellings, commercial floor space and associated works. - Approved 30/10/08

06/2400/LBC - Comprehensive mixed use re-development comprising alterations to Buildings 2, 43-44, 53, 55, 70, 76, 77 second floor extensions to Building 70, demolition of Buildings 41, 42, 61, 62-65, 68, 71, 72, 73, 75, 78 and associated works - Approved 08/02/08

Although not related to this specific site Wiltshire Council have recently lost an appeal for housing on a site in Devizes which was allocated for employment in the Kennet Local Plan (Bureau West, Horton Road, Devizes E/2012/0268/FUL) . Wiltshire Council had interest from businesses who wanted to use the site but due to the need for housing in the Wiltshire Area and the availability of business premises elsewhere in the locality and the absence of the site from the Wiltshire Employment Land Survey the Inspector allowed the appeal.

5. Proposal

This application relates to the Kingston Mills Development in Bradford on Avon. The particular site in question is above the existing restaurant to the rear of Budgens shop. This application seeks to change the use of the first floor from a mix of restaurant (214.1 sq metres) and B1 (209.9 sq metres) to residential to form 5 dwellings (3 2-bed and 2 1-bed). No external changes are being made to the dwelling. The floor space of this unit is 424 sqm.

The building itself is Grade II Listed and as such a listed building application is running in parallel to this application and is dealt with in the report following this one.

It is also important to highlight that there is another planning application for the change of use from business to residential which is subject of a separate report. set out above on this agenda (W/12/02346/FUL)

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004

H1 Further Housing Development in Towns; H16 Conversions of Properties to Flats; C4 Landscape Setting

C15 Archaeological Assessment; C17 Conservation Areas; C19 Alterations in Conservation Areas

C28 Alterations and Extensions to Listed Buildings; C30 Skylines; C31a Design; C38 Nuisance

Wiltshire Local Transport Plan 2011-2026: Car Parking Strategy

National Planning Policy Framework (NPPF)

7. Consultations

Town Council - Object. The mixed use scheme for this site was subject to extensive consultation and negotiation and needs to be implemented as permitted in order to achieve a properly sustainable development. The Kingston Mill development has been accepted as essential to the regeneration of the town centre and the success of this would be adversely affected by these proposals. The provision of additional residential units will adversely affect the economic, social and environmental balance of the project and is therefore contrary to the NPPF and the emerging core strategy. The proposal is also contrary to Policy E5 and the arguments presented to justify the proposed change of use is flawed. The availability of the space needs to be designed as space available in the town and not in the whole of the Western Wiltshire Area. Similarly reference to Kingston Farm should be disregarded. In addition information regarding the efforts made to market the commercial space indicate a passive approach with no evidence of active promotion. The provision of 8 additional dwellings will add to the already overstretched facilities for parking and refuse on the site.

Bradford on Avon Development Trust - Object - The developers website is not up to date with current photos of the business units and does not do a good job of selling the units. The starting price of £15/sqft is well above the going rate for the town which is more like £10/£12/sqft and therefore it prices people out of the market. In October/November 2012 a considerable number of advertising boards suddenly appeared which were clearly visible to the 20,000 vehicles that cross the bridge every day. This was the first time that such an obvious and low-cost form of advertising have been tried. The loss of employment will not be supported in accordance with Core Policy 35 of the Core Strategy which will help address the historic loss of employment land in the town due to market forces and the attractiveness of Bradford on Avon to retired people, second home owners and commuters which have exerted pressure on former employment sites in the town to be converted to residential use. No proactive record of marketing has been carried out. There is evidence that prospective tenants/purchasers wishing to acquire space but who have withdrawn through a lack of agreement over terms.

Wiltshire Council Conservation Officer - No Objection

Wiltshire Council Economic and Regeneration Officer - Support

Environment Agency - No Objections subject to an informative regarding flood defence

Environmental Health - No Objections subject to conditions

English Heritage - The application should be determined in accordance with your specialist advice

Wiltshire Council Highways - No objections

8. Publicity

The application was advertised by site notice/press notice /neighbour notification. Expiry date: 22nd February 2013

Wiltshire Council received 15 letters of objection from the general public raising the following concerns:

- Parking is already a problem on the site and more residential properties will exacerbate this problem.
- Bradford on Avon is a prime example of death by traffic and removing local places of employment is only going to create more traffic.
- For a sustainable future there should be places of work for local people. Planning was granted on the basis of giving balance to the local needs. To ask high rents and the lack of marketing is a not so subtle way of trying to prove there is no need so the Planning Permission can be changed to the commercial advantage of the developers. I trust our councillors and officers can see though veiled attempt to be manipulated and ensure the community are given the balanced development that took so many years to formulate.
- As a local shopper and resident I have heard from a number of sources that when businesses have approached Linden Homes for occupation of business units the developer has ultimately put them off. This is apparently done by not progressing the premises in terms of completing them and generally making excuses to the point where the businesses who wanted to move in, lose enthusiasm. The whole point of the development was that it was mixed use with businesses in town. This echoes National Planning Guidance in the form of the NPPF and town centre vitality and also is in line with Wiltshire's emerging Core Strategy which is about reducing the need to travel to work eg in this case, to Bath.
- Site has not been completed and sold and the estate is already struggling with parking and refuse.
- the retail units attract people to the development and adds interest to a fascinating historic area of the town as well as bringing valuable enterprise and employment opportunities into the centre of Bradford. If the application is allowed to go ahead the development is in danger of becoming yet another bland housing scheme without any activity during the day
- This is our town centre, we need vibrant retail/office space to promote and encourage local shopping, reducing environmental impact and building a stronger community , please do not allow this change of use
- There are more than enough residential units on the Kingston Mill development; allowing change of use on commercial units is completely against the spirit of a mixed use development and should be resisted.
- It is essential for the future of Bradford on Avon that we have commercial space in the centre of town. We do not want to become a dormitory town, but one where small businesses can thrive. Planning permission was originally given for the development of Kingston Mills as mixed use and this was for a very good reason. I see no reason why this should change. The success of the nearby Glove Factory in Holt shows good commercial space is in demand.
- Maintaining commercial property is much more important for the local economy and community of Bradford on Avon than it is for Linden Homes to further fill their pockets.
- Linden Homes were given this contract for a mixed commercial and residential site. It is now utterly cyclical that, within such a short time, they are trying to go back on that agreement. The future of Bradford relies on a proper mix of business. It will kill the town centre if it becomes a mere dormitory suburb.
- The Lambs Yard development is a fantastic addition to the character of the town as long as it grows as a retail/commercial hub. The monthly market demonstrates the community

atmosphere that is created when townfolk gather to shop together. This would be ruined if the development was allowed to become more residential. It has also become clear that the developers have been actively discouraging retail tenants (ask Chandni Chouk) as a means of justifying the change of use. This is cynical at best, fraudulent at worst.

- When we purchased our apartment it was on the basis of the development being "a mixed use site"--it is now in danger of becoming a retirement/holiday home site as plans for offices and shops are cancelled
- Linden Homes and their related parties have been failing in provisioning and ensuring we the residents have been provided with and supplied (having access to) services and amenities we have been duly paying for since March 2011! They sold us an apartment with allocated parking bay, which is not 'enforced' on a regular basis. Furthermore in March 2011 at the point of completion we have been led to believe that there is a visitors parking space provision. Without any consultation with residents they simply removed these spaces and 'gave' them to affordable housing! This in a nutshell demonstrates insufficient basic amenities on the development, lack of developer corporate, personal, legal and or any other responsibility.

9. Planning Considerations

9.1 PRINCIPLE OF DEVELOPMENT

The site is located within the settlement boundary of Bradford on Avon where the principle of new residential development is considered to be appropriate. As the building is existing and there are to be no external changes it is considered that there would be no implications to flood risk or archaeology or any impact on the landscape quality or skyline of the town. The proposal is therefore considered to comply with Policies H1, C4, C15 and C30.

Policy H16 relates to the conversion of buildings to flats. The proposal is not considered to be an over intensive sub division, would not have an adverse affect upon the external appearance of the building, complies with the parking requirements, has suitable recreation facilities within the immediate vicinity, would not cause any neighbouring amenity issues and would not be subject to flood risk. The proposal is therefore considered to comply with Policy H16.

The proposal sees the loss some business floorspace and therefore Policy E5 needs to be taken into consideration which states that the loss of any employment floorspace will only be permitted where the following criteria are satisfied:

- (i) there is an adequate supply and mix of genuinely available land and premises elsewhere in the locality for employment uses;
 - (ii) such proposals are compatible with neighbouring land uses and do not create bad neighbour uses;
 - (iii) such proposals do not give rise to, or continue existing traffic or environmental problems.
- The proposed change of use to residential is considered to be compatible with neighbouring land uses and would not give rise to or continue existing traffic problems. The loss of employment floorspace will be looked at in the following section.

There are no policies within the local plan that prevent the loss of a restaurant to residential at first floor level and therefore in relation to employment space, this application is looking at the loss of 209 square metres of employment space.

9.2 ECONOMIC

The Council's Economic Regeneration Officer has stated that historically there has been a gradual but persistent loss of employment land in the town to the extent that the town now offers a low range of employment opportunities and has a high level of out commuting to Bath. The Kingston Mill site is located within the town centre and is of mixed use and comprises approximately 160 dwellings, 680sq m retail, 1120 sq m restaurants/cafes and 2278 sq metres office space. The scheme was approved on the basis that it would provide jobs for local people and be a corner stone of Bradford on Avon's town centre regeneration. The historic centre is extremely constrained in terms of development potential and the Kingston Mills site was the only remaining town centre site capable of accommodating office space of a reasonable size. It is a highly sustainable location being within easy walking distance of the train station and all town centre amenities.

Evidence collated by Wiltshire Council and independent consultants suggests that based on growth projections there is a need to deliver between 2 and 3 hectares of new employment land at Bradford

on Avon up to 2026. The draft Core Strategy now includes a strategic site for mixed use development to the south east of the town at Kingston Farm. It is a strategic objective of the draft Wiltshire Core Strategy to deliver a thriving economy and also states that the loss of employment land in Bradford on Avon will not be supported.

Extensive negotiations have taken place between the Development Management Team, the manager from Economic Regeneration and the developers. Subsequent marketing information has been submitted to the Local Planning Authority which shows how the units have been marketed (which includes Newspapers, Estate Agents, websites, Caters Advertisers, Marketing Brochures and on site advertisement), showing who has had interest in the units and the reasons why they have not been taken up. This particular unit has been marketed since February 2010. The majority of the reasons why offers have not been brought forward relate to parking requirements.

The building under consideration has a restaurant and supermarket on the ground floor and residential on the second floor. It has good views over the river and has only three allocated parking spaces. The entrance to the site is via a side entrance which is shared with the residential element above and the unit in its existing form needs considerable work for conversion as there are a number of columns through the centre of the space. Access to the toilets are also located by the stairs to the residential properties above. There has been interest from a gym operator for this space, however such an operation could adversely affect the neighbours living above.

The cost of the units has been subject of concern by different objectors. The site has been marketed at a price of £15 sq ft and when compared to prices in other towns and the current economic market this is considered to be high. However the developer has confirmed that the quoting rent is £15 sq ft but is looking to achieve around £12 sq ft and rent free months have been included within any negotiations. Concerns have been raised by the general public that the developer has been putting potential purchasers off, thereby increasing the potential for residential. The Local Planning Authority have requested through the people that have phoned to highlight this issue and that businesses who have apparently had problems in letting premises on the Kingston Mills site should come forward and to date nothing has been received. As such this matter cannot be taken into account as a material consideration on this application.

The developer has been reasonably successful in letting the majority of the retail units within the development and the remaining available units are considered not to be suitable for residential or office use. The developer is also confident of their ability to let them. The developer has also let some office units on the site and therefore there is clearly some market interest in smaller office units in this location and a willingness to pay a reasonably high rate in Wiltshire. The office space in this building has access to only 3 parking spaces and therefore many people who have been interested in the site have been deterred.

Recent legislation issued by the Government allows units previously used for business uses to be converted to residential uses for a temporary period of three years. The unit subject of this application would not be able to convert to residential under these regulations as the unit is new, has never been used for employment and there is also a condition on the original application that restricts the employment uses changing to any other uses. However it does highlight the concerns of the Government over existing empty B1 units at first floor level and therefore this is a material planning consideration.

Due to the uses below and above the floor space subject of this application and its access to the building alongside the conversion works that need to be undertaken, it is considered that it would not be viable for a business use to be in this particular location. These matters are considered to be a material planning consideration when making a recommendation on this application and therefore as the unit is considered to be unsuitable for office use the proposed change of use to residential is considered to be appropriate.

It is also considered that the loss of 209 square metres of employment floor space is considered to be relatively small when compared to the 2278 sq metres that was approved for office space and that this loss would not have a significant or detrimental impact upon available employment spaces within Bradford on Avon.

It is not considered that by approving this application it would set a precedent for other units on the site to change to residential as site specifics have been taken into consideration (namely the siting and location of the unit in question). It has also been made clear to the developer that no other change of use of business units to residential other than those subject of current planning applications would be welcomed. Due to the number of other available units that are available to let on the site and the units that are already being occupied, the site would still remain as a mixed use site. It is also considered that this proposal would not have an impact upon the strategic employment site at Kingston Farm where the units are larger and there is considerably more room for parking.

9.3 DESIGN ISSUES & IMPACT UPON THE WIDER AREA & LISTED BUILDING

There are no external changes being proposed as part of this application and therefore it is considered that there would be no impact upon character and appearance of the Conservation Area and Grade II Listed Building. It is therefore considered that the proposed changes would comply with Policies C17, C19, C28 and C31a of the Local Plan.

9.4 IMPACT UPON AMENITY

It is considered that the proposal would not have an impact upon neighbouring amenity in terms of overlooking or overshadowing as the building and windows/doors are existing. There are also no immediate residential properties that can be overlooked or overshadowed.

Noise from the restaurant below is not considered to be a nuisance to the proposed units as there were existing residential properties immediately above the restaurant on the second floor.

Budgens has an existing plant room on the first floor and to ensure that the residential properties would not be affected an acoustic report was submitted. It is considered that the findings of this report are appropriate and therefore should the application be approved a condition should be attached ensuring that the report is complied with. A further condition would also be required to measure noise levels once the dwellings have been completed.

It is therefore considered that with suitable conditions the proposal would comply with Policy C38.

9.5 ACCESS AND HIGHWAYS

Access to the site will not be changed as part of this application. 1 car park space is being provided for each of the 2 bed units and no parking for the one bed units. The proposed parking is in accordance with the parking provision originally approved at Kingston Mills and therefore is considered to be acceptable.

9.6 OTHER

Many of the objections received relate to existing problems regarding parking and refuse, these issues have been acknowledged however this application is unable to overcome existing problems and therefore are not able to be taken into consideration when making a recommendation on this application.

9.7 CONCLUSION

It is considered that as the proposal complies with the relevant policies of the development plan, the proposal is recommended for Approval subject to a supplemental agreement to the original Section 106 to ensure that the residential properties comply with the previous requirements.

Recommendation: Permission

Planning permission be granted at a future date subject to the Area Development Manager being satisfied to the completion of a supplemental planning agreement to ensure the residential properties subject of this permission comply with the original Section 106 Legal Agreement attached to 06/02394/FULES

For the following reason(s):

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

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 drawing numbers 10026(L)411A, 3114(P)001M received on 11th January 2013 and drawing numbers 10026(L)410D, 8008(I)243_B received on 5th September 2013

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

- 3 The development hereby permitted shall be carried out in accordance with the noise acoustic report received by the Local Planning Authority on 2nd May 2013. Once the development has been completed but prior to occupation of the residential units hereby permitted a post noise construction assessment shall be carried out and the results, any required remedial works and a timetable for implementation of any such remedial works shall be submitted to and agreed in writing by the Local Planning Authority. Any necessary works shall be carried out in accordance with the agreed timetable.

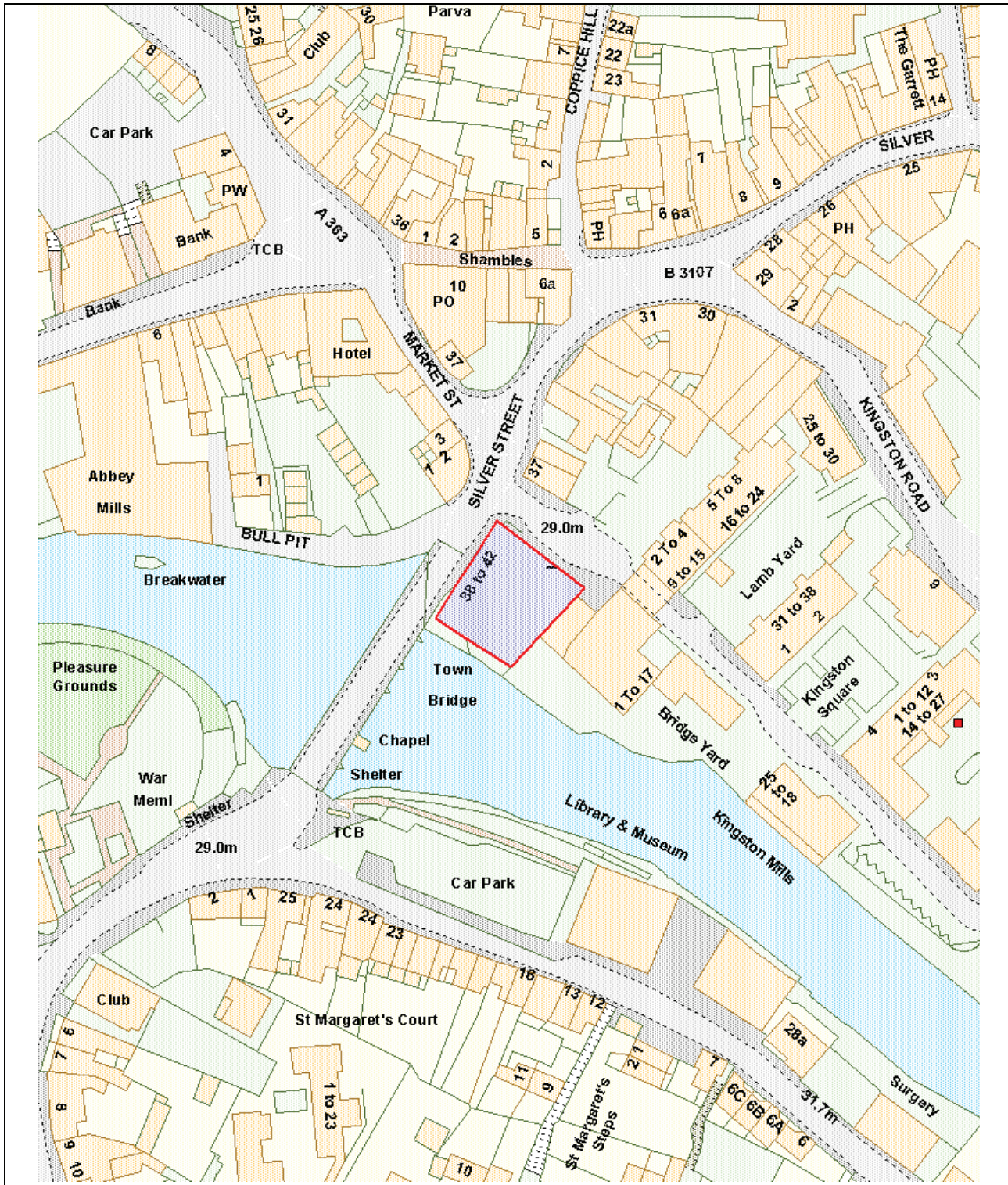
REASON: To ensure that noise from the existing plant room does not impact upon the amenity of future residents having regard to Saved Policy C38 of the West Wiltshire District Plan 1st Alteration 2004.

Informative(s):

- 1 This permission shall be read in conjunction with a Supplemental Planning Agreement to the original Section 106 Agreement made under Section 106 of the Town and Country Planning Act, 1990 and dated ____

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

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REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	W/12/02348/LBC		
Site Address	Kingston Mills, Kingston Road, Bradford On Avon, Wiltshire		
Proposal	Internal works to facilitate conversion of first floor of building T to 5 residential units		
Applicant	Linden Homes Western Ltd		
Town/Parish Council	Bradford On Avon		
Electoral Division	Bradford On Avon South	Unitary Member:	Cllr Ian Thorn
Grid Ref	382748 160897		
Type of application	Listed building		
Case Officer	Jemma Boustead	01225 770344 Ext 01225 770211 Jemma.Boustead@wiltshire.gov.uk	

REASON FOR THE APPLICATION BEING CONSIDERED BY THE PLANNING COMMITTEE

This application was deferred at a previous meeting to allow the agent to clarify inconsistencies with the submitted application details. This application only deals with the internal alterations that require listed building consent. The principle of whether the use is acceptable is dealt with in the associated planning application W/12/02347/FUL, reported above.

Councillor Thorn supported the previous Councillor Hewson's request that the application be called to the Planning Committee for the following reason:

The change of use would have a significant and deleterious effect on the commercial vision for the site and the town that was accepted by the developer in the originally granted application for this site.

1. Purpose of Report

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

2. Report Summary

The main issues to consider are:

- whether the internal works would have an impact upon the Grade II Listed Building

3. Site Description

This application relates to the Kingston Mills Development in Bradford on Avon. The particular site in question is the unit above the existing restaurant to the rear of Budgens shop.

4. Relevant Planning History

06/2400/LBC - Comprehensive mixed use re-development comprising alterations to Buildings 2, 43-44, 53, 55, 70, 76, 77 second floor extensions to Building 70, demolition of Buildings 41, 42, 61, 62-65, 68, 71, 72, 73, 75, 78 and associated works - Approved 08/02/08

5. Proposal

This application seeks listed building consent for the first floor to be converted to residential to form 5 dwellings. No external changes are being made to the dwelling. The building itself is Grade II Listed.

6. Planning Policy

National Planning Policy Framework (NPPF)

7. Consultations

Town Council - Object. The Lamb Building is of high townscape value and represents an important historical link to the former uses on the site. It has a robust industrial character that would be adversely affected by the subdivision of flats. The resulting visual effect on the elevations by the use of blinds or curtains would be incongruous. The plan form of the building does not lend itself to subdivision into flats and the resulting layout is poor with over-large industrial style windows onto small spaces. The proposed alterations do not preserve the heritage significance of the building and the proposal is contrary to the NPPF and District Plan Policies C28 and C20. The provision of eight extra apartments will add to the already overstretched facilities for parking and refuse on the development site.

Wiltshire Council Conservation Officer - No objection

English Heritage - The application should be determined in accordance with your specialist advice

8. Publicity

The application was advertised by site notice/press notice /neighbour notification. Expiry date: 22nd February 2013

Wiltshire Council received 15 letters of objection from the general public, but these concerned planning matters that are dealt with in the report on W/12/02347/FUL above.

9. Planning Considerations

9.1 IMPACT UPON THE LISTED BUILDING

There are no external changes being proposed to the property. The first floor is to be partitioned off to create five (three 2-bed, two 1-bed) residential flats. These internal works will not have any adverse impact upon the Grade II Listed Building as the floorspace has already been partitioned off to provide a hallway, storage cupboard and the storage of air conditioning units. It is therefore considered that the further subdivision into flats would not be harmful to the character of the building and the proposed changes are therefore considered to be acceptable.

9.2 OTHER

The consultation processes has not raised any issues regarding the listed building consent application.

The Town Council have referred to policy C20, but development plan policies are not applicable to applications for listed building consent, applying only to the relevant planning application.

9.3 CONCLUSION

It is considered that the proposal will not have any adverse impact on the character or appearance of the listed building and that therefore consent should be granted.

Recommendation: Consent

For the following reason(s):

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively to secure this development to improve the economic, social and environmental conditions of the area.

Subject to the following condition(s):

- 1 The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

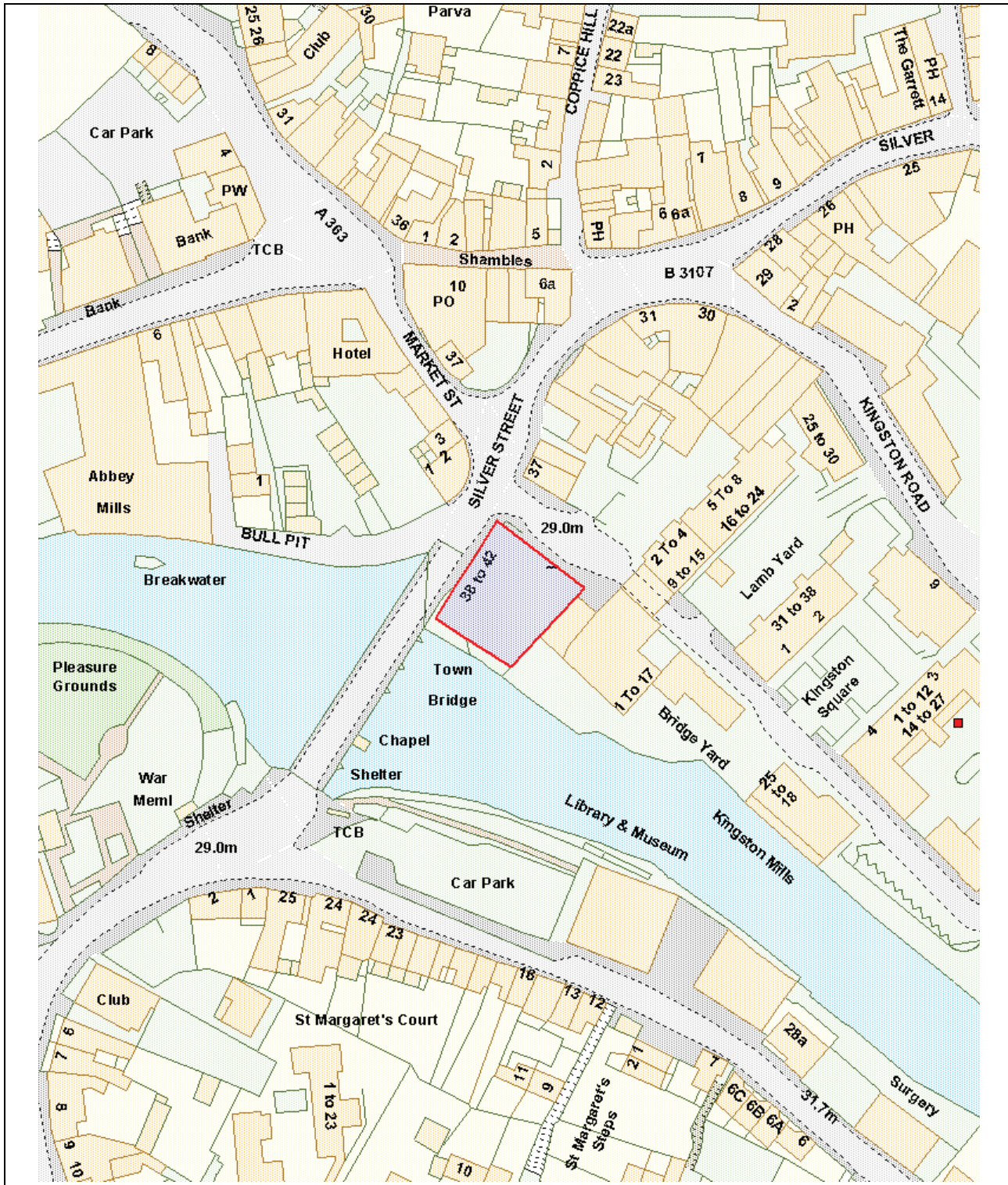
REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2 The works hereby permitted shall be carried out in accordance with drawing numbers 10026(L)410 C, 10026(L)411_A, 3114(P)001_M received on 14th January 2013 and drawing number 8008(l)243_B received on 5th September 2013

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

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

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REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	W/13/01080/FUL		
Site Address	Glove Factory Studios, 1 Brook Lane, Holt, Trowbridge, Wiltshire		
Proposal	Extension to existing Glove Factory studios workhub (class B1) following the demolition of existing modern single-storey buildings, and formation of new ancillary car park and associated landscaping works		
Applicant	Glove Factory Studios LLP		
Town/Parish Council	Holt		
Electoral Division	Holt and Staverton	Unitary Member:	Cllr Trevor Carbin
Grid Ref	386019 161974		
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 Trevor Carbin has requested that this item be determined by Committee to consider the following matters:

Environmental/Highway Impact and Car Parking

1. Purpose of Report

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

Neighbourhood Responses - 7 letters of support and 3 letters of objection were received

Holt Parish Council Response - Whilst the Parish Council supports both the concept and implementation of the Glove Factory Studios to date, they have concerns about parking and traffic and requested that the Unitary Ward Member call this application to the Planning Committee to assess the acceptability of forming a car park outside the village policy limits.

2. Report Summary

The main issues to consider are:

- The Principle of Development
- The Defined Area of Opportunity and the Proposed Encroachment into Open Countryside to form a Car Park
- The Impact on the Conservation Area/Heritage Asset
- The Impact on Highway Safety
- The Impact on the Wider Surroundings (Including Ecological, Archaeological and Third Party Interests)

3. Site Description

This application relates to an irregular shaped site amounting to about 0.5 hectares centred at the Glove Factory Studios (hereafter shortened as GFS) - which is a well established rural employment

incubator and work hub (with a B1 Planning Use Class) which provides some 65 jobs located off Brook Lane in Holt. The office/business work hub currently offers about 856 square metres of gross internal employment floor space, which is supplemented by an ancillary on-site café and a small retail outlet occupied by the National Trust.

The site is bounded to the east by Brook Lane and the J T Beaven old tannery site which extends almost 300 metres along the Midlands. Agricultural land and public rights of way (PROW) routes are found to the north and west. Tennis courts and a bowling green are sited to the south along with an area of public amenity land at Dawes Pond which fronts directly onto the Midlands. Vehicular access to the site is via Brook Lane - which is also a PROW.

Well established trees located along the site boundary are supplemented by a hazel panel fence and shrub under planting which provides a relatively robust landscaped edge to the site, especially to the south and west. To the immediate north, the land is within the control and ownership of the applicant, and is characterised by gently undulating open farmland enclosed to a degree by a mix of treed and hedgerow boundaries. Further afield, there is a scattered pattern of free standing parkland trees.

It is important to record that the entire GFS site is located outside of the defined village policy limits. The adopted West Wiltshire District Plan however designates the GFS site within an 'Area of Opportunity'. For the avoidance of any doubt, the field located to the immediate west of the existing GFS site forms about half of the application site, but falls outside of the defined 'Area of Opportunity'. The entire site is however within the designated Holt Conservation Area.

4. Relevant Planning History

- W/10/02683/FUL - Part retrospective application for external alterations to buildings and new drainage system and landscaping - Permitted 15.10.2010
- W/10/02682/FUL - Change of use of part of Workshop/Studio (Class B1) to a single retail unit (Class A1) - Permitted 22.10.2010
- W/11/00446/FUL - Alterations to outbuilding comprising re-roofing, new windows in blocked up openings, waney-edge cladding constituting amendments to planning permission W/10/02683/FUL - Permitted 05.04.2011
- W/12/01013/FUL - Retrospective application for formation of communal refuse storage area, associated turning area and access to electricity substation and proposed 6 metre high pole for mounting a security camera - Permitted 10.08.2012
- W/12/02052/CLE - Certificate of lawfulness to regularise the existing cafe as ancillary to the Glove Factory Studios work-hub (Class B1) - Granted 17.12.2012
- W/12/02154/FUL - Change of use of Studio 6 from a Workshop/Studio (Class B1) to a Retail unit (Class A1) - Permitted 16.01.2013
- W/13/01081/CAC - Demolition of 5 modern 20th century single storey ancillary buildings - Consented 12.08.2013
- W/13/01082/FUL - Flood mitigation works including the formation of an attenuation pond and basin and associated land modelling and strategic landscaping - Permitted 21.08.2013

5. Proposal

Following extensive pre-application discussions, the applicant seeks planning permission to extend the existing GFS site and provide a new landscaped 90 space car park.

As recorded above, the Council has recently granted Conservation Area Consent (under application W/13/01081/CAC) for the demolition of 5 'modern' 20th Century buildings on the GFS site totalling about 247 square metres. The consented demolition works are necessary to accommodate two-storey extensions to the north and west of the original GFS building which would provide about 864 square metres of added B1 employment/office floor space to expand the on-site number of businesses to 60, employing between 130-180 people.

Two main buildings are proposed: a linear two-storey structure mirroring the original building linked via an extended frontage facing Dawes Pond and the means of access to the site; and a shorter addition built onto the northern gable of the existing GFS building. An internal partially roofed

courtyard space would also be provided, which would, in part, provide enhanced communal working and interactive space for the existing/additional on-site businesses.

As detailed within the submitted Design & Access Statement, the "datum heights from the existing building have been respected: the eaves and ridge levels have been followed on the long building, whilst the building at the rear steps up to follow the slightly rising ground [but it does not exceed the existing ridge level]. The buildings are based on a simple repeated structural grid sized for start-up studios at ground and first floor [levels], with the upper studios accessed from covered external walkways and open to the pitch of the roof, lit by floodlights. Internal partitions are non-structural, allowing studios to be amalgamated in the future" (page 10).

The contemporary barn-like design aesthetic has evolved through extensive discussions with Council officials, with the new extensions finished with a rendered Bathstone-coloured lime render - which would present a masonry façade that would be tonally respectful, yet also distinct from the traditional ashlar and rubble stone of the old GFS building. The new roof would be formed by using a simple standing seam grey coloured metal sheeting.

The re-development plans seek to retain the on-site ancillary café with an extended project / meeting room space to be located on the ground floor of the new rear addition with large areas of glazing proposed to allow for greater use of the outdoor space and maximise the relationship with the immediate courtyard space and the rural landscape beyond. The proposed connection with the existing building would be achieved via a recessive link, conceived as a flat-roofed, glazed workshop over a solid masonry base. At first floor level on the Brook Lane side, the glazing would be set back to maintain a clear distinction between the original and new buildings.

The new buildings (as is the case for the existing GFS building) would be heated via highly efficient under floor heating from gas condensing boilers. The existing water harvesting installation would be extended to include the new additions. The masonry construction would provide a thermal mass to the buildings which together with the solar shading, will ensure a suitable internal working environment is created.

The existing entry point located off Brook Lane would remain un-altered, although the existing access and front courtyard space would be used to service the proposed 90 space car park. The retained planting would be supplemented by a 2.4 metre high timber screen waney-edged boarded fencing with climber plants to soften its visual appearance.

The parking area has been designed as a contained space surfaced with gravel contained within a proprietary cellular system (similar to that found at the front of the GFS site). This would allow for natural rainwater infiltration. A landscape planting scheme comprising introducing old varieties of apple trained as espalier hedges would be formed against timber fencing. In addition to providing a path route from the car park into the proposed GFS courtyard space, a new pedestrian gateway is proposed along the southern boundary to afford access direct to the village sports facilities via new wooden bridge to span the existing ditch.

6. Planning Policy

The West Wiltshire District Plan - 1st Alteration

C1 - Countryside Protection; C6a - Landscape Features; C9 - Rivers (Watercourses); C14 - Archaeological Field Evaluation; C15 - Archaeological Assessment; C17 - Conservation Areas; C18 - New Development in Conservation Areas; C19 - Alterations in Conservation Areas; C31a - Design; C32 - Landscaping; C35 - Light Pollution; C37 - Contaminated Land; C38 - Nuisance; C40 - Tree Planting; C41(D) - Areas of Opportunity; CF3 - Villages and Rural Areas; E6 - Rural Employment; H17 - Village Policy Limits; T10 - Car Parking; T12 - Footpaths and Bridleways; U1a - Foul Water Disposal; U2 - Surface Water Drainage.

Wiltshire Local Transport Plan 2011-2026 - Car Parking Strategy

Supplementary Planning Guidance

The Leisure & Recreation DPD - CR1 - Footpaths and Rights of Way

The Emerging Wiltshire Core Strategy (shortened as eWCS)

Whilst the NPPF recognises the primacy of the Council's saved development plan policies, the following "emerging" core objectives and policies can be given some weight as part of the determination process as the Core Strategy has now completed its examination and is well advanced, with the Inspector's report due later this year.

The relevant Strategic Objectives of the WCS are: To deliver a thriving economy; To address climate change; To help build resilient communities; To protect and enhance the natural, historic and built environment; and, To ensure that essential infrastructure is in place to support our communities.

The relevant Core Policies are: 7. Bradford on Avon Community Area; 34. Additional Employment Land; 35. Existing Employment Sites; 36. Economic Regeneration; 41. Sustainable Construction and Low Carbon Energy; 48. Supporting Rural Life; 49. Protection of Services and Community Facilities; 50. Biodiversity and Geodiversity; 51. Landscape; 52. Green Infrastructure; 56. Contaminated Land; 57. Ensuring High Quality Design and Place Shaping; 58. Ensuring the Conservation of the Historic Environment; 60. Sustainable Transport; 61. Transport and Development; 62. Development Impacts on the Transport Network; 64. Demand Management; and, 67. Flood Risk.

Government Guidance

The National Planning Policy Framework (NPPF) and the Noise Policy Statement for England (NPSE).

7. Consultations

Holt Parish Council - At its meeting on 17 July, Holt Parish Council decided to ask Councillor Trevor Carbin to call in this application to ask the Elected Members of the Planning Committee to consider the appropriateness of the development. The Parish Council maintain that the call-in is justified in that the proposed car park falls outside the village boundary and therefore is seen as a departure from policy notably Emerging Core Strategy Policy 1 (paragraph 4.15) and West Wiltshire District Plan Policies H17 and C41.

It is the adopted policy of Holt Parish Council that it "would expect all developments to fall within the Village envelope. However, where it is in the interest of the community, the Council would consider extensions to that planning envelope" - source Parish Council Meeting dated 28 June 2012 (Mins p3037).

Whilst the Parish Council supports both the concept and implementation of the Glove Factory Studios to date, they have the following concerns:

- Parking: Experience from the Phase 1 development would indicate that the provision of parking on the scale of 1 space per 30 sq m would be totally inadequate for this type of business. There is also no scheme to ensure that workers/visitors use the car park rather than other village facilities which calls into question the applicants claim that this proposal would bring about a "permanent resolution of off-street parking provision for GFS".
- The parking survey figures in the Transport Assessment do not create a true picture which is more related to 'surge effects' due to weather (The Courts) and sports events rather than the small sample used.
- Any public use of the proposed car park out of working hours will be complicated by security issues.
- The proposal would only partially resolve the National Trust parking problem by providing some space at weekends - which merely provides further space for the National Trust to prevaricate on providing a proper resolution of the issue which is of their making.
- Traffic: The traffic survey information used in the Transport Assessment is statistically unsound. One weekday and one weekend day do not show the true picture which is dependent on weather and time of year for the more than 40,000 Courts visitors a year that drive into this area. It is also understood that the National Trust intend to increase visitor numbers.

- Suggested Community Benefits: The GFS currently provides 7 jobs to local residents in Holt, out of 60. It is reasonable to expect that the majority of the new 120 jobs will be in-commuters to the village for the foreseeable future. It is possible that local businesses/residents could connect to the 100MB broadband link by Wi-Fi should such a commercial arrangement prove feasible?

Wiltshire Council Spatial Planning Team - The current development plan for the area is made up of the saved policies in the adopted West Wiltshire District Local Plan First Alteration 2004, and the West Wiltshire Leisure and Recreation Development Plan Document. The development proposal is described in detail in Section 5 of the Planning, Design and Access Statement submitted by the applicant.

The development proposal is economic-led which would be supported in principle through West Wiltshire District Local Plan (WWDLP) First Alteration 2004 policies C41, E6 and the emerging Wiltshire Core Strategy (WCS) core policies 7 and 34 and more generally through the vision and objectives of the emerging Wiltshire Core Strategy which promote the provision of additional employment in Wiltshire to reduce out-commuting. Therefore, the Spatial Planning Service supports the extension to the existing Glove Factory Studios for the purpose of providing additional space for start-up businesses at Holt.

Justification is given in detail below:

WWDLP Policy C41 (D) supports economic development at the Holt Area of Opportunity. Currently the Glove Factory Studios host a number of companies in the digital media and creative industries; web-based technology and IT companies; and rural diversification businesses such as artisan design makers. The proposal to provide additional space for start-up businesses in these areas plus business support to create a vibrant business community is therefore fully supported through the policy.

This approach is also supported through the emerging Wiltshire Core Strategy Core Policy 7 which is linked with paragraph 5.36 of the Plan which proposes to retain the Area of Opportunity. The Council proposes to save WWDLP Policy C41 in order for it to guide development in this location. In this context it needs to be noted that a proposal for the wider Tannery site is under development, although no formal pre-application has been submitted to date.

WWDLP Policy E6 supports proposals for the establishment or expansion of small scale employment enterprises in existing premises or on new sites in rural areas provided they meet criteria A-C in the policy. Detailed discussions have taken place between Council officials (including the conservation officer) and the applicants to agree the design and layout of the extension to the Glove Factory and it is felt that the proposal meets the terms of criterion B - which seeks to ensure that development "maintain[s], enhance[s] and [is] compatible with, the rural character of the area, and [does] not harm acknowledged nature conservation interests".

In terms of criteria A and C disturbances for neighbouring residential uses could arise from car traffic on and off the Glove Factory site, however, the actual operations as described above are unlikely to cause a significant level of disturbance. The Spatial Planning Team will rely on the Council's drainage specialist's judgement if the flood risk issues can be sufficiently addressed through the proposed arrangements or appropriate conditions. It is noted that the Council's Highways Team has not objected to the proposal so it is considered that Criterion A is met, subject to meeting set conditions.

Regarding the issue of car parking, it is noted from the applicant's submission that the existing Glove Factory Studios operates with an element of off-street car parking (circa 16 spaces) plus a temporary overflow car park located on the Tannery site. The latter was put in place in 2012 to relieve pressure on the limited amount of on-street parking availability on The Midlands.

The proposed 90 spaces car park would provide parking space for the Glove Factory Studio users who would otherwise have to use the overspill car park on the Tannery site or park elsewhere within the village; and it would provide additional car parking for visitors to the village, the Courts and the

sports ground adjacent to the site. Further comments on the car park and the relevant policy context are given below.

The proposal for extending the Glove Factory Studios meets the key criterion of emerging Wiltshire Core Strategy Core Policy 34 which supports economic developments outside the Principal Settlements, Market Towns and Local Service Centres. The proposal seeks to expand businesses currently located within or adjacent to the settlements identified in Core Policy 1 (including large villages such as Holt), and it would provide space for new rural based businesses within or adjacent to the village. The proposal would raise the profile of Wiltshire's economy and the self containment of Holt through the provision of more jobs.

Holt is part of the Bradford on Avon Community Area which is seeing a high number of residents out-commuting to higher order settlements, something which is evidenced in the Council's Core Strategy evidence base. Holt's level of self-containment is at 26 per cent (based on 2001 Census data). Provision of additional jobs locally is a key objective in the Council's Core Strategy in order to deliver sustainable development in the Bradford on Avon Community Area and across the County. This proposal would contribute to meeting that objective.

Concerning the proposed car park and landscaping, the Plan defines it as land in the open countryside (just like the GFS site is) and is covered by WWDLP Policy C1 outside the existing policy limit (WWDLP Policy H17), and adjacent to the Area of Opportunity (WWDLP Policy CP41). It furthermore falls within the Holt Conservation Area (WWDLP policies C17-25).

It is noted the development proposal would extend the current Glove Factory Studios by some 864m². This extension would result in a requirement for an additional 29 spaces based on the adopted parking standards and WDL Policy T10. However this does not reflect the flexible nature of the Glove Factory Studios which can be tailored towards individual start up businesses' requirements, i.e. smaller units, potentially resulting in higher or lower parking requirements.

Policy C1 states that development in the open countryside will not be permitted, other than inter alia "those which encourage diversification of the rural economy". This proposal fully satisfies such criterion; and it should not be overlooked that the entire 'Area of Opportunity' site already lies outside the policy limits of Holt as per Policy H17. Furthermore, it is noted that Policy C1 affords flexibility in terms of essential transport improvements. It is noted that the applicant has established through research, that the land was used for industrial purposes in the past, so it cannot be entirely correct to say that the development impacts upon greenfield land.

The Spatial Planning Team is aware that car parking opportunities are severely limited within Holt, especially in its central area and The Midlands. Visitors to the National Trust Courts park at The Midlands and elsewhere within the central area of Holt due to the lack of parking space in the village (and the lack of a dedicated NT car park). The neighbouring sports ground attracts visitors particularly in the evening which also results in vehicles parked up along The Midlands.

It is understood that the Council's Highway Team have voiced concern about the current parking situation and corresponding highway safety particularly at The Midlands. We also understand that the Council's Highways Team supports the development, including the car park, subject to appropriate conditions. There is no policy reason to argue otherwise.

The settlement boundary of Holt is tightly drawn making it difficult for alternative sites to be considered for car parking. For those reasons, we believe that the dual purpose of the car park justifies its approval as an integral part of the proposed Glove Factory Studio extension as this would contribute to improving the car parking situation in the village. Taking a balanced line, it is submitted that the benefits of this scheme to the community of Holt outweigh the impacts it could cause by encroaching into the countryside.

We are aware that the second phase of the Tannery redevelopment is currently being pursued separately, although no planning application has yet been received. With this in mind, it is proposed that, if this application is permitted, a car park management plan should regulate parking at the Glove Factory Studios to ensure continuous supply of spaces for visitors and Glove Factory Studio workers alike; and that any Phase 2 development would have to cater for its own car parking requirements.

A Green Travel Plan should be required by condition in line with emerging Wiltshire Core Strategy Core Policy 61 to demonstrate that alternative modes of travel will be encouraged.

For the reasons set out above, the proposal is considered to be acceptable provided that:-

- A car park management plan be prepared prior to commencement of works;
- A Green Travel Plan is prepared to be approved by the Council prior to commencement of works; and that,
- The Council's conservation and landscape officers are satisfied with the proposed landscaping and mitigation measures proposed for the development.

Wiltshire Council Economic Development Officer - Supports and welcomes this application as it is likely to increase the jobs on the site from 65 to around 180 which fits with the emerging Core Strategy that seeks to reduce out-commuting. The 'Area of Opportunity' identified in the West Wiltshire Local Plan 2004 for Holt is being carried forward in the Core Strategy whilst recognising that it offers a suitable location for mixed use development in accordance with Core Policy 1. The accommodation at the Glove factory is very popular having a high level of occupancy and high demand for space and the owner also has a wealth of experience in setting up similar incubation centres. The space will be available for start up businesses primarily in high value sectors. At the Glove Factory, emphasis is placed on provision of business support, networking and training to help businesses to grow. The site brings together complementary sectors of higher skilled small businesses which are much needed encourage sustainable economic growth.

Wiltshire Highways Officer - No objections are raised. Highway officers have attended several meetings and have been involved in extensive pre-application discussions concerning the proposed extension to the Glove Factory and the provision of a new car park since 2012. The highway authority recognises the existing parking problems on the surrounding roads mainly as a result of the popularity of The Courts and the success of the Glove Factory Studio site and its ancillary café.

The proposed car park would accommodate the additional parking needs of the proposed extension to the Glove Factory, together with helping to alleviate the general parking pressures on The Midlands. The proposed introduction of waiting restrictions (double yellow lines) along part of The Midlands will help control the on-street parking in this area and prevent the current situation where vehicles are being parked in unsuitable locations, restricting the width of the running carriageway and creating hazardous situations for all users of the highway.

Following the receipt of the Parish Council comments, the Highways team were asked to respond. Their response was as follows:

- The parking surveys carried out and used to justify the development are acceptable. The surveys provide data for when The Courts was closed and the schools were open (21/09/11) and when The Courts was open and the schools were closed (30/08/12). The worst case of the two surveys was then used in the overall assessments of the site and surrounding road network. The surveys and analysis contained within the TA (traffic assessment) are considered to be robust and reasonable and I have no reason to doubt the conclusions reached.
- Whilst it is acknowledged that the National Trust attracts a significant number of visitors to Holt, which as a result creates parking problems particularly on The Street and The Midlands, the creation of a car park on The Midlands can only be seen as a positive solution to alleviate some of the parking problems. The owners of the Glove Factory are under no obligation to provide the additional parking for The Courts or other visitors to the village for sports or community events. The addition of waiting restrictions (double yellow lines) on The Midlands should encourage workers / visitors to use the car park together with removing the hazards and inconvenience associated with the on-street parking on The Midlands.
- The security issues raised will be addressed in the requested Car Park Management Plan.

Wiltshire Council Conservation Officer - From a heritage aspect, there are several approaches to extending an historic building and the one presented here comprises a traditional form mixed with

modern materials to give a complementary blend which allows the historic sections to remain as the primary focus of the site.

The southern elevation demonstrates this approach: a traditional gabled building similar to the original, but lime rendered to give it a plainer yet characterful elevation, industrial windows of similar scale but simplified detail to the original, and a modern link within a traditional envelope of built form to join the two buildings. The use of lime render with metal cladding and roof would give a strong indication of this being a new section of an evolving industrial site. The new buildings are contained within the existing Glove Factory Studios (GFS) site and would use appropriate industrial themes. The character of this part of the Conservation Area is both industrial heritage and edge-of-village. The extension of the GFS would continue that industrial character and its form, scale and use of materials would be appropriate to preserve this functional part of the Conservation Area. The land to the rear of the site would remain as agricultural and therefore the edge-of-village character would be retained in that direction.

The proposed car park has the potential to remove the 'edge-of-village character' of the area. The application does however propose to plant new hedgerows and tree planting around the proposed car park to mitigate the view of cars. A more robust planting scheme of semi-mature specimens, to give immediate screening, would give some mitigation to the impact of the parking. The landscaping scheme does not seem to be comprehensive enough to provide sufficient screening. If this development goes ahead then a condition should be imposed for a new, more detailed, landscaping plan to increase, or clarify, the vegetation buffers to screen the parked vehicles.

English Heritage - No objections/comments, other than to recommend that the application should be determined in accordance with national and local policy guidance as well the Council's Conservation Officer's advice.

Wiltshire Council Urban Designer - It is clear that the design has been derived from a desire for the new buildings/extension not to compete with the original glove factory building. In order to do this, the applicant has opted for a simple built form, plain design features and a small materials pallet. In this context there is no objection with regards to the building arrangement and general built form. Should this application be approved a condition requiring the submission and approval of materials is required.

Wiltshire Council Archaeologist - A desk-based assessment was undertaken for the proposed development site in 2011 and this was followed by archaeological evaluation in March 2013, targeted at two crop mark features which had been identified from aerial photographs. The results of the evaluation revealed those features to likely be field boundaries or drainage gullies and the absence of cultural material, there is low potential for significant archaeological remains in the immediate area.

Based on the results of the desk-based assessment and archaeological evaluation, there is unlikely to be any significant archaeological remains to be impacted by the proposed development. It is therefore recommended that no further archaeological investigation or conditions are required.

Wiltshire Council Ecologist - No objections subject to conditions. The Ecological Appraisal and Protected Species Report demonstrates that the redevelopment of the buildings and the extension of the car park presents a low risk for bats and other protected species.

Wiltshire Council Public Protection Team - No objections, subject to a condition covering land contamination reporting and monitoring.

The Environment Agency - No objection subject to conditions and informatives.

Wessex Water - New water and waste water connections are required. It should be noted that DEFRA intend to implement new regulations that will require the adoption of all new private sewers. All connections subject to these regulations will require a signed adoption agreement with Wessex Water prior to any drainage works commence. Separate systems of drainage will be required to serve the development and no surface water connections shall be permitted to connect with the foul sewer infrastructure.

Wiltshire Council Drainage Engineer - No objections.

Wiltshire Council Strategic Landscape Officer - Supports the application and concurs with the submitted Landscape Analysis, which describes the immediate landscape around the site as 'unremarkable' although it does provide a pleasant rural setting to the village. It is noted that the higher quality wider parkland setting is 'in decline as the parkland trees age'. Therefore, the landscape master plan seeks to strengthen and enhance the local landscape character through:

- extending the parkland character setting to meet the northern edge of Holt;
- drawing inspiration from the designated Courts Garden;
- a sensitive design and landscape treatment to the external elements of the proposal;

The flood prevention scheme has been informed by the Flood Risk Assessment and designed to create some positive landscape features in the form of a new pond, dry balancing pond and earth modelling. Existing trees have been retained and new individual trees shall be planted to strengthen the parkland character. Views from the footpaths, including the proposed boardwalk, and the studios shall be enhanced. It is noted that the parkland will be managed by sheep grazing and therefore it will be necessary to enclose the pond. The suggestion of black estate rails is welcomed being most in keeping with the aspired parkland character, and is preferable to agricultural timber post and sheep netting which would compromise the parkland setting in this context.

The car park design has been influenced by the style of the 'garden rooms' at The Courts, enclosed by vegetation clad timber screen fences, espaliered fruit trees and planted with shrubs and perennials. It is noted that the final decision for the car park surface is to be permeable gravel which will allow water percolation and tie in with existing materials.

The approach taken to understanding the existing landscape, the consideration of the site constraints and design opportunities, has resulted in a sustainable development proposal that respects the built and natural setting of the site. If/when complete, it shall be a wonderful asset for the local community, local businesses and visitors alike.

Wiltshire Council Green Economy Officer - There is a minimum requirement for major developments under Emerging Core Strategy Core Policy 41 for Energy Strategies and a minimum BREEAM level which was not disputed through the recent Core Strategy Examinations in Public. It is also noted that GL Hearn (who act as the agents for this proposal) acknowledge the need for energy strategies in other applications that they have submitted to the Council.

The application is a major application comprising a proposed 1,111 square metres of extension to the Glove Factory Studios. This will provide an expanded rural work hub of 1,720 square metres. Core policy 41 is explicit in its requirements. At the very least BREEAM very Good should be sought and an energy strategy should be submitted. Non residential development will be required to achieve the relevant BREEAM "Very Good" standards from 2013, rising to the relevant BREEAM "Excellent" standards from 2019. A condition should be imposed upon any permission.

8. Publicity

The application was advertised by site notice, press notice and individual neighbour notifications.
Expiry date: 31.07.2013

Summary of points raised:

7 letters of support received raising the following points:

- The existing GFS and café have positively raised the profile of the village. The proposed development appears in proportion to the site and surroundings.
- The applicant is taking a risk here - especially during this troubling economic period. He is nevertheless, very committed to developing a successful dynamic cluster of creative businesses, expand the incubator capacity and provide wide range benefits both for the site, the village and the County.

- The proposals create great potential for cross-fertilisation for businesses to share innovation and expand upon enhanced networking opportunities. On a larger scale, the proposals shall allow for existing / new businesses to grow-on and reduce the risk of having to re-locate. The GFS extension shall deliver 'high value niche product and service businesses - important locally, regionally and nationally. Some of the creative industries based already at the GFS and those likely to be encouraged to re-locate are essential for scaling up the manufacturing capacity in the UK as well as promoting and delivering products.
- More employment means more jobs- including more job opportunities for local people. Since 2012, the number of Holt residents employed at the GFS has more than doubled. The café (which was awarded the 2013 Certificate of Excellence) employs 12 people - 7 of whom are Holt residents.
- Support for the off-street car park which shall help improve DDA compliance and make the whole site much more accessible.
- There shall be beneficial highway improvements following the proposed parking restrictions along part of the Midlands.
- The landscaping scheme would benefit everyone as an enhanced natural backdrop and users of the PROW.
- The National Trust offers its full support asserting that the proposals shall have multiple benefits through creating new employment, sustaining existing businesses, enhancing innovation and networking, providing further landscaping and reduce out-commuting.
- The separate flood mitigation proposals (approved under application w/13/01082/FUL) shall greatly benefit the site and village. In Nov 2012, businesses had to close for 2 days.

3 letters of objection received raising the following:

Whilst the Glove Factory Studio hub is seen as being a positive and welcome addition to the village providing employment and a pleasant, rural meeting place for business and pleasure, the following concerns/objections are raised about its proposed re-development:

- **Policy Conflicts** - The proposed car park would conflict with both adopted local plan policies and the NPPF. The site lies beyond the village limits, forming part of the attractive open sensitive landscape setting, its within the Conservation Area and provides the rural frame to the village from the elevated land around Great Chalfield Manor and Holt Manor. The proposed surfacing of what is currently open countryside to be replaced with brightly coloured shiny vehicles will not respect the attractive rural landscape and shall detract from the character and appearance of the Conservation Area and setting of adjoining/nearby Listed Buildings contrary to section 12 of the NPPF and WWDP Policy C17 and criteria (A) and (D) of Policy C18 which requires development to preserve and enhance the character and appearance of designated conservation areas and protect open spaces and views into, out of and within such areas.
- It is contrary to WWDP Policy E6 (B). LPAs should encourage the effective use of land by reusing land that has previously been developed. This links in with the Council's own policy allocation on the Glove Factory and adjoining Tannery site - where there is significant scope to provide additional employment space. The Tannery has always coexisted next to agricultural land for centuries. The proposal will mean shifting the boundary and the permanent loss of open space in the village alongside the children's playground and conservation area.
- Policy C41 of the WWDP allocates part of the site as an Area of Opportunity; describing the areas as having fallen into a state of disrepair. Policy C41 seeks to direct development towards the adjoining brownfield site (rather than the expansion on to an undeveloped greenfield site) in an attempt to encourage a significant improvement to the local environment. The current proposal does not comply with the aims set out in the NPPF or the Council's policy.
- Such greenfield development will reduce commercial incentive for regeneration projects in Melksham and Trowbridge. The redevelopment of Frome shows that market towns in the South West can draw in businesses from other parts of the Country and developments like this one are needed in Melksham or Trowbridge not on green fields.
- Specific objections are raised about the size/ capacity of the proposed car park. WWDP Policy T10 states that the quantity of parking provided within new development should be limited to maximum standards. The proposed 863m² additional floor area (triggers a maximum allocation of 29 spaces) calculated at 1 space per 30m² - in addition to the retained 15 spaces. There is no requirement for a 90 space car park. This is contrary to the Adopted Wiltshire Local

Transport Plan - Car Parking Strategy, which seeks to reduce the amount of land required for parking to enhance the built and natural environment.

- The Parish Council is concerned about the car park. At a public meeting, both the applicant and his agent confirmed that the car park was for the sole use of people working or visiting the Glove Factory studios on weekdays (with 7 spaces for the cafe). They went on to state that the new parking would only be made available for wider use at weekends. This therefore negates the arguments for the provision of such a large car park as during those hours, employees will not be using the car park. A car park of this size will generate noise disturbance in what is currently a very quiet area - reducing residential amenity..
- There is no clarity about how the "public benefit" parking would be enforced in the future against the Glove Factory and successors in title. In previous public consultations it has been stated that the public benefit parking would be withdrawn after 5 years to allow parking for the Tannery site. All previous consultations and documents until April 2013 stated that the GFS car park would be cross used by the Tannery development. The applicant and his planning consultant have now stated that the existing car park may in future be utilised for "phase 3" of the Tannery redevelopment. The potential plan for "cross-use" of the car-park by the Tannery development is a real concern.. Currently, the plans for the Holt Tannery are unknown. The last consultation document for the entire scheme was in 2011 and made clear that cross-use of the GFS car park was needed. At the July Parish Council EGM, the applicant stated that the planned employment space on the Tannery site has been reduced by 75%. In these circumstances, where the community has no firm idea as to what is planned on the Tannery site, it would be irrational to grant permission for a car-park three times larger than that permitted under the development guidelines. Relevant planning guidelines in any event requires any development of the Tannery site including the car park, stay within the existing site and Area of Opportunity.
- One objector does however argue that the meadow car park should remain its current size and not encroach further into the countryside.
- **Detrimental to the Conservation Area** - The existing Glove Factory is a stone built historic building which has been sensitively converted. The extension appears to have blank rendered walls and a fairly cheap looking roof, and its sheer size overwhelms the historic original. These additions will be detrimental to the conservation area.
- The open and rural outlook from the playing fields and conservation area shall be permanently lost by the development. This would be inconsistent with Wiltshire Council's statutory duty to preserve and enhance the character and appearance of the Holt Conservation Area under the Planning (Listed Buildings and Conservation Areas) Act 1990.
- The applicant proposes having a 1.5 metre high lighting in the car park. This will cause significant disturbance and light pollution to this sensitive rural area.
- **The Rural Landscape** - The current field has no mature trees, as it has always been an open agricultural field. There are some late leafing trees on adjoining land along the boundary of the proposed car-park, but the majority of the year, the high perimeter fence will be the outlook from neighbouring land and the public footpaths.
- It is understood that the developer intends to let the existing hazel hurdles rot in front of the fence (meeting with applicant on 18 July 2013). Attractive espaliered trees are proposed inside the car park. However, the developer is not proposing any additional soft landscaping to help mitigate the visual impact of the car park to neighbours or footpath users in the Holt Conservation Area. There are some small laurel plants on the Glove Factory land which might grow in front of the fence at some point. However, a huge laurel hedge (if it were to ever develop) would not be in keeping with the traditional mixed rural hedging or stone walls in the surrounding landscape.
- The applicant's proposal to plant trees to screen the car park from the elevated footpaths near Holt Manor/Great Chalfield Manor is noted; however, as there are currently no mature trees to screen the car park from the north, it is likely to be decades before a screen develops. Ranks of shiny cars will be visible from the footpaths to Great Chalfield Manor for a long period.
- **Environmental and Highway Safety Concerns** - The traffic generated by the development will lead to an increase in noise and activity on the site to the detriment of the quality of life of nearby residents - contrary to WWDP Policy E6 (C).
- The proposal will adversely affect highway safety. The means of access to the car park is via a narrow private road joining The Midlands on a bend, close to the well used pedestrian access currently used by children and adults visiting the play area and tennis courts. The Midlands is a narrow road serving a number of industrial units and houses. The additional traffic generated by

this proposal would conflict with these users and adversely affect highway safety both in the Midlands and further afield. Furthermore, the traffic will create a significant hazard for children using the play area, tennis courts and football pitch.

- As the redevelopment of the Tannery site is encouraged by a policy in the adopted local plan, the additional traffic generated by the current proposal needs to be considered in the light of the future development of the Tannery site and the additional traffic that will also be generated by the development of the Kingston Farm site in Bradford on Avon. These developments taken together will add a significant volume of traffic to the B3107.
- The Transport Assessment concludes that the proposed extension will result in 273 extra vehicles movements per day. However, this calculation excludes visitors to the café from the calculation of vehicle movements. The Glove Factory café is a popular local attraction which generates visitors in its own right from outside the village. Visitors to the café will increase vehicle movements significantly.
- The Transport Assessment also fails to consider the very large proposed development along the B3107 at Kingston Farm between Bradford on Avon and Holt. The Traffic Assessment for the Kingston Farm development states that more than 30% of the additional traffic for the development will be on the B3107 and 18.6% will drive through Holt village centre. The Tannery development will further increase this. The "sustainability" of the Glove Factory extension needs to be considered in this context.
- **Cycling** - The application states that the proposed development is in a sustainable location "within an easy walking distance from all areas of Holt and within an acceptable cycling distance from Bradford-on-Avon, Melksham, and areas of Trowbridge." (Transport Assessment para 8.4) However this is not correct. There is no cycling or pedestrian route to these towns which the majority of people would consider safe. The B3107 through Holt between BOA and Melksham is a notorious accident black spot with large parts having 50/60 mph speed limits, blind turns, no verges and no pavements.
- **"Accident Black Spot"** - The Traffic Report states that only 13 accidents were recorded in the "Holt area" but this conclusion is drawn by considering a very small area. When determining whether the proposed Glove Factory extension is commutable by cycling from BOA or Melksham it is more appropriate to look at accidents over the potential cycling route. The Department of Transport Road safety data (2005-2011) show that for the size of the road, local population and traffic, the B3107 road has a significantly higher number of serious road accidents than would be expected. 50 incidents are recorded as occurring on this stretch of road between 2005 and 2011 including 4 deaths. Therefore when considering the claim made in the Transport Assessment that the "accident records for the local highway network do not give rise to any particular concerns nor do they identify any particular accident blackspots" (Transport Assessment paragraph 8.4) regard should be had to the very small geographical area considered in the report (apparently all within the 30 mph limits of the village). When considering the reliability of the Transport Assessment we would ask the Council to consider evidence of incidents on the commuting routes in and out of the village.
- **Public Transport** - The Travel Plan states that the proposed development site is "well located for employees to commute from Trowbridge and other towns by bus". However, the truth is that the Zig-Zag bus services are not frequent enough for someone to rely on them to travel to work. Wiltshire Council plans to reduce or withdraw the service in any event. In reality, there is no public transport service for workers in and out of Holt. Any proposed introduction of season ticket loans to promote public transport is nonsense. What would they buy a season ticket for?
- **Footpaths and Pavements** - The Transport Assessment states that the pavements in Holt are generally good. However, pedestrians in Holt can feel very threatened by traffic, particularly commercial vehicles, as the road and the pavements are narrow. Vehicles are inches away from you which is very dangerous for young children, the elderly and dogs.
- **Car Sharing** - The proposals for car sharing for employees working for different businesses is highly unlikely to have any impact.
- **Unsustainable Development** - Holt has no virtually no public transport links and already suffers from too much traffic along a road not designed for the volume. The development will only exacerbate this problem.
- **Scale / Massing and Design Concerns** - The proposed building is too high and its roof-line unrelieved. It is not in keeping with the varied roofscape of the existing buildings. The design precedent of the existing buildings is not sufficiently extrapolated. The design is also over-fenestrated with the internal first floor being lit by windows plus roof lights on both pitches.

Objections are raised against the design for aesthetic, contextual, light pollution and privacy reasons.

- **Jobs** - Whilst it would be great for new job opportunities, the GFS does not generate significant employment for villagers - the majority of workers travel from outside, some considerable distances.
- **Flooding** - The applicant has been asked by third parties to provide a written assurance about the affect of the flood attenuation works on neighbouring land. Holt Farm has a well (presumably very old) which is used for providing water for the land and facilities. Despite asking the applicant to provide an assurance from his drainage consultants that the works would not dry up the well, he has declined to give this assurance, but suggested we direct this query to Wiltshire Council's experts.
- It is also noted that the extent of the flood attenuation work is calculated by reference to the need to mitigate excess water run-off from the increased built area of the proposed Glove Factory. It is not calculated by reference to existing flood risk. For this reason, we would be concerned that if planning permission were granted for the flood works prior to the other related applications, it would suggest a prejudgment of the other planning applications.
- **Statement of Community Involvement** - Criticisms have been made against the applicant's public consultation events in terms of its fairness and accuracy. This is greenfield development, not regeneration. The proposal does not involve regenerating run down industrial buildings - which the Area of Opportunity policy seeks to promote and achieve. The consultation exercise was over enthusiastic in their use of attractive images and less enthusiastic about giving accurate information about the negative elements of the plans. All consultations until May 2013 illustrated the car park coloured green (giving the impression of an undisturbed countryside fringe to the village on the plan) when a grass covered car park was never feasible. All the consultation mood boards, even those produced in July 2013, show a historic stone garden wall, where nothing remotely similar exists in the proposals. Apples, but not parked cars, are shown on the car park mood boards. Cumulatively, this "rose-tinting" tendency is not trivial, as it amounts to a failure to give accurate and balanced information about the impact of the proposals.
- The Statement of Community involvement refers to broad support for the proposals following the consultation without mentioning the negative comments from neighbouring properties.
- **Pollution** - Concerns are raised about pollution from surface water runoff from the car park. The land on which the proposed car park will be sited habitually floods or becomes very saturated and boggy and therefore a permeable surface may not be sufficient.
- **Conditions** - It is proposed that workers at the Glove Factory have constant access to the car park (365 days a year, 24 hours a day) to allow them maximum flexibility (source a meeting with the applicant on 18 July 2013). The car-park might also be used for other businesses on the Tannery site, who presumably would also have year round 24/7 access. This is completely inappropriate given the location of the car park in a rural location which is currently completely dark and silent at night.
- If the car park is permitted, a 6 pm closing time should be imposed to minimise noise and light pollution in a rural area to safeguard the quality of life for residents and to protect nature conservation. The existing GFS car park will remain. It would appear possible that routine "out of hours" parking could take place on the existing car park where it will intrude less on neighbours and the countryside.

9. Planning Considerations

9.1 The Principle of Development

For the avoidance of any doubt, Members are advised that the proposed extensions to the existing employment base at the GFS site are located entirely within the designated 'Area of Opportunity' as defined within the adopted and saved West Wiltshire District Plan under Policy C41(d). The 'Area of Opportunity' - titled Land at the Midlands, Holt recognises the site's industrial past which extends some 350 metres along the north side of the Midlands and captures the old J T Beavan tannery site as well as the Glove Factory Studio site (which is the subject of this application). The 'Area of Opportunity' also envelopes many residential properties: which have been the subject of previous regeneration proposals for this old industrial part of the village.

Inter alia, Policy C41 supports regenerating the defined area for light industrial, workshop, offices uses with some potential for residential. This application is however entirely employment led to expand the existing rural micro business work hub, which has developed into a popular and successful employment generator which currently accommodates 19 businesses employing about 65 people.

The success of the GFS site has meant that in its current form, it is too small to deliver optimised business development support and cost efficient letting. This proposal seeks to build on a strong base and provide increased capacity to provide what the applicant describes as a "critical mass required to deliver the required support improvements: critical mass of small businesses in order to enable synergies and cross fertilization, business grade 100Mb fibre broadband, on site business development support as well as providing a communal courtyard and meeting rooms. This in turn will safeguard the work-hub as a long term viable and self-supporting entity" (page 15 of the submitted Planning Design & Access Statement).

The additional employment floor space will generate flexible working space for up to 60 businesses and increase the employment numbers to between 130 and 180. The applicant wishes to retain the ancillary café facility which has become quite a successful entity in its own right - which is an integral part of the rural work-hub concept creating a focal point for the interaction between businesses and their customers.

The emerging WCS proposes to carry across but not alter the designated 'Area of Opportunity'. The EIP Hearing Session for the Bradford on Avon Community Area - to which Holt falls under, took place on 19 June. At the Hearing, amongst other matters, a representation was heard by the agent representing the Holt Tannery site developers which sought the enlargement of the 'Area of Opportunity' to include the field to the immediate west of the GFS site (along with land to the immediate north of the JT Beavan site) to "facilitate the wider regeneration of [the] Tannery site".

The emerging Core Strategy's principal and first strategic objective is titled 'delivering a thriving economy'. Paragraph 6.2 of eWCS stresses that "*the objective of delivering a resilient, sustainable and competitive economy [requires] a greater proportion of higher value, higher skilled jobs*". The Core Strategy seeks to deliver 6,000 new private sector jobs in Wiltshire, "using planning powers to build a supportive economic development" and specifically relative to villages like Holt, 'delivering resilient rural communities' (page 158). There is also clear support for "the delivery of additional opportunities for employment provision [including] rural based businesses", which could apply to the GFS site.

As recorded above within the Spatial Planning Officer's consultation, the proposed development is policy compliant and satisfies saved District Plan Policy E6 'Rural Employment' which allows for the establishment and/or expansion of small scale employment enterprises utilising existing premises. By virtue of its title, Policy E6 is not limited to defined settlements. Officers submit that this policy allows for acceptable associated development (such as a car park) linked with an employment led application on land designated as open countryside, subject to set criterion covering impacts on highway safety, flood risk, scale, design and materials used; as well as requiring compatible uses to ensure any employment activities do not harm the rural character, conservation interests or neighbouring land uses. Whilst the parcel of land to be used for a car park falls outside the defined Area of Opportunity, this is not objectionable in policy terms. WWDP Policy H17 in strict terms is a housing related policy and should not be used for reasons to oppose an employment related development.

Saved District Plan Policy C1 'Open Countryside' allows for appropriate economic diversification providing the rural character of the countryside is not demonstrably harmed. In this particular case, the WWDP designates the entire site (including the GFS buildings) as being located outside the defined village policy limits of Holt. Whilst, the GFS extensions can rightfully be assessed under Policy C41(d) and the 'Area of Opportunity' provisions, the entire proposal must also be assessed in terms of its impact on the open countryside. As noted above, the Parish Council support the principle and proposed economic expansion of the GFS site, but have reservations about the proposed new car park. The applicant and his agents however argue that they cannot extend without providing the necessary increased parking; and given the lack of any other practical or logical alternative site, the land to the immediate west is a necessary incursion which would be sensitively landscaped.

If the principle of expanding the employment hub at the GFS site is acceptable in principle in the absence of any demonstrable harm being caused to the Conservation Area, ecological interests or visual detriment, the car park can be supported through both existing and emerging policy, but officers recommend robust conditions to define the terms of any planning permission.

9.2 The Defined Area of Opportunity and the Proposed Encroachment into Open Countryside to form a Car Park

The NPPF and the eWCS highlight the importance of planning being flexible to secure and deliver good development projects. Core Strategy Policy CP1 contains a degree of flexibility to allow "carefully managed development outside settlement boundaries in specific cases" and cites "new employment investment" as one such example. There is no doubt that the car park is directly associated to the proposed economic expansion of the GFS site and therefore, it is argued that the incursion beyond the defined 'Area of Opportunity' boundary, can be justified.

The 'Area of Opportunity' identified in the West Wiltshire District Plan for Holt is being carried forward in the Core Strategy through recognising that it offers a suitable location for mixed use development in accordance with Core Policy 1. The proposed extensions to the studios fall within this defined area. The extension and the job creation potential is fully supported by planning policy. The proposed car park to be formed to the immediate west of the studios is located outside the parameters of the Area of Opportunity. However, its provision does not raise sufficient grounds to warrant a policy objection. Indeed under Policy E6 it would not be seen as a departure at all.

Council Officers fully support this application to extend the Glove Factory Studios and deliver further highly skilled employment opportunities and expand upon the site's successful economic regeneration - which fits with the emerging Core Strategy objectives of delivering a thriving economy and building resilient communities. The accommodation at the Glove factory is very popular having a high level of occupancy and high demand for space and the owner has a wealth of experience in setting up business incubation centres. The space will be available for start up businesses primarily in high value sectors and as these businesses grow they will potentially move on to new employment space. At the Glove Factory, emphasis is placed on the provision of business support, networking and training to help businesses to grow. The site brings together complementary sectors of higher skilled small businesses which are much needed to encourage sustainable economic growth. Officers fully support the concept and principle behind the developing new employment opportunities in this historic employment centre of the village.

9.3 The Impact on the Conservation Area/Heritage Asset

No objections are raised in Conservation terms, subject to conditions. Alongside the case officer, the Conservation Officer was extensively involved throughout the pre-application process and participated in discussions which helped evolve the planning proposals. In design and detailing terms, the extension of the GFS would continue that industrial character and its form, scale and use of materials would be appropriate to preserve this functional part of the Conservation Area. Enhanced landscaping to assimilate the car park into the landscape is recommended via a planning condition.

9.4 The Impact on Highway Interests

As reported above, the highways authority report no objections to this proposed development. Whilst the highway related concerns raised by the Parish Council and local objectors are duly noted, the proposed development has officer support and is recommended for approval subject to robust planning conditions requiring highway improvements through kerb line adjustments, footway improvements, securing a car park management plan through a condition to clarify how the car park shall be used for both the employment parking needs as well as alleviating some of the parking problems at weekends and evenings by allowing visitors to the National Trust and users of the village sports facilities (which are located adjacent to the site) to use the car park. The car park management plan should address any security issues, although it is expected that any vehicles left in the private owned car park would be left at the owners risk (as is the case with most car parks). It should be noted that the GFS site at present, benefits from having a security camera mounted on a 6 metre pole (which was granted under application W/12/01013/FUL in August 2012) to provide a degree of

surveillance of the existing GFS site. The Council would expect that details of any proposed / enhanced on-site security would be enshrined within the necessary car park management plan.

In addition, a Construction Method Statement pre-commencement condition is also recommended to ensure that the development follows an agreed and acceptable process to cover the hours of construction, including deliveries, the routing of construction traffic and the loading and unloading arrangements, the parking of construction vehicles, wheel washing facilities, the measures to control the emission of dust and dirt during construction; and the storage of plant and materials to minimise detrimental effects to neighbouring amenities and risks of pollution and dangers to highway safety throughout the construction phase.

It is noted that the Parish Council suggests that the proposed 1 space per 30 sqm of new employment office floor space may be "inadequate". The stated ratio derives from the Council's adopted Car Parking Strategy. In this particular case, and during business hours, the proposed car park would have capacity to accommodate any extra demand. This is factored into the proposed 90 space allocation. The doubts raised over the robustness of the Transport Assessment are not shared by the highway officers.

It is not disputed that Holt has historic parking issues. However, the Council cannot reasonably expect the applicant to resolve all the parking and traffic congestion problems faced by the village. The popularity of the Courts National Trust property significantly increases traffic volumes through the village and significantly impacts upon the parking problems. The Midlands is in places, quite narrow and yet, is without any parking controls. Therefore during the week, week-ends and holidays, the roads in and around the centre of the village, including around the Midlands, become heavily congested. Finding a robust and complete solution to address the problem will require a lot of multi-disciplinary co-operation beyond what can be reasonably imposed upon the applicant here. The applicant for his part recognises the problem and proposes to allow some public access to his privately owned car park during the evenings, week-ends and holidays when the GFS businesses are generally closed. The applicant does not need to do this. He could propose an extended car park to the immediate west of the GFS site to suit the employment needs only, but that would turn its back on and ignore the parking problem within close proximity of the site.

If granted, villagers and visitors would at least have some designated off-street parking, accessed through the existing entry point off Brook Lane, located within relatively easy walking distance of The Courts and the sports facilities. This would make a positive contribution to the village.

The proposed introduction of double yellow lines along part of the Midlands to address hazardous and inappropriate parking would have to be the subject of a Traffic Regulation Order which would help control on-street parking. The costs associated to the advertisement of the TRO proposals, the necessary consultation and implementation would fall upon the applicant. The assessment of any TRO would be assessed separately and be processed by the highways authority following the grant of planning permission.

9.5 The Impact on the Wider Surroundings - Including Ecological, Archaeological and Third Party Interests

The on-site land contamination assessment reveals low concentrations of potential contaminants. The Council's Environmental Protection Officer advises that on the basis of the information provided, there would be no demonstrable hazard, and no remedial action should be necessary.

The Council's ecologist is satisfied with the level of survey work undertaken. The development represents no significant risk to ecological interests. It is however recommended that any permission should be subject to conditions requiring a Construction Environment Management Plan (CEMP) and an Ecological Mitigation and Management Plan.

The development proposals have been thoroughly reviewed by the Council's archaeologist and no concerns are raised.

Third Party Impacts - The development proposal would not demonstrably cause sufficient detriment to neighbouring or third party interest to warrant a refusal. Through planning conditions, third party interests can be duly protected.

10. Conclusions

This application follows extensive and detailed pre-application discussions with a multi-disciplinary team of consultees, all of whom have reported no objection above. A great deal of officer time and resources have been afforded to this project in the interests of finding resolutions and a satisfactory final detailed scheme. The proposed economic development this proposal offers could undoubtedly make a positive contribution to be provided within a carefully and sensitively planned extension to the existing GFS building. The scheme is considered compliant with existing and emerging Council Policy and the NPPF. Robust conditions are recommended to safeguard environmental, conservation, highway safety and public interests.

Whilst the local concern raised about the car park is duly noted, Members are advised that there is sufficient inter-connection with the existing and proposed employment hub to avoid it becoming a discordant entity and that its provision and "over allocation" beyond the requirements of the Car Parking Strategy is not objectionable given that it would accommodate a mix of potential future users. A Car Park Management Plan condition is essential which amongst other things should establish its operation, availability of use, and site security.

On the basis of the above, the application is recommended for approval, subject to conditions.

Recommendation: Permission

For the following reason(s):

In accordance with paragraph 187 of the National Planning Policy Framework, Wiltshire Council has worked proactively with the applicant and to secure an acceptable sustainable future for the site as a whole.

Subject to the following conditions:

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

REASON: To comply with 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:

LOCATION PLAN – Drawing 002 received 07.06.2013
EXISTING SITE PLAN – Drawing No 003 received 07.06.2013
EXISTING GROUND FLOOR PLAN – Drawing No – 010 received 07.06.2013
EXISTING FIRST FLOOR PLAN – Drawing No 011 received 07.06.2013
EXISTING SECOND FLOOR PLAN – Drawing No 012 received 07.06.2013
EXISTING ROOF PLAN – Drawing No 013 received 07.06.2013
PROPOSED DEMOLITION PLAN – Drawing No 015 received 07.06.2013
EXISTING ELEVATIONS – Drawing No 020 received 07.06.2013
PROPOSED SITE PLAN – Drawing No 100 received 07.06.2013
PROPOSED GROUND FLOOR PLAN – Drawing No 101 received 07.06.2013
PROPOSED FIRST FLOOR PLAN – Drawing No 102 received 07.06.2013
PROPOSED ROOF PLAN – Drawing No 103 received 07.06.2013
PROPOSED ELEVATIONS – Drawing no 200 received 07.06.2013
PROPOSED ELEVATIONS – Drawing No 201 received 07.06.2013
PROPOSED SECTIONS – Drawing No 300 received 07.06.2013
PROPOSED MASSING DIAGRAM – Drawing No 700 received 07.06.2013
PROPOSED MASSING DIAGRAM – Drawing No 701 received 07.06.2013
PROPOSED MATERIALS – Drawing No 800 received 07.06.2013
PROPOSED FRONT ELEVATION MONTAGE – Drawing No 801 received 07.06.2013
FENCE DETAIL PLAN – Drawing No 1081-401-403 received 07.06.2013
LANDSCAPE MASTERPLAN – Drawing No 1081-002 Rev A received 04.09.2013

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

- 3 Notwithstanding the detailed findings of the land contamination site investigation undertaken by CJ Associates (which is included within a report dated May 2013), no occupation of any part of the permitted development shall take place until a verification report demonstrating completion of works set out within a remediation strategy confirming the effectiveness of any remediation shall be submitted to and approved in writing by the local planning authority. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met.

If unexpected contamination is found after development has begun, development must be halted on that part of the site affected by the unexpected contamination to the extent specified by the Local Planning Authority in writing until the following steps have been complied with in full in relation to that contamination.

Reporting of Unexpected Contamination

In the event that contamination is found at any time when carrying out the approved development that was not previously identified it should be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment should be undertaken in accordance with the requirements of step (i) above and where remediation is necessary, a remediation scheme should be prepared in accordance with the requirements of step (ii) and submitted to and approved in writing by the Local Planning Authority.

Submission of Remediation Scheme

If any unacceptable risks are identified on-site, a detailed remediation scheme to bring the site to a condition suitable for the intended use must be prepared. This should detail the works required to remove any unacceptable risks to human health, buildings and other property and the natural and historical environment, should be submitted to and approved in writing by the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, a timetable of works and site management procedures.

Verification of remedial works

Following completion of measures identified in the approved remediation scheme a verification report must be produced. The report should demonstrate the effectiveness of the remedial works. A statement should also be provided by the developer which is signed by a person who is competent to confirm that the works detailed in the approved scheme have been carried out.

The verification report and signed statement should be submitted to and approved in writing of the Local Planning Authority and the Local Planning Authority must be given at least two weeks written notification of commencement of any remediation scheme works.

Long Term Monitoring and Maintenance

If a monitoring and maintenance scheme is required as part of the approved remediation scheme, reports must be prepared and submitted to the Local Planning Authority for approval at the relevant stages in the development process as approved by the Local Planning Authority in the scheme approved pursuant to step (ii) above, until all the remediation objectives in that scheme have been achieved.

All works must be conducted in accordance with DEFRA and the Environment Agency's "Model Procedures for the Management of Land Contamination, CLR 11" and other authoritative guidance.

REASON: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and

ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.

POLICY- West Wiltshire District Plan - 1st Alteration Policy 37 - Contaminated Land

- 4 No development shall commence on site until sample materials for the external surfaces 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.

- 5 Notwithstanding the details enshrined within the landscape master plan, no development of the car park shall commence on site until an extended 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:-

1. increased screen planting along the northern car park boundary (to be planted in accordance with BS3936 (Parts 1 and 4), BS4043 and BS4428) with a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
2. full details of all retained trees and hedgerows, together with measures for their protection in the course of development;
3. confirmed surfacing material(s) for the car park and the extended GFS site;
4. any minor artefacts and structures (e.g. external furniture, refuse and other storage units, signs, lighting columns etc);
5. proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables, pipelines etc indicating lines, manholes, supports etc);
6. all 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 - 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 retained tree/s shall be cut down, uprooted or destroyed, nor shall any retained tree/s be topped or lopped other than in accordance with the approved plans and particulars. Any topping or lopping approval shall be carried out in accordance British Standard 3998: 2010 'Tree Work - Recommendations' or arboricultural techniques where it can be demonstrated to be in the interest of good arboricultural practise.

If any retained tree is removed, uprooted, destroyed or dies, another tree shall be planted at the same place, at a size and species and planted at such time, that must be agreed in writing with the Local Planning Authority.

No fires shall be lit within 15 metres of the furthest extent of the canopy of any retained trees or hedgerows or adjoining land and no concrete, oil, cement, bitumen or other chemicals shall be mixed or stored within 10 metres of the trunk of any tree or group of trees to be retained on the site or adjoining land.

[In this condition 'retained tree' means an existing tree which is to be retained in accordance with the approved plans and particulars; and paragraphs above shall have effect until the expiration of five years from the first occupation or the completion of the development, whichever is the later].

REASON: To enable the Local Planning Authority to ensure the retention of trees on the site in the interests of visual amenity.

- 8 No development shall commence on site until a Construction Environment Management Plan (CEMP) has been submitted to and approved by the local planning authority which shall detail the exact measures that will be undertaken throughout the construction period to:

- a) protect features of ecological interest including Dawes Pond, ditches and hedgerows;
- b) control risks arising from earthmoving activities, demolition, lighting, introducing invasive species, and other construction works;
- c) protecting species which may be affected by the works either directly or indirectly e.g. breeding birds, great crested newts, water voles, otters, bats, reptiles, dormice and badgers.

The approved plan shall thereafter be adhered to throughout the construction period.

REASON: In ensure that all ecological and biodiversity interests are fully taken into account and protected during and after the construction stages.

- 9 No development shall commence on site until an Ecological Mitigation and Management Plan has been submitted to the local planning authority for its written approval to cover the following:

- a) a location map illustrating all ecological enhancement works (including habitat creation and sensitive management) in line with the Ecological Appraisal and Protected Species Report (produced by 'Engain' dated June 2013) and including new ponds and ditches, the management of hedges, bird and bat boxes, native tree and hedgerow planting, creation of species rich grassland and marginal wetland planting;
- b) confirmation of when and how the measures will be put in place; and
- c) a 5 year habitat management plan for the site.

The development shall be carried out in accordance with the approved plan and any timetable within it.

REASON: In ensure that all ecological and biodiversity interests are fully taken into account and protected during and after the construction stages.

POLICY: The National Planning Policy Framework and specifically paragraphs 109, 118 and 125.

- 10 No external lighting shall be installed on site until plans showing the type of light appliance, the height and position of fitting, illumination levels and light spillage spillage in accordance with the appropriate Environmental Zone standards set out by the Institute of Lighting Engineers in their publication 'Guidance Notes for the Reduction of Obtrusive Light (ILE, 2005)', have been submitted to and approved in writing by the Local Planning Authority. The approved lighting shall be installed and shall be maintained in accordance with the approved details and no additional external lighting shall be installed.

REASON: In the interests of the amenities of the area and to minimise unnecessary light spillage above and outside the development site.

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C35 and C38

11 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 materials;
- c) Storage of plant and materials used in constructing the development;
- d) The erection and maintenance of security hoarding;
- 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;
- h) Hours of construction, including deliveries.
- i) Routing of construction traffic.

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, detrimental to the natural environment through the risks of pollution and dangers to highway safety, during the construction phase.

12 The development hereby approved shall not be brought into use until details of the Car Park Management Plan has been approved in writing by the Local Planning Authority. Such a Plan should detail to operations, user availability, times of use, including any restrictions, lighting and security. The car park shall be managed in accordance with any approved plan at all times thereafter unless agreed in writing by the Local Planning Authority.

REASON – In the interests of good planning and to define the use and function of the car park at various times of the week.

13 No development shall commence until full construction details of the proposed kerb line adjustment, footway improvements, and new signage have been submitted to and approved in writing by the Local Planning Authority. The kerb line and footway improvements shall be constructed in accordance with the approved details prior to the first use of the development.

REASON - In the interests of highway safety.

14 No part of the development hereby approved shall be first occupied until a Green Travel Plan has been submitted to and approved in writing by the Local Planning Authority. The Travel Plan shall include details of implementation and monitoring and shall be implemented in accordance with these agreed details. The results of the implementation and monitoring shall be made available to the Local Planning Authority on request, together with any changes to the plan arising from those results.

REASON: In the interests of road safety and reducing vehicular traffic to the development.

15 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (or any Order revoking or re-enacting or amending that Order with or without modification), the site shall be used solely for purposes within Class B1 (with ancillary cafe premises) 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, other than a use within the same use class, having regard to the circumstances of the case.

- 16 Notwithstanding any permitted development rights, no additional buildings, structures, gates, walls, fences or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site on the approved plans unless otherwise submitted and approved under a separate application.

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

- 17 No development shall commence on site until details showing ventilation and extraction equipment within the site (including details of its position, appearance and details of measures to prevent noise emissions) have been submitted to and approved in writing by the Local Planning Authority. The ventilation/extraction equipment shall be installed prior to the building/extension hereby approved is first occupied and shall thereafter be maintained in accordance with the approved details.

REASON: In the interests of the amenities of the area.

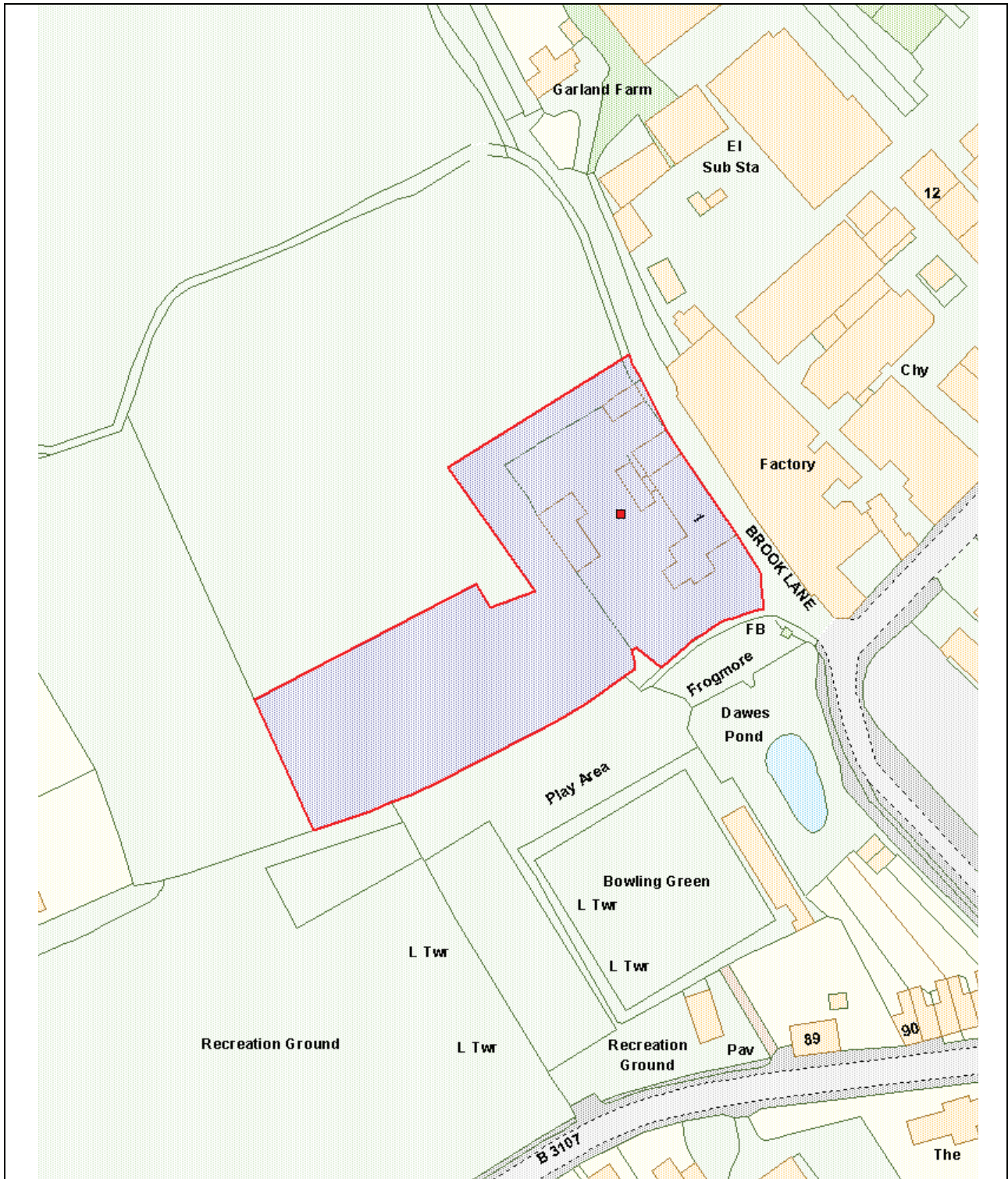
- 18 No development shall commence on site until details of the storage of refuse, including....details of location, size, means of enclosure and materials, have been submitted to and approved in writing by the Local Planning Authority. The development shall not be brought into use until the approved refuse storage has been completed and made available for use in accordance with the approved details and it shall be subsequently maintained in accordance with the approved details thereafter.

REASON: In the interests of public health and safety.

Informative(s):

- 1 The applicant/developer is advised to contact Wessex Water to agree connections to their infrastructure prior to any commencement of works on site.
- 2 Pumps used for pumping out water from excavations should be sited well away from watercourses and surrounded by absorbent material to contain oil spillages and leaks. Discharge of silty or discoloured water from excavations should be irrigated over grassland or passed via a settlement lagoon so that gross solids are removed. The Environment Agency must be advised if a discharge to a watercourse is proposed. Storage of fuels for machines and pumps should be well away from any watercourses. Tanks should be bunded or surrounded by oil absorbent material (regularly replaced when contaminated) to control spillage and leakage.

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



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REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	13/01891/FUL		
Site Address	Honeywell Farm, Silver Street Lane, Brokerswood, Westbury, Wiltshire, BA13 4EY		
Proposal	Establish a holiday let within the residential curtilage of existing property. Demolition of existing garage and outbuildings.		
Applicant	Mrs Celia Norris		
Town/Parish Council	NORTH BRADLEY		
Electoral Division	Southwick	Unitary Member	Cllr Horace Prickett
Grid Ref	383562 152411		
Type of application	Full Planning		
Case Officer	Matthew Perks		

Reason for the application being considered by Committee

Councillor Horace Prickett has requested that this item be determined by Committee in the event that refusal is recommended and after having considered:

- * Visual impact upon the surrounding area
- * Relationship to adjoining properties; and
- * Environmental/highway impact

and concluding that the matter should be the subject of Committee debate.

1. Purpose of Report

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

Advertising Responses - one neighbour objection was received.

North Bradley Parish Council – No objections, support.

2. Report Summary

The key issue in this case is whether or not the proposals are in accordance with current and emerging Development Plan policies on countryside protection and on the provision of tourist accommodation in areas outside of any town or village policy limits.

3. Site Description

The application site is at Honeywell Farm, off of Silverstreet Lane in Brokerswood. The site is outside of any town or village policy limits and is accessed off of the lane which is fairly restricted in width. Notwithstanding the site description in the application form to the effect that the proposed building would be within the “residential curtilage” of the existing dwelling it is considered that it would in fact be agricultural/paddock land separate from the domestic curtilage. Planning history tends to confirm this,

where planning applications for extensions to the dwelling are confined to a curtilage area with of an established boundary to the field area.

4. Planning History

75/00169/HIS : Bungalow and Garage : Refused

5. The Proposal

The proposed is for a new single storey building of some 135m² in footprint. Two single bedroom holiday lets would be provided. The building, to all intents and purposes, has the external appearance of a residential bungalow, built of stone walls with some shiplap timber and with a clay tiled roof. It would be 19 metres in length, 6.3 metres in height and 5.5 metres in width, with a projecting wing. The supporting document states that the units would “not be run as a business concern in the truest sense” although the intention is to provide the applicant with a retirement income. The function is clearly therefore to rent out the units for holiday accommodation purposes.

The demolition of an existing on-curtilage garage/ancillary office to the dwelling is proposed as part of the scheme.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004

C1 Countryside protection; C31a Design; C38
Nuisance; E8
Rural Conversions
TO3

Hotels, Guest Houses and Self Catering Accommodation

Emerging Wiltshire Core Strategy

National Planning Policy Framework

7. Consultations

North Bradley Parish Council – No objection, support.

Wiltshire Council Highways:

The officer notes that the site is located outside of the Housing Policy Boundary. “The proposal is therefore contrary to the sustainability policies contained within the National Planning Policy Framework and the emerging Core Strategy for Wiltshire, which aims to reduce the need to travel, especially by private car.” The officer recommends refusal on those grounds, but advises that, if permission is granted a condition should be imposed to restrict the use of buildings for holiday lets only, with a maximum period of occupation during the year and that the site frontage is clear of vegetation from the carriageway edge to the boundary of the dwelling.

8. Publicity

The application was advertised by site notice and neighbour notification. Overall expiry date: 22 August 2013.

One objection was received on the grounds of the impact of the proposed access on the objectors property access (directly opposite), the commercialisation of the area; no indication of sewage and waste disposal, impact on trees/hedges not clarified, excess parking and the creation of two new habitable rooms on the site.

9. Planning Considerations

9.1 Principle of Development

Policy C1 of the West Wiltshire District Plan, 2004 states that: "In order to maintain the quality and variety of the countryside, the water environment, the rural landscape and wildlife, will be protected, conserved and enhanced through the control of development and positive planning."

Policy TO3 of the WWDP, 2004 (Hotels, Guest Houses and Self Catering accommodation) generally supports proposals for new hotel, guest house or other serviced and self catering accommodation for visitors within towns and established villages but, outside of these areas, limits new visitor accommodation to the conversion of existing buildings in accordance with the requirements of Policy E8 which, in turn, has criteria aimed at protecting the character and appearance of converted buildings, highway safety and protection of the natural environment.

Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

In essence, the applicant is seeking permission for a building that has the external appearance of a new bungalow in the countryside. This could set an undesirable precedent for future such developments in the gardens of other nearby properties and other isolated dwellings in the countryside that would completely change the appearance of the landscape.

The WWDP tourism policy is reflected in the emerging Core Strategy in Core Policy 39, which also carries through the concept of restricting new facilities in the open countryside to the conversion of existing buildings and states that "(i)f new buildings are required in the countryside for tourist development these should be directed towards the Local Service Centres and Large and Small Villages."

The highway officer recommendation for refusal is also considered reasonable. Tourist accommodation that involves the conversion of buildings already present in the interests of diversification of the rural economy accords with policy can be balanced positively against the question of sustainability in rural locations. The creation of new buildings without justification constitutes wholly new development that raises sustainability considerations. The proposal should also therefore be refused for this reason.

The proposal would not accord with current or emerging policies and should therefore be refused.

The neighbour comments are noted, but it is not anticipated that a limited provision of accommodation a proposed would give rise to unacceptable nuisance from increased traffic or activity on the site. Issues of drainage and landscaping could have been addressed by way of conditions. Refusal for the reasons raised by the objector are therefore not considered reasonable.

10. Conclusion

The proposed holiday accommodation development is for a wholly new building of residential appearance outside of any town or village policy limits on open countryside land, contrary to Policy guidance. No exceptional circumstances have been presented that indicate there are other material considerations that apply to justify a departure from the policy criteria. The proposal is therefore recommended for refusal.

RECOMMENDATION

Recommendation: **Refusal**

For the following reason(s):

- 1 The proposed creation of a new building for holiday accommodation would result in unwarranted development encroaching into and harmful to the character and appearance of the open countryside. No exceptional circumstances have been presented which would outweigh the harm

associated with the development. The proposals are therefore contrary to policies C1 and TO3 of the West Wiltshire District Plan 1st Alteration (2004) and the emerging Wiltshire Core Strategy and would set an undesirable precedent for future similar development in the countryside that cumulatively would have a significant adverse impact on the character and appearance of the landscape.

- 2 The proposal, located outside of village policy limits, is contrary to the National Planning Policy Framework (Section 4 paras 29, 30 & 37) and the emerging Core Strategy for Wiltshire (Policy 60), which seek to reduce the need to travel, influence the rate of traffic growth and reduce the environmental impact of traffic overall in support of sustainable development.



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REPORT TO THE WEST AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	13/01573/FUL		
Site Address	Land east of 14 Farleigh Rise, Monkton Farleigh, Bradford on Avon, BA15 2QP		
Proposal	Proposed Cattery		
Applicant	Miss Helen Dewick		
Town/Parish Council	MONKTON FARLEIGH		
Electoral Division	Holt and Staverton	Unitary Member	Cllr Trevor Carbin
Grid Ref	380007 166308		
Type of application	Full Planning		
Case Officer	Kate Sullivan		

Reason for the application being considered by Committee

The application is brought to committee at the request of the Division Member, Councillor Trevor Carbin, on the grounds of the scale of the development; the local economy and greenbelt policy.

1. Purpose of Report

To consider the recommendation that the application for planning permission be refused.

2. Report Summary

The key issues for consideration area:

- Whether the proposed development is acceptable within the Green Belt;
- Whether the proposed development is acceptable within the Area of Outstanding Natural Beauty;
- Whether the design of the proposed development is acceptable;
- Whether the proposed development would harm the neighbouring amenity; and
- The impact of the proposed development on the highway.

3. Site Description

The application site is located adjacent to Farleigh Rise which is a road of terrace and semi detached bradstone dwellings which are physically separated from the rest of Monkton Farleigh.

The site has no recorded planning history although it is understood the land was formally used by the MOD during the Second World War and just after and a pill box and areas of hard standing would support this. The applicant states that the land is registered as agricultural land.

The application site is bounded to the south by New Road, a housing development to the north and a public footpath runs along the side of the field.

Currently, the applicant states that she uses the site as a small holding and a number of chickens and sheep were present on site at the time of the site visit. Despite requests, no details of the small holding business have been supplied as part of the application.

During the life of the application the red line of the application site has been amended to only include the southern half of the field leaving the northern area adjacent to the dwellings remaining as agricultural land.

4. Planning History

There is no planning history for this site.

5. The Proposal

The application seeks in addition to the change of use of use of the land the following:

- **Building to house cattery**
This would provide 20 units in total, 18 of which would house up to 2 cats per family and 2 units which would accommodate up to 4 cats. The unit would meet the requirements of the Feline Advisory Bureau, from which the applicant intends to apply for a licence. It will also have a reception area with toilet facility, kitchen area for the preparation of food along with a dry food cupboard. The building itself would be “L-shaped” and measure approximately 4.4 metres in height, 18.4 metres by 5.4 metres to create the left wing and 8.6 metres by 5.4 metres for the right wing. It would be constructed of Bradstone bath stone, with brown interlocking concrete tiles and brown u-pvc glazed fenestration.
- **Waste**
There will be a separate waste area that would be fenced which would be used to store the waste created on the site.
- **Access**
An entrance would be created onto the road that runs to the south of the site and would be physically separate from the housing estate. The gates are proposed to be flush with the highway and would be opened from the inside by appointment and during the hours of 9.00-11.00 and 1600-1800 hours Monday to Saturday.
- **Car parking**
An area of existing hard standing would be refurbished to provide car parking for 6 cars.
- **Security**
The applicant states that as she lives within 200 metres of the site they would not be seeking a dwelling on the site.

Additionally an alarm and CCTV will be installed.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004 – relevant policies are: C1 Open Countryside
C2 Area of Outstanding Natural Beauty; C31a Design; C38 Nuisance; E6 Rural employment

National Planning Policy Framework, 2012 - Section 9 Green Belt & Section 11 relating to areas of outstanding natural beauty (paragraph 115)

7. Consultations

Monkton Farleigh Parish Council

One member objected to the proposal on the grounds of increase in traffic generation. Five members supported the application.

Wiltshire Highways

Recommend refusal for the proposal on the following grounds:

The site is located outside of the Housing Policy Boundary, as depicted in the West Wiltshire Local

Development Framework. The proposal is therefore contrary to the sustainability policies contained within the National Planning Policy Framework and the emerging Core Strategy for Wiltshire, which aims to reduce the need to travel, especially by private car.

In addition to this, I have concerns regarding the visibility at the proposed access site in the westerly direction; vegetation from the adjacent land obstructs visibility.

Wiltshire Council Environmental Protection

No representation has been received.

8. Publicity

The application has been publicised by way of a site notice which was displayed on the 2nd August 2013 and neighbour notification letters. One letter of representation has been received supporting the application on the grounds of excellent use of land which has long been neglected; will have little impact on the environment and will provide useful employment opportunities within a rural community.

9. Planning Considerations

9.1 Impact on the Green Belt

The NPPF states that the “fundamental aim of the Green Belt policy is to prevent urban sprawl by keeping land permanently open; the essential characteristics of the Green Belts are their openness and their permanence.” Paragraph 79.

Paragraph 89 states that a local planning authority should regard the construction of new buildings as inappropriate in the Green Belt (unless for agricultural/forestry/sports facilities/cemeteries) and paragraph 87 makes it clear that inappropriate development is, by definition, harmful to the greenbelt and should not be approved except in very special circumstances

This proposal involves the construction of a new permanent building for use as cattery within the Green Belt. Using the Government definition in the NPPF, this is clearly inappropriate development that should not be approved in this location.

Whilst the applicant has stated that the land was previously brown field land, as it was land that had been used by the MOD, with the exception of a pill box, no other structures remain on the site, so the building is not replacing another building, but will be seen as completely new. The site does contain a few areas of poor quality hard but according to the applicant is currently registered as agricultural land, and is being used as such by the owners for the keeping of a small number of sheep and chickens.

The proposed cattery building, whilst being substantial in size, would also be located in the far end of the field which would physically separate it from the adjacent housing estate, thus further intruding into the open countryside.

Furthermore, although the applicant states that there is a local need for a cattery it is unlikely that the business could be sustained from the immediate locality and therefore, the location of the proposed site is unlikely to be a sustainable location for this enterprise which is in conflict with paragraph 84.

Given the size of the proposed structure it is not considered that it would preserve the openness of the Green Belt.

9.2 Impact on the AONB

In the Area of Outstanding Natural Beauty (AONB) it is a statutory duty of the Council to have regard to the purpose of conserving and enhancing the natural beauty of the AONB. Proposals which are likely to be detrimental to the special landscape character are therefore not favourably looked upon.

The proposed structure would sit away from the other development in this immediate area, and whilst the proposed materials would match the adjacent housing, they are not appropriate to the location of the proposed building within the AONB, having a domestic appearance.

The other infrastructure that would accompany the cattery building including the site for waste, gates, parking area, signage etc. would all increase the urbanisation of the site to the detriment of the landscape character and appearance of the AONB.

9.3 Impact on rural employment

Policy E6 of the West Wiltshire Development Plan would not comply with the detail of this policy as sites which are located within the Green Belt are specifically exempt.

9.4 Impact on highways

The highways team do not support the application for a cattery in the proposed location as it is not considered to be a sustainable location for such a business which is contrary to the sustainability policies contained within the National Planning Policy Framework and the emerging Core Strategy for Wiltshire, which aims to reduce the need to travel, especially by private car.

Additionally they have raised concerns regarding the visibility at the proposed access site in the westerly direction and the vegetation from the adjacent land obstructs visibility.

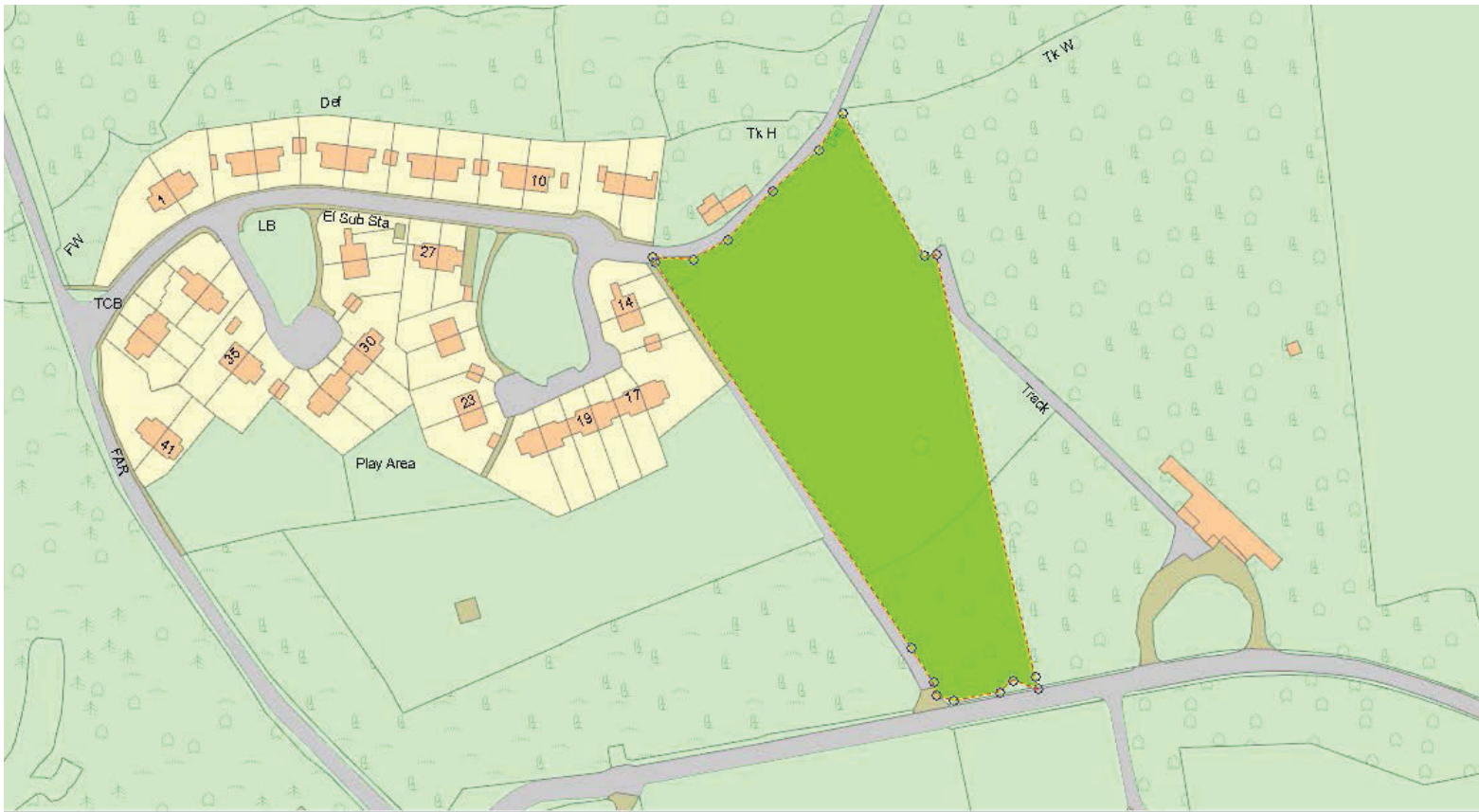
10. Conclusion

The proposal to locate a cattery in this location within the Green Belt and AONB would conflict with national planning guidance, gives rise to highway issues and would harm the landscape of the AONB. It is therefore recommended for refusal

RECOMMENDATION

Refusal for the following reasons:

- 1) The proposed development would result in inappropriate development within the Green Belt which by the definition set out in the National Planning Policy Framework is harmful and should not be approved. The Council do not consider that there are any very special circumstances in this proposal that justify setting this aside.
- 2) The site is located within the Cotswold Area of Outstanding Natural Beauty. The erection of the building and the establishment of this use in this location would have a harmful impact on the character and appearance of the landscape and would conflict with policy C2 of the West Wiltshire District Plan and paragraph 115 of the National Planning Policy Framework.
- 3) The site has insufficient frontage in the westerly direction to enable an access to be satisfactorily laid out incorporating the necessary visibility splays which are essential in the interests of highway safety.



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REPORT TO THE WEST AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	13/02078/FUL		
Site Address	Manor Farm, Upton Lovell, Warminster, Wiltshire, BA12 0JN		
Proposal	Agricultural workers bungalow		
Applicant	Manor and Auckland Farms		
Town/Parish Council	UPTON LOVELL		
Electoral Division	Warminster Copheap and Wylve	Unitary Member	Cllr Christopher Newbury
Grid Ref	395043 141730		
Type of application	Full Planning		
Case Officer	Jemma Boustead		

Reason for the application being considered by Committee

Councillor Christopher Newbury has requested that the application be called in to Planning Committee for the following reasons:

- Scale of development
- Visual impact upon the surrounding area
- Relationship to adjoining properties
- Design – bulk, height, general appearance
- Environmental or highway impact
- Car Parking
- To consider whether the agricultural justification compiles with the development plan policy

1. Purpose of Report

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

2. Report Summary

The main issues to consider are:

- principle of development
- design issues
- impact upon the immediate area
- impact on amenity
- highway and access considerations

3. Site Description

Manor Farm is an existing farm located in the open countryside.

4. Planning History

90/00178/OUT – Farmhouse – Refused 05/02/90

93/01476/FUL – Single storey agricultural workers dwelling – Approved 01/02/1994

03/01519/FUL – 3 Bedroom agricultural workers dwelling – Approved 13/11/2003

5. The Proposal

The proposal is to construct a detached bungalow to provide accommodation for a farm worker.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004 - C1 Countryside Protection; C2 Areas of Outstanding Natural Beauty; C31a Design; C38 Nuisance; H19 Development in Open Countryside

Advice contained in the National Planning Policy Framework (NPPF)

7. Consultations

Upton Lovell Parish Council – Support

Wiltshire Highways – The site lies outside the settlement boundary framework and therefore contrary to national sustainable transport policy guidance (as given in NPPF). However on the basis that the proposed dwelling is justifiable on agricultural grounds I would not wish to raise an objection to it.

Highways Agency – No Objections

Landscape and Planning Advisor for AONB – The proposed application is on high ground and appears on the photographs to be exposed to views from considerable distances. If you are minded to approve the application on policy grounds and a case has been sympathetically made on agricultural grounds than the AONB team would recommend that a significant landscape scheme needs to be implemented before the building is occupied.

Wiltshire Council Agricultural Consultant – There is no essential need for a third employee to be located on the farm to carry out the tasks identified. However, the provision of a dwelling will serve to improve the attraction and retention of a suitable employee. The likely costs of construction is capable of being met by the capital available to the farm business.

Wiltshire Fire and Rescue – Require a contribution of £76.13 to go towards delivering an operational and emergency response

8. Publicity

The application was advertised by site notice/press notice /neighbour notification. Expiry date: 20/08/13

No letters were received from the general public however when the Agent was advised that the recommendation would be one of refusal an additional letter was sent to the Local Planning Authority which made the following points:

- Agricultural Consultant employed by Wiltshire Council is neither supporting or objecting to the application
- I do not agree that with over 300 cows calving, the essential need for overnight checking can be reasonably met by one person living on site and one living off site. I can provide a number of appeal decisions that support two or more dwellings for this size of herd. Just asking one full time member of staff who works full time in the day to cover all night-time activities would be unreasonable.

9. Planning Considerations

9.1 Policy Background

The NPPF has cancelled Planning Policy Statement 7 (Sustainable Development in Rural Areas) Annex A which contained the tests for workers dwellings. However paragraph 55 of the NPPF covers the essential need for a rural worker to live at or near their place of work in the countryside with paragraph 28 covering the rural economy including agriculture. Whilst the NPPF refers to rural workers in paragraph 55, PPS7 also referred to workers in other rural-based industries. In order to show an essential need, it is therefore still appropriate to apply tests similar to those set out in Annex A to PPS7 which states for a *permanent agricultural dwelling should only be allowed to support existing agricultural activities providing the following:*

- *There is a clear established existing functional need*
- *The need relates to a full time worker or one who is primarily employed in agriculture and does not relate to a part time requirement*
- *The unit and the agricultural activity have been established for at least three years, have been profitable for at least one of them, are currently financially sound and have a clear prospect of remaining so*
- *The functional need could not be fulfilled by another existing dwelling on the unit, or any other accommodation in the area which is suitable and available for occupation by the workers concerned*
- *Other planning requirements in relation to access or impact on the countryside are satisfied.*

9.2 Background of the Site

Manor Farm is a large commercial unit comprising dairy and arable enterprises. The focus of the planning application and therefore this report is on the dairy unit. The dairy unit comprises the production of milk for wholesale and the production of calves which are either reared as heifers or sold.

The dairy herd comprises some 300 milking cows. The cows are calved once every 400 days and calving is practiced year round. The herd is milked twice daily and milk output is typically some 8,300 litres per cow, with an overall annual output for the last 12 months of some 2.24 million litres. Milk is sold wholesale to Tesco. The herd may be expanded beyond 300 head; the business is targeting greater productivity per cow, with 9,000 litres per cow targeted for 2013/2014

There are four dwellings in proximity to the farm buildings. Immediately south of the farm buildings are two small bungalows (No.1 and No.2). Further south are two detached two storey dwellings, The Hangings and Highview. Occupancy of the dwellings is as follows:

- Highview is occupied by Mr Ron Nevill and his wife, both of whom have retired from the farm business.
- The Hangings is occupied by Richard Nevill, who works full time on the dairy unit.
- No1. Bungalow is occupied is occupied by Mark, who is employed as the second herdsman
- No.2 Bungalow is occupied by the Herdsman Kerry and his family.

It is understood that the Nevill family have previously owned dwellings in Bishopstrow and Warminster but that those dwellings have been sold.

9.3 Principle of development

The site is located in the open countryside where development is strictly controlled and therefore requires special justification in terms of an agricultural need under Policy H19 of the Local Plan and paragraph 55 of the NPPF.

It is important to first determine whether there is a functional need for someone to be living at the

site in accordance with the guidance in Annexe A of PPS7.

The justification put forward for the proposed dwelling is that it will provide an additional dwelling in order to accommodate a third full time employee on the holding. The new dwelling will enable the third employee to live on the farm, rather than source his own accommodation away from the farm. It is understood that the employee who will occupy the dwelling is required to milk the herd (two milkings) one day per week, to assist with milking two afternoons per week, to be responsible for feeding and bedding three days per week and to provide cover for night time calvings on two to three days per week.

The scale of the dairy herd means that tasks are divided between the existing labour. In summary the two accommodated employees are tasked to milk, feed and bed the herd. Responsibility for night cover for calvings is mainly dealt with through family labour (Richard Nevill and Peter Crossman). The applicant states that night inspections typically take place at 22.00 then (often) at 02.00 – 03.00 and for some nights with a difficult calving there is a requirement to stay up most of the night. In this context it is noted that Richard Nevill lives at The Hangings, in close proximity to the dairy unit and Peter Crossman lives at Auckland Farm, Codford.

It is the applicant's case that there is an essential need for the third employee to be accommodated at the unit in order to undertake the tasks indicated above (milking, feeding and bedding). It is also relevant to note that the farm has found it difficult to retain staff that live off site however it is understood that over the last year there have been five employees who have undertaken the role and no specific reasons have been provided to indicate why the employees have left their post.

It is the Agricultural Consultants opinion that the nature of the duties required of the third employee do not themselves present an essential need for a further dwelling on the site. Night cover is undertaken through structured inspection and it is clear that this business need has already been met through the existing dwellings on site. In his opinion in order to attract and retain high quality staff in agriculture it is often necessary to provide a dwelling due to the combination of long hours and comparatively low wages in livestock farming means that an employer can make a post far more attractive and will have a better prospect of retaining staff if a dwelling is provided as part of the benefits of employment. However, it must be noted that the provision of a dwelling is no guarantee that the correct member of staff will be retained and personal circumstances are not able to be taken into consideration when determining this application.

The Agricultural Consultant also commented on the subsequent letter that was received by the Agent and highlighted that there are already four existing dwellings on site which adjoin the dairy unit, three of which are occupied by farm employees and are all available to meet the essential need of the business.

Annexe A of PPS7 clearly states when it is essential for a worker to remain on site and these include *to be readily available at most times both day and night, in case animals or agricultural processes require essential care at short notice or to deal with emergencies that would otherwise cause serious loss of crops or products*. As there are four existing agricultural workers dwellings on the site, the essential need can clearly be met by those who currently live on the site. It may therefore be more appropriate for the staff who look after the herd to be located on the site in the existing dwellings.

9.4 OTHER PLANNING REQUIREMENTS

Subject to there being a functional need for an agricultural workers dwelling, other issues such as viability, impact on the wider area need to be taken into consideration. These issues will be looked at below.

It has been advised by the Agricultural Consultant that the size of the proposed agricultural workers dwelling is commensurate to the farm holding and the business has been viable and

profitable over the last three years and would be sufficient to reward full time labour in the business.

The design of the proposed agricultural workers dwelling is similar to the existing bungalows that are on site and is therefore considered to be appropriate in terms of size, materials and design.

It is acknowledged that the site is located within the AONB and that the proposed building would be visible within the landscape. However as the proposed dwelling is located adjacent to other existing dwellings its impact upon the AONB would be minimal. If recommended for Approval a condition requiring substantial landscaping around the property could reasonably be requested.

Wiltshire Fire and Rescue have requested a sum of money, however there are no policies within the current local development plan that allow for such monies to be requested and therefore it would be unreasonable for the Local Planning Authority to request it.

10. Conclusion

It is not considered that there is a functional need for an additional dwelling in the open countryside in this location, given the number of dwellings that are already present. The application is therefore recommended for refusal.

RECOMMENDATION

Refuse, for the following reason:

- 1) Based on the size of the current holding there is no existing functional need for a further full time agricultural worker to be readily available at all times at Manor Farm and as such the proposed development would constitute an unsustainable, isolated new dwelling in the open countryside and would fail to comply with Saved Policies C1 and H19 of the West Wiltshire District Plan (1st Alteration) and advice contained in Annexe A of Planning Policy Statement 7 and the National Planning Policy Framework.

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REPORT TO THE WEST AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	13/01823/FUL		
Site Address	The Lodge, 6 Westwood Road, Trowbridge, Wiltshire, BA14 9BR		
Proposal	Ground floor sun room extension to replace existing conservatory. Removal of existing roof over main house. New rooms in the roof construction and turret.		
Applicant	Mr and Mrs D Torchia		
Town/Parish Council	TROWBRIDGE		
Electoral Division	Trowbridge Lambrok	Unitary Member	Cllr Helen Osborn
Grid Ref	383916 158469		
Type of application	Full Planning		
Case Officer	Kate Sullivan		

Reason for the application being considered by Committee

The application has been brought to committee at the request of Councillor Helen Osborn to consider the environmental impact and the impact on the greenbelt.

1. Purpose of Report

To consider the recommendation that the application be refused planning permission.

2. Report Summary

The key issues for consideration are:

- The impact on the Green Belt;
- The impact on the neighbouring amenity; and.

3. Site Description

The application site is a dwelling located within the Green Belt on the edge of the town of Trowbridge. The dwelling is located on an elevated site with views across to Bradford on Avon. The property, formally the coach house and stables formed part of Trowle Manor.

The host dwelling is a single storey dwelling with a bedroom and bathroom located in the roof along with an octagonal sky light in the centre of the property.

Within the grounds are a number of historic outbuildings and a one and modern large double garage with accommodation within the roof along with a dormer window.

The property is currently constructed of a mix of natural and reconstituted stone, with reconstituted stone tiles and u-PVC windows.

The dwelling is served by a driveway from Westwood Road and has large gardens to the rear and side of the property.

4. Planning History

87/00025/FUL Entrance and drive, permission 10.02.1987

87/01345/FUL Extension to coach house and stables, permission, 29.09.1987

87/00630/FUL Detached garage and workshop, permission 16.05.1989

02/00243/FUL Conservatory, permission, 02.04.2002

5. The Proposal

The application proposes the following alterations:

- Construction of a ground floor sun room to replace an existing conservatory;
- Removal of existing roof and construction of first floor above;
- Construction of a turret; and
- The erection of a balcony above the new sun room.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004 - C31a Design; C38 Nuisance

National Planning Policy Framework, 2012 – Section 9 Green Belts

7. Consultations

Trowbridge Town Council – no objections

8. Publicity

The application has been publicised by way of a site notice which was displayed on the 2nd August 2013 and neighbour notification letters. One letter of representation has been received from a neighbour raising the following points:

- The property is currently a single storey dwelling with one bedroom and bathroom at roof level
- Questions the proposed rooflight and the potential overlooking
- Ideally would prefer the second storey is not included as it is would be visible from the back garden
- Appreciate the design has restricted windows that may cause direct overlooking.
- Object to the northerly rear balcony as this will afford views over the rear garden.

9. Planning Considerations

9.1 Impact on the Green Belt

The National Planning Policy Framework makes it clear that inappropriate development is, by definition, harmful to the greenbelt and should not be approved except in very special circumstances. Extensions to domestic properties are allowed and are considered appropriate as long as *'it does not result in disproportionate additions over and above the size of the original dwelling'*.

In this case, the property has already been the subject of extensions on both the ground floor and first floor that have virtually doubled the size of the original property. The addition of the first floor extensions now proposed would result in a much larger building again and by any definition must be considered to be disproportionate to the original dwelling. The proposal is therefore in conflict with national planning policy expressed in the NPPF.

The removal of the conservatory which would be replaced with the garden room would be considered acceptable on the grounds that it is to replace an existing structure with one which is not materially larger.

Overall, the additions to the dwelling since the permissions in 1987 lead to a disproportionate extension and therefore do not meet the test set out in the NPPF.

The second test to be considered is the affect of the development on the openness of the Green Belt. In this instance, by increasing significantly the accommodation at first floor level the openness is affected. The alterations to the first floor of the dwelling increase the overall bulk to the dwelling. From the side elevations, the roof height would be substantially increased.

9.2 Impact on the neighbouring amenity

The neighbour has raised concerns regarding the potential of overlooking with the alterations proposed to this dwelling. It is noted that the design of the extensions has been sensitive to the properties relationship with the neighbouring property.

The additional roof light to be inserted in the front elevation and to which the neighbouring property has raised concern would serve a bathroom and is not therefore considered to cause an undue issue with overlooking the adjacent property.

The balcony above the reconstructed sun room has also raised concern with the potential for overlooking the neighbouring properties rear garden. It is acknowledged that this element would afford direct views into the rear garden of the neighbouring property. However, both the host dwelling and the neighbouring property have sufficient space to allow for planting to mitigate any overlooking. Alternatively, the balcony element could be conditioned to include an obscure glazed screen to be inserted along the side elevation where it adjoins the boundary with number 4 Westwood which would direct the view to the rear of the host dwellings rear garden and protect the privacy of the rear garden of the neighbouring dwelling.

Given the location of the dwelling of the proposed materials it is not considered that the proposal would further harm the neighbouring amenity.

10. Conclusion

Given the previous substantial extensions that have taken place at this property, it is considered that the current proposed alterations to the dwelling would result in a disproportionate extension which along with the additional bulk would not be acceptable within the Green Belt. Consequently, refusal is recommended.

RECOMMENDATION

Refusal, for the following reasons:

- 1) The proposed extensions, particularly those to the first floor, represent a disproportionate addition when compared to the size of the original building. Having regard to Section 9 Paragraphs 87 and 89 of the National Planning Policy Framework the proposal results in inappropriate development within the Green Belt which is by definition harmful and in conflict with national planning policy.

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REPORT TO THE WEST AREA PLANNING COMMITTEE

Date of Meeting	16 October 2013		
Application Number	13/02371/FUL		
Site Address	57 Damask Way, Warminster, Wiltshire, BA12 9PP		
Proposal	Two storey side extension, conversion of garage to domestic room		
Applicant	Mr and Mrs L Fullaway		
Town/Parish Council	WARMINSTER		
Electoral Division	Warminster Broadway	Unitary Member	Cllr Keith Humphries
Grid Ref	387540 144292		
Type of application	Full Planning		
Case Officer	Carla Rose		

Reason for the application being considered by Committee

Councillor Keith Humphries has requested that the application be called to the Planning Committee for the following reasons:

- Scale of the development
- Relationship to adjoining properties
- Design
- Siting of the drains
- Dominance of the building
- Loss of light

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:

- design issues and impact upon the immediate area
- impact on amenity
- highway and access considerations

3. Site Description

57 Damask Way is detached house on an estate development and sits amongst other detached dwellings. The site is located at the end of a cul de sac and is set back from the street frontage.

The site has an existing vehicular access.

4. Planning History

W/13/00404/FUL - Two storey side extension, conversion of garage to domestic room – Withdrawn
03.05.2013

5. The Proposal

The proposal is for the erection of a two storey side extension and the conversion of a garage to a domestic room. The extension is 4 metres in width and 5.185 metres in depth, with a ridge height 300mm below the existing ridge line. It is set back 2 metres from the front wall of the dwelling.

6. Planning Policy

West Wiltshire District Plan 1st Alteration 2004 – policies C31a Design; C38 Nuisance

7. Consultations

Wiltshire Council Highways – no objections

Warminster Town Council – object because of the siting of the drains, dominance, loss of light to neighbouring property and the accuracy of the plans

Wessex Water – No objection received. Advice on sewers provided

8. Publicity

The application was advertised by site notice/neighbour notification. Expiry date: 26th August 2013.

Neighbourhood Responses – 2 letters of objection have been received with the following comments from the same neighbour (summarised):

- Extension would be imposing due to location, angle, height of land and levels. It was advised that number 57 Damask Way is at a higher height than number 59 Damask Way.
- Visual balance of property interrupted
- Front elevation does not accurately show the appearance of the dwelling. It does not show the angle. Small wall to the front of the property is not shown accurately. The neighbour advised that they have not been notified about what would happen to this wall.
- Front elevation would be ugly and appear unbalanced
- First floor window is larger than ground floor window
- Extension would be the same size as a one bedroom terraced house
- Windows around corner of dwelling do not resemble existing design
- The cul de sac is a focal point
- Opaque glazing would be harmful to the design of the estate
- Overlooking of garden and conservatory from ground and first floor window as the extension would be higher than the neighbours
- Overlooking from ground floor windows
- Opaque glazing will still give a feeling of overlooking and could be changed to clear glazing at a later time
- Downstairs window will overlook garden and conservatory because the extension will be at a higher height
- A 2m high fence would need to be constructed to avoid overlooking which would be expensive.
- Loss of light to garden and conservatory in the evening and late afternoon from Spring to Autumn. Seating area would be in the shade
- Supplementary Planning Guidance states that 10m should be between extensions and gardens, but plans show 5.5m
- Loss of privacy
- Concerns regarding car parking because a three bedroom house is proposed to be changed to a five bed room house. No extra parking is proposed and there is no off street parking
- There is already congestion and this would be exacerbated.
- 2m high wall between properties does not exist.
- Small wall to front of property is not as high or wide as indicated on drawing and is owned by

- number 57 Damask Way and 59 Damask Way.
- Chimney not shown on all drawings.
- Nuisance from the smoke of the chimney.
- Drain problems in area
- No objections were raised regarding the garage conversion

9. Planning Considerations

9.1 Design issues and impact upon the immediate area

It is considered that the proposed extension would not have an adverse impact upon the character of the existing dwelling and the street scene because the proposed extension is set back from the front elevation of the dwelling with a ridge line lower than the existing. Revised plans show that the extension is no longer proposed to be at an angle, which would mean that the extension would be more in keeping with the host dwelling. Furthermore, matching materials are proposed to be used which would mean that the proposed extension would harmonise with the existing dwelling and its surroundings.

A neighbour raised concerns that the use of opaque glazing would be harmful to the design of the estate and that the first floor window would be larger than the ground floor window. It is not considered that opaque glazing would be harmful to the design of the estate because an opaque glazed window could be inserted at a later stage without the need for planning permission. The plans show the ground and first floor windows being the same size. Concerns were also raised that the visual balance of the property would be interrupted. For the reasons already discussed this is not considered to be a concern.

For the reasons discussed above it is considered that the proposal complies with policy C31a

9.2 impact on amenity

Due to the orientation and location of the proposed extension it is not considered that loss of light and overshadowing should warrant a reason for refusal as it would not be any worse than the loss of light and overshadowing caused by the existing dwelling.

It is not considered that the proposed extension would be overbearing because the extension is set in approximately 1m to the neighbouring boundary and approximately 8.1m to the neighbouring dwelling and because a pitched roof is proposed.

A first floor window is proposed in the side elevation of the dwelling serving a bedroom. The plans have been annotated to say that it will be a non-openable and obscure glazed which is considered to be acceptable to ensure it does not overlook the garden of 59 Damask Way.

A first floor window is proposed in the front elevation serving a bathroom. The plans have been annotated to show that this is proposed to be obscure glazed, which would prevent overlooking of the neighbours property.

For the reasons discussed above it is considered that the proposal complies with policy C38

9.3 Highway and access considerations

It is recognised that the number of bedrooms is proposed to increase and that a garage is proposed to be converted. However, the plans show that there is space for three cars to the front of the property and therefore the Councils Highways Officer has recommended no objections. Furthermore, the garage could be converted under permitted development rights.

9.4 Other

The location of the drains was raised as a concern. If the extension is proposed to be built over any public drain it would be the applicant's responsibility to contact Wessex Water and relocate them.

A neighbour mentioned that a 2m wall does not exist between the properties and that the chimney is not shown on all plans. The plans indicate that there is a wall to the front of the property that was seen on site. No other boundary treatments are shown on the plans. Revised plans show the position of the chimney.

A neighbour advised that the small wall to front of property is not as high or wide as indicated on drawing and is owned by number 57 Damask Way and 59 Damask Way. The elevational drawings show that this wall is proposed to be set further back by approximately 0.4m. It is not reasonable to request further clarification on this because the applicant has signed certificate A to say that they own the land and because the wall is shown on the drawings.

10. Conclusion

In conclusion it is considered that there would be no harm to the character and appearance of the dwelling or the street scene and that there would be no harm to neighbour amenity. Approval is therefore recommended.

RECOMMENDATION: Grant permission subject to the following conditions:

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

REASON: To comply with 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.

3. The first floor window in the southern elevation serving a bathroom shall be obscured glazed prior to the first occupation of the extension hereby permitted and shall be so maintained in perpetuity.

REASON: In the interests of residential amenity and privacy.

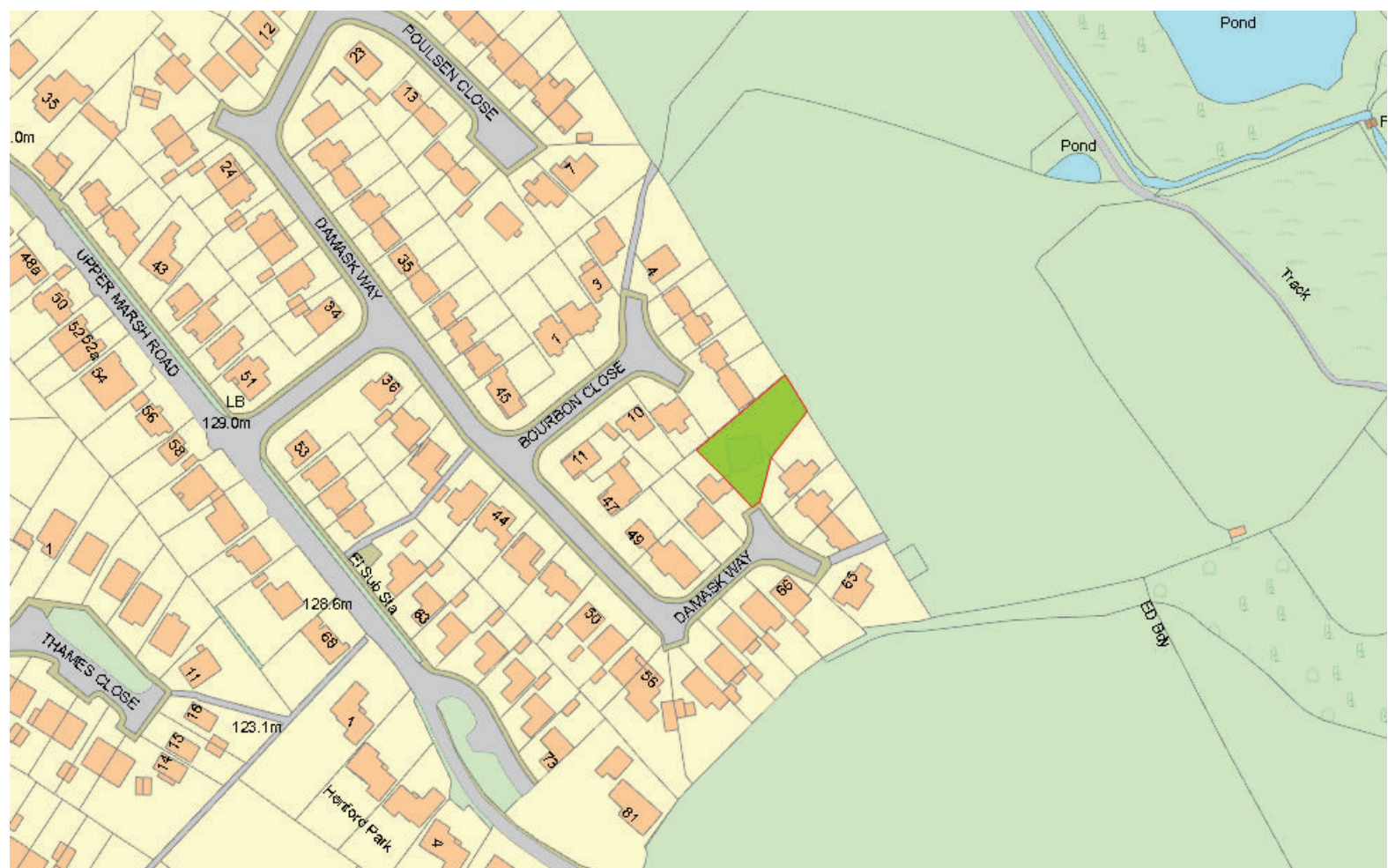
4. The development hereby permitted shall be carried out in accordance with the following approved plans: PL01 E, PL02 E, PL03 E, PL04 E, PL05 E received on 27.08.2013

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

Informative

5. The applicant is advised of the following information from Wessex Water:

Separate systems of drainage will be required to serve the proposed development. No surface water connections will be permitted to the foul sewer system. Sewers can be located within property boundaries at the rear or side of any premises in addition to the existing public sewers shown on our record plans. They will commonly be affected by development proposals and applicants should survey and plot these sewers on plans submitted for Planning or Building Regulations purposes. It will be important to undertake a full survey of the site and surrounding land to determine the local drainage arrangements and to contact our sewer protection team on 01225 526333 at an early stage if you suspect that a section 105a sewer may be affected.



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