

AGENDA

Meeting: Northern Area Planning Committee
Place: Committee Rooms B/C/D - Council Offices, Monkton Park,
Chippenham
Date: Wednesday 28 January 2015
Time: 3.00 pm

Please direct any enquiries on this Agenda to Libby Beale, of Democratic Services, County Hall, Bythesea Road, Trowbridge, direct line 01225 718214 or email elizabeth.beale@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 Tony Trotman (Chairman)	Cllr Mark Packard
Cllr Peter Hutton (Vice Chairman)	Cllr Sheila Parker
Cllr Christine Crisp	Cllr Toby Sturgis
Cllr Mollie Groom	Cllr Nick Watts
Cllr Chris Hurst	Cllr Philip Whalley
Cllr Simon Killane	

Substitutes:

Cllr Desna Allen	Cllr Bill Douglas
Cllr Glenis Ansell	Cllr Dennis Drewett
Cllr Chuck Berry	Cllr Howard Greenman
Cllr Mary Champion	Cllr Jacqui Lay
Cllr Terry Chivers	Cllr Linda Packard
Cllr Ernie Clark	

AGENDA

1 **Apologies**

To receive any apologies or substitutions for the meeting.

2 **Minutes of the Previous Meeting** (*Pages 1 - 6*)

To confirm and sign as a correct record the minutes of the meeting held on 7 January 2015.

3 **Declarations of Interest**

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

4 **Chairman's Announcements**

To receive any announcements through the Chairman.

5 **Public Participation and Councillors' Questions**

The Council welcomes contributions from members of the public.

Statements

Members of the public who wish to speak either in favour or against an application or any other item on this agenda are asked to register in person **no later than 2:50pm 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 21 January**. Please contact the officer named on the front of this agenda for further advice. Questions may be asked without notice if the Chairman decides that the matter is urgent.

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

6 **Planning Applications**

To consider and determine planning applications as detailed below.

- 6a **14/10081/FUL Meadowpark School, The Old School, High Street, Cricklade, Swindon, SN6 6DD** *(Pages 7 - 16)*
- 6b **14/10498/FUL Corsham Police Station, Priory Street, Corsham, SN13 0AY** *(Pages 17 - 26)*
- 6c **14/10004/FUL South View, 14 The Street, Oaksey, Malmesbury, SN16 9TG** *(Pages 27 - 32)*
- 6d **14/09422/FUL Land Adjacent to Ashley Lane, Box, Wiltshire, SN13 8AN** *(Pages 33 - 38)*
- 6e **14/09315/ADV Roundabout East of Priory Mews, Burton Hill, Malmesbury, SN16 9LS** *(Pages 39 - 44)*
- 6f **14/09316/ADV Whychurch Roundabout, Malmesbury, Wiltshire** *(Pages 45 - 50)*

7 **Urgent Items**

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

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NORTHERN AREA PLANNING COMMITTEE

MINUTES OF THE NORTHERN AREA PLANNING COMMITTEE MEETING HELD ON 7 JANUARY 2015 AT COUNCIL CHAMBER - COUNCIL OFFICES, MONKTON PARK, CHIPPENHAM.

Present:

Cllr Tony Trotman (Chairman), Cllr Peter Hutton (Vice Chairman), Cllr Mollie Groom, Cllr Chris Hurst, Cllr Sheila Parker, Cllr Toby Sturgis, Cllr Nick Watts, Cllr Philip Whalley, Cllr Desna Allen (Substitute) and Cllr Chuck Berry (Substitute)

1 Apologies

Apologies were received from Cllr Mark Packard who was substituted by Cllr Desna Allen and Cllr Christine Crisp who was substituted by Cllr Chuck Berry.

2 Minutes of the Previous Meeting

Resolved:

To confirm and sign as a correct record the minutes of the previous meeting held on 10 December 2014.

3 Declarations of Interest

Cllr Watts declared he was the local member for the application under consideration on item 6a. He would participate in the debate and vote with an open mind.

4 Chairman's Announcements

There were no Chairman's announcements.

5 Public Participation and Councillors' Questions

The Committee noted the rules on public participation.

6 Planning Applications

7 **14/04658/FUL- 9 A Malmesbury Road, Chippenham, SN15 1PS**

George Batterham and Martin Ellett spoke in support of the application.

The officer introduced the report which recommended to grant planning permission subject to planning conditions. The reasons for deferral of the application at the last meeting of the Committee were explained and a description of the application was given. Photographs of the site were shown, the distance between the dwellings opposite and the view of their roofscape from the upstairs balcony of the proposed dwellings was explained.

The Committee then had the opportunity to ask technical questions and it was confirmed the five proposed dwellings were identical in size and planning conditions would ensure high quality building materials would be used.

Members of the public then addressed the Committee as detailed above

The local member, Cllr Nick Watts, spoke in support of the application however noted that construction of four dwellings would be preferable.

In the debate that followed the Committee considered the footprint of the development, and its impact on the conservation area and privacy. It was commented that the development would allow a better vista of the Grade II* listed church.

Resolved:

To GRANT planning 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. No development shall commence on site until all the existing buildings on site have been permanently demolished and all of the demolition materials and debris resulting there from has been removed from the site.**

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

- 3. No development shall commence on site until details and samples of the materials to be used for the external walls, windows 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.

- 4. No development shall commence on site until a scheme of hard and soft landscaping has been submitted to and approved in writing by the Local Planning Authority, the details of which shall include:
 - a) a detailed planting specification showing all plant species, supply and planting sizes and planting densities;**
 - b) means of enclosure;**
 - c) all hard and soft surfacing materials;**
 - d) minor artefacts and structures**
 - e) Location of utility meter boxes.****

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

- 5. 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 dwellings 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.

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

REASON: In the interests of highway safety.

- 7. No dwelling shall be occupied until the parking space together with the access thereto, have been provided in accordance with the approved plans.**

REASON: In the interests of highway safety and the amenity of future occupants.

8. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions to, or extensions or enlargements of any building forming part of the development hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions, extensions or enlargements.

9. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no window, dormer window or rooflight, other than those shown on the approved plans, shall be inserted in the roofslopes of the development hereby permitted.

REASON: In the interests of residential amenity and privacy.

10. 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), no gates, fences, walls or other means of enclosure, other than those shown on the approved plans, shall be erected or placed anywhere on the site.

REASON: In the interests of visual amenity.

11. 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 first brought into use/ occupied 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.

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

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

INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.

INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

8 **Urgent Items**

There were no urgent items.

(Duration of meeting: 3.00 - 3.40 pm)

The Officer who has produced these minutes is Libby Beale, of Democratic Services, direct line 01225 718214, e-mail elizabeth.beale@wiltshire.gov.uk

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

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REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	28 January 2014
Application Number	14/10081/FUL
Site Address	Meadowpark School The Old School High Street Cricklade Swindon SN6 6DD
Proposal	New School Block to Provide 3 Classrooms & Ancillary Facilities and Relocation of Play Equipment.
Applicant	Education Plus
Town/Parish Council	CRICKLADE
Ward	CRICKLADE AND LATTON – Cllr Jones
Grid Ref	410160 193958
Type of application	Full Planning
Case Officer	Alex Smith

Reason for the application being considered by Committee

1. Purpose of Report

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

2. Report Summary

The main issues in the consideration of this application are as follows:

- The principle of development;
- Impact on the character and appearance of the Conservation Area;
- Parking & highways issues
- Flood risk & drainage
- Impact on the residential amenity of the neighbouring occupiers.
- Impact to landscaping & trees within the site
- Ecological impacts

Cricklade Town Council object to the application. 78 letters of support and 57 letters of support have been received. A petition objecting to the scheme with 119 signatures has also been received (see comments later in report).

3. Site Description

The application relates to Meadowpark Junior School, located on the eastern side of High Street, Cricklade. The site is located towards the northern end of the High Street, adjacent the river Thames

to north of the site. The proximity of the site to the River Thames means that the site falls under Flood Zone 3a.

Contained within the site is a main two storey building, which has Grade II Listed status and currently provides the teaching classrooms within the school. To the rear of the building is an area of hardstanding which provides hard play area for children but also doubles as visitor parking during pick up and drop off times. Access to the parking area is from a single width gravel driveway which provides shared access for the school and the residential dwelling to the south, No.71 High Street known as Knowle Cottage, which is also a Grade II Listed Building. At the time of the site visit during the school day the gate to access the parking area was locked.

A detached single storey building has also been erected within the playing fields for the site, which is used as a reading room. Adjacent the side/rear boundary shared with Knowle Cottage is a children's play area, which is provides play equipment on a wood chipped surface. To the rear of the site is a woodland area with a number of significant trees, which was cordoned off at the time of the site visit.

The school which operates at the site is a fee paying private school which was rated at Outstanding by Ofsted during their last inspection. The school is currently limited to 48 children being educated at by condition and had a travel plan in place to manage vehicular movements to and from the site. The school provides a before and after school club, which operates from 7.30am to 6pm.

The site is located within the Conservation Area and framework boundary of Cricklade, as identified in the Policies of the Wiltshire Core Strategy (WCS) and North Wiltshire Local Plan 2011 (NWLP).

4. Planning History

There have been a number of planning application at the site. The relevant applications are listed below:

N/98/00100/FUL – Extension and Alterations – Approved with Conditions

N/09/02086/FUL – Change of use from Offices to provide flexible B1 / D1 use – Approved with Conditions

N/10/02085/FUL - Erection of Childrens Play Equipment and Gazebo in Garden – Approved with Conditions

N/11/01633/FUL - Erection of a Gazebo in Garden (Revision of 10.02085.FUL) – Approved with Conditions

5. The Proposal

The application seeks planning permission for the erection of a new school block to provide 3 new classrooms and kitchen area. The proposal also seeks consent for the increase in the number of students educated at the school from 48 to 84 and the re-siting of the existing children's play equipments to the woodland to the rear of the site.

The proposed building would be built to the same ground level as the existing school via a brick plinth. The dimensions of the building would be 14.5 metres by 16.8 metres and would be built adjacent the boundary line shared with Knowle Cottage. The building would have a modern design with asymmetrical mono-pitched roof forms, glazed elevations facing towards the playing fields and timber cladding to the external elevations. The building would have a maximum height of 4.85 metres.

6. Local Planning Policy

Wiltshire Core Strategy

Strategic Objective 4: Helping to Build Resilient Communities

CP57 - Ensuring High Quality Design and Place Shaping.

CP58 - Ensuring the Conservation of the Historic Environment.

CP60 – Sustainable Transport

CP67 – Flood Risk

North Wiltshire Local Plan 2011:

C3- Development Control Policy;
HE1- Development in Conservation Areas;
HE4 - Development, Demolition or Alterations involving Listed Buildings;
NE9 – Protection of Species;
NE18 – Noise and Pollution;
NE21 – Development in Flood Risk Areas;
NE22 – Surface Water Run-off;
TM4 – The Thames Path National Trail;

National Planning Policy Framework 2014:
Chapter 7 – Requiring Good Design.
Chapter 12- Conserving and Enhancing the Historic Environment.

7. Summary of consultation responses

Cricklade Town Council: Strongly OBJECT to this application on the following grounds:

- The proposed building is completely out of keeping with the area and the Town. It has more the look of an Industrial Unit.
- Any development must enhance or preserve character of the area. This includes any object or structure within the curtilage of a listed building. We have three very important listed buildings within a few metres of this development. This development affects the position of all three.
- No attempt has been made to consider the impact on neighbours. The position of the development appears to have more to do with convenience than anything else.
- We are at a complete loss to understand why flood risk has not featured as the main concern. The proximity of the Rivers Thames and Churn make this whole area subject to flooding on an annual basis. You may wish to read the EA comments in relation to a nearby application 14/06836/FUL which must have some relevance to this site.
- The Thames Path Trail attracts many tourists to the Town. We 'market' the Town as the 'First Town on the Thames'. This application will be seen from the Town Bridge. Not a particularly attractive view for visitors and residents.
- Additionally should permission be granted we would argue for a Section 106 Contribution towards Traffic Management improvements.

Conservation Officer: The school building is a grade II listed stone building with slate roof, dating from 1870-80. It is set on the edge of the pavement adjacent to the river. The land behind this school is open and stretches back towards a small wooded area. The building is prominent in the street scene and as the area is flat and open the surrounding land can be seen from the High street and across the river. Immediately adjacent to the school are a number of earlier buildings which are also grade II listed. The site is also in a conservation area.

The school has had consent and constructed a garden building that was to be used as an outdoor teaching space. The proposal is to build a new detached structure linked to the existing detached garden building. This building will be in the playing field area that is beyond the garden building, so it will be located beyond the historic building line of the area.

The proposed new building will be a modern design of glass and timber with two mono-pitched roofs. The roofs will be higher than that of the existing garden building. The footprint is very large and rectangular, bearing no resemblance to the proportions of the listed building. When looking back from the grounds to the listed building the glazed elevation will dominate the views.

The proposed new building is totally inappropriate for this location and will harm the setting of the heritage assets. The size, design, materials and proportions of the new building will overwhelm the surrounding heritage assets and bear no relationship to the positions and proportions of the built form in this area. Locating a sewerage treatment plant in the gravelled area directly behind the listed school building would also harm the setting of the heritage assets. The development would be contrary to the NPPF paragraphs 17(10), 131, 132, 134 and 137. I recommend refusal.

Highways: “The school is located in an area where parking problems already exist. The application details claim that there are 28 parking spaces on site against the requirement in our parking standards of 14 spaces. However no information is supplied as to how the number of spaces has been derived and I suspect that those spaces could not all be independently accessed. Another issue is the restricted width of the access which will not allow two vehicles to pass and could thus cause congestion within the site, discouraging its use and leading to parking on the highway. I am also concerned that staff are to be encouraged to park off site.

Whilst it would be possible to provide the required 14 parking spaces on site, I note that the tarmacked area is stated as being used as a hard play area during the day which would prevent access to any parking area so that it would not be available for use by visitors to the school.

Overall I consider that the site cannot provide adequate parking and set down/pick up facilities to meet the requirements of the school and this proposal will thus lead to increased parking and congestion on High Street and North Wall.

Refusal is therefore recommended as it has not been demonstrated that adequate provision can be made on site for the parking of vehicles and for the setting down and picking up of pupils which will result in additional on street parking in an area where congestion is already caused by high parking demand.”

Environment Agency: Recommend including the following informatives in any permission granted:

INFORMATIVE

Under the terms of the Water Resources Act 1991 and the Land Drainage Byelaws, the prior written consent (Flood Defence Consent) of the Environment Agency is required for any proposed works or structures either affecting or within 8 metres of any ‘main river’. Please contact Daniel Griffin at the Environment Agency on 01258 484321 for further advice.

INFORMATIVE Safeguards should be implemented during the construction phase to minimise the risks of pollution from the development. Such safeguards should cover: - the use of plant and machinery - oils/chemicals and materials - the use and routing of heavy plant and vehicles - the location and form of work and storage areas and compounds - the control and removal of spoil and wastes. The applicant should refer to the Environment Agency's Pollution Prevention Guidelines at: <https://www.gov.uk/government/collections/pollution-prevention-guidance-ppg>

Public Protection:

Odour/Contamination

I note the sewage treatment plant specifically mentions that information on possible requirements is given on the understanding that there are no catering facilities and yet the Design and Access statement indicates there will be a kitchen to provide hot meals for the children. I can find nothing in the proposals which deal with this and would suggest it needs to be addressed to ensure drainage is adequate and not likely to lead to odour complaints or land/watercourse contamination issues. I would suggest you may want to check this with the Environment Agency. In addition, all discharges must comply with the new legally binding rules from DEFRA.

<https://www.gov.uk/government/publications/small-sewage-discharges-in-england-general-binding-rules>

Noise

The site is in the High Street with businesses and dwellings in the vicinity. To manage noise during the construction phase, it would be prudent to adhere to an hours of construction condition.

No construction or demolition work shall take place on Sundays or Public Holidays or outside the hours of 07:30 to 18:00 Monday to Friday and 08:00 to 13:00 on Saturdays.

Trees and Landscaping: No objection following submission of arboricultural impact assessment, subject to a condition relating to Tree Protection and work being completed in accordance with the arboricultural impact assessment.

Drainage:

- The development is located in flood zone 3. The Environment Agency should be consulted to confirm their requirements .
- The geology of the site is Oxford Clay Formation – Mudstone overlain by Alluvium deposits - Clay, Silt, Sand and Gravel which could be suitable for surface water infiltration techniques to be used. If the developer were to propose infiltration techniques then this would need to be confirmed by carrying out on site permeability testing to BRE Digest 365. These results would provide confirmation of the infiltration rate and should be issued to us for review.
- If the developer proposes to discharge into a nearby ditch/watercourse, then an application for land drainage consent would also be required.

No objection, subject to the standard drainage condition.

Public Open Space: No comment

Archaeology: No objection

8. Publicity

The application was advertised by site notice and neighbour consultation. This resulted in the submission of 78 letters of support and 57 in objection.

A petition in objection was also received with 119 signatures. However, following the submission of this petition one signatory contacted the Council to advise that they explicitly asked if the petition related to the school application, as they are in support of the proposal. They were advised that it only related to the parking problems on North Wall, as the petition also covers parking issues on North Wall and was submitted to the Highways Department also. Some of the pages of the petition are not annotated to state what the petition relates to, so committee members are advised of this objection from one signatory.

The issues raised in the 78 letters of support received can be summarised as follows:

- i) The proposal would provide additional educational places within Cricklade and would allow children to stay at the school until later in their education;
- ii) Parking provision and impacts to highways would be acceptable and cause little disturbance at present;
- iii) The school has an existing travel plan in place to minimise vehicle movements to and from the site;
- iv) The proposal would have an acceptable impact on the character and appearance of the Conservation Area for the following reasons:
 - a) It would not be readily visible from the public domain;
 - b) The modern design would be appropriate for a new building to contrast with the original historic buildings rather than a pastiche design.
- v) Increase in employment and economic benefits to surrounding business;

The following issue was also raised in support of the application but do not form material planning considerations:

- i) Job security for staff at the site.

The issues raised in the 57 letters in objection can be summarised as follows:

- i) Harm to the character and appearance of the Conservation Area due to the following reasons:
 - a) Built form in a historically open area;
 - b) School block will be visible from the bridge in the public highway;
 - c) Modern design is out of character with the historic buildings in the Conservation Area.

- d) Harm to the views from the River Thames;
- e) Materials proposed are not in keeping with the existing building and surrounding area.
- ii) Harm to highway safety from increase traffic movements to and from the site and lack of off-street parking
- iii) Increased flood risk & displacement of surface water run off;
- iv) Harm to residential amenity of neighbouring occupiers through loss of privacy / overlooking, light pollution, odour pollution and noise disturbance.
- v) Harm to protected wildlife species;
- vi) Loss of trees from within the site;
- vii) Concerns connected to flood risk and the drainage systems.

The following issues were also raised in objection but do not form material planning considerations:

- i) Potential for future development within the site;
- ii) The operators of the school are shareholders in the business who own it;
- iii) Increased noise and highway disturbance during building works;
- iv) The viability of the school at the current numbers should have been considered from the outset;
- v) A number of responses came from people who were not domiciled in Cricklade.

9. Planning Considerations

Principle of Development

Strategic Objective 4 of the WCS states as one of the key objectives that strategic growth will have been matched by the provision of new educational and healthcare facilities, where appropriate, and high quality education services will have assisted in providing the trained employees necessary to deliver economic growth.

Paragraph 6.60 on delivering Strategic Objective 4 states that the core strategy will assist in facilitating educational opportunities by ensuring that new growth is supported by new school capacity.

Core Policy 19 relates to development within the Local Service Centre of Cricklade and development within this framework boundary has to be in accordance with the details of this policy. It is noted that the policy does not provide any context on the need for educational facilities within Cricklade, but does state that 113 dwellings need to be erected within the areas covered by the policy, excluding within Royal Wotton Bassett.

The proposed development would provide an enlarged educational facility which was rated excellent by Ofsted at the previous inspection. Whilst the extension is not attached to any specific growth within Cricklade, the provision of additional educational places is considered to be in accordance with Strategic Objective 4 of the WCS and is considered acceptable in principle.

Impact on the Character and Appearance of the Conservation Area and setting of the Listed Building

There have been a number of consultation responses from members of the public who both object to and support the design of the new school block. The proposed block would have a modern asymmetrical design made from timber and large glazed sections. When designing extensions or new development which would impact on heritage assets, there are two different approaches which can be taken. A modern design which differentiates itself from the heritage asset or a pastiche design which replicates the original form to appear part of the original building or settlement. When done well, both approaches can be acceptable.

What is key in this application is the siting of the proposed school block. The Conservation Area has a clearly defined building area on the eastern side of the High Street, with the built form kept toward the highway. The proposed development would be a significant addition which would be out of keeping with the historic building pattern on this side of the street and would be incongruous to the character of the Conservation Area. An application for a smaller gazebo set closer to the building was permitted to allow for some additional space to be provided for the school. A further proliferation of built form away from the main school is considered to cause unacceptable harm to the character and appearance of the Conservation Area.

Furthermore, the Conservation Officer has reviewed the proposal and recommended refusal on the grounds of the design and size of the outbuilding. When viewed from the land to the rear of the site the vast glazed elevation will dominate the views and the settings of the Listed Building within and adjacent the site. A number of objectors have also noted that splayed views of the modern outbuilding will be visible from the bridge in the public highway.

The proposed development would also be adjacent to the River Thames and Policy TM4 (which will continue to be saved as part of the Wiltshire Core Strategy) states that in connection with the establishment and enhancement of the proposed Thames long distance path, development will not be permitted where proposals are likely to result in a significant adverse effect on the amenities and open landscape along the river and footpath route. As outlined previously, the proposal would be a significant addition which would be set away from the built form within the site and would harm the open landscape along the river. Therefore, the proposal would be contrary to Policy TM4 of the North Wiltshire Local Plan.

Therefore, the development is considered contrary to Policy CP58 of the WCS and Policies HE1, HE4 & TM4 of the NWLP.

The relocation of the children's play area is considered to have an acceptable impact on the character and appearance of the area, given the dense foliage which would largely screen the play equipment from view.

Parking and Highways Issues

A number of local residents have objected to the proposed development due to the parking pressures which are already occurring on the neighbouring residential streets and the increase in vehicle movements to and from the site. The current proposal seeks an increase in the number of students being educated at the site from 48 to 84, a 75% increase in the number of students at the site. The school currently employs 5 teachers and 1 teaching assistant and it is anticipated that a further 2 teachers and 1 teaching assistant would be employed as part of the expansion.

The application submitted states that 28 car parking spaces are available within the site. However, no plans have been submitted to show how this could be accommodated within the site. Given the size of the hardstanding within the site, the Highways Officer considers that this number of independently accessible spaces could not be provided. There is also concern that the parking area doubles up as the hard play area during the working hours of the day. At the time of the site visit the access to this parking area was not readily available, as the access gate into the site was locked. Two cars were parked on the hardstanding during the site visit.

It is also noted that the Transport Statement and 3 responses from teachers during the course of the public consultation state that the teachers do not park within the site currently, but park off-site. The school has not referenced an additional off-site parking area in the ownership of the school and there must already be some form of displacement of parking from the school to off-site spaces.

The school currently has a travel plan in place which takes account that the school provides a before and after school club to stagger the vehicle movements from the school away from the usual 9am and 3.30pm peak periods. The school is also trialling a mini-bus service and expects that this will provide capacity for 16 students when fully operational.

The Council's adopted car parking standards would require the provision of 14 spaces within the site. However, these spaces are required to be available at all times and designated as parking spaces, the current site does not provide this and has a crossover between parking and hardstanding for use as play space depending on the hours of the day.

Furthermore, there is a concern about the access into the site. The current site has a shared driveway which is single width and only allows one car to pass at a time. An increase in the number of visitors to the site would result in an increased likelihood of cars trying to exit and enter at the same time, resulting in cars either reversing into the High Street or back into the school site. Both of these are considered to result in unacceptable harm to pedestrian safety in such close proximity to the school.

The current operation at the site results in the displacement of parking into the surrounding area, which shows significant strains of parking stress. The current access into the site and parking arrangements are considered to be substandard to allow for a further expansion of the school. The current limit of 48 students was set due to concerns about the impact to highway safety from a larger operation at the site. Whilst the Transport Statement does provide some mitigation, in the form of the mini-bus and staggered pick-ups throughout the day, these are largely required by the current travel plan to allow for the current number of pupils at the site.

The Highways Officer has reviewed the proposal and submitted transport statement and recommends refusal on the grounds that the parking arrangements and access cannot support such an increase in pupil numbers. Therefore, the proposal is considered contrary to Core Policy 60 of the e-WCS and Policies C3 & T1 of the NWLP.

Flood Risk & Drainage

The application has been submitted following discussions between the Environment Agency and the applicant over the siting of the building, due to the site being in Flood Zone 3. The Environment Agency have confirmed that as the site is less than 1 hectare, the use not classified as highly vulnerable under Table 2 of the NPPF Technical Guidance and is the built form is less than 1,000 square metres, then the proposal should be considered in accordance with their standing advice.

This advice allows for the provision of such a building in this location, subject to the floor levels of the building being equal to those of the existing building within the site. The proposed development would have floor levels built to the same as the existing and therefore, in accordance with the standing advice from the EA, the proposal would have an acceptable impact on flood risk.

The Council's Drainage Officer has reviewed the proposal and raised no objection to the proposal, subject to the standard drainage conditions being applied.

Impact to the Residential Amenity of the Adjoining Occupiers

During the public consultation period objections were received from neighbouring occupiers in objection to the harm to their residential amenity. The proposed development would be sited approximately 0.7 metres from the boundary shared with Knowle Cottage and approximately 45 metres from the dwelling itself. Given the distance separation from the dwelling, the single storey building would result in no significant loss of light to the occupiers of the dwelling.

The proposal would be prominent when viewed from the garden of Knowle Cottage. However, the garden is sizeable and the new building would only cover a small portion of the boundary line, which is well screened on the side boundary line by dense foliage. Therefore, the level of harm from a sense of dominance would be acceptable and the outbuilding would be sufficiently distanced from the dwelling to ensure no significant loss of outlook would occur.

The proposal would create a raised platform by the entrance door facing towards the garden of Knowle Cottage, which would result in some degree of overlooking into the neighbouring garden when exiting the new building. However, any loss of privacy could be controlled by way of a privacy screen, which could be subject of a pre-commencement condition, should consent be granted.

The Council's Public Protection Officer has reviewed the proposal and noted that the proposals do not show any details as to odour extraction from the kitchen. At present the meals are cooked off-site, then delivered to the school and served. It is unclear if this arrangement will change. In any case, the new block is sited over 45 metres from the nearest residential dwelling and a suitable flue could be provided on the opposite side of the building to control odour and details of this could be provided by way of a suitable pre-commencement condition, should consent be granted.

Neighbouring occupiers have also objected due to noise disturbance. The existing school operation at the site would provide some level of noise disturbance from children using the play area. Whilst the proposal would result in an intensification of use of the site, any increase in noise disturbance would not be to a level which would warrant a refusal of the application.

Impact to Trees and Landscaping at the Site

Following the site visit, the applicant submitted an Arboricultural Impact Assessment to determine the impact to the trees within the site. The Council's Trees and Landscaping Officer has reviewed the proposal and considers that the scheme can be delivered and not cause unacceptable harm to the protected trees within the site. Furthermore, subject to the provision of bark and wood chip mulch as the surface for the relocated play area, the relocation of this to the wooded area to the rear of the site would also have an acceptable impact on the protected trees.

Ecological Impacts

A number of residents have objected to the proposal due to the harm to protected species. The proposed development is to be built in the location of the existing adventure play area and as such, is unlikely to harm a protected species or their environment.

10. Conclusion

Paragraph 14 of the NPPF states the presumption in favour of sustainable development, whilst paragraph 7 states the three dimensions of sustainable development as being, economic, environmental and social factors.

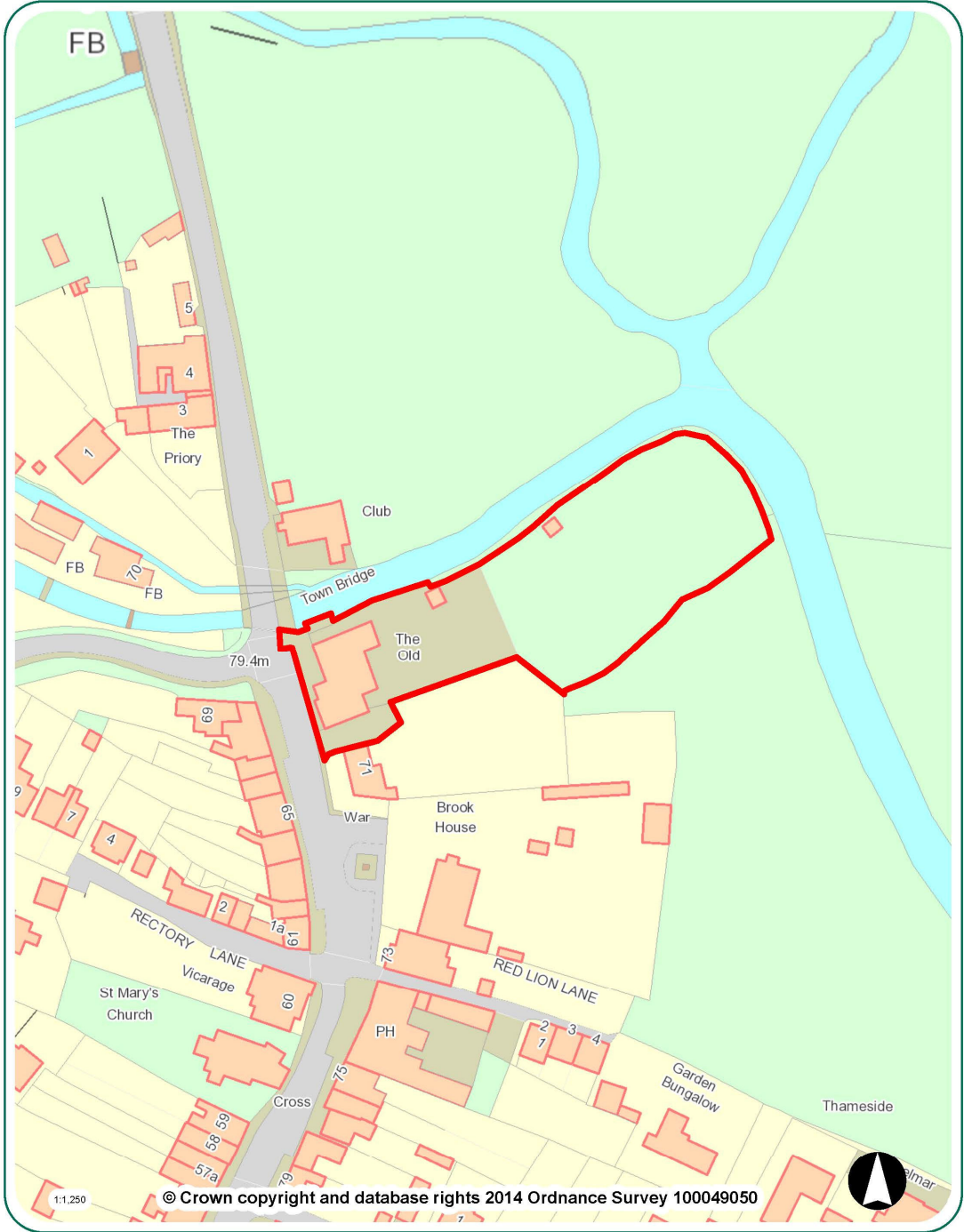
The proposed development comes with the clear benefits of the expansion of an 'Outstanding' Ofsted school to provide additional educational facilities to the surrounding residents. However, the site itself cannot be considered suitable for the required new school building and increase in pupil numbers. The single access into the site and the increase in vehicle movements would increase the possibility of harm to highway safety from vehicles reserving into or out from the site or waiting in the highway. Furthermore, the proposal is likely to result in the further displacement of parking from the site to the surrounding area, which already shows signs of significant parking stress.

In addition, the new school block is considered to cause significant harm to the character and appearance of the Conservation Area, the setting of the adjacent Listed Buildings and the open landscape from the River Thames. Therefore, it is considered that the benefits from the proposal do not outweigh the harm caused by the development and the application is recommended for refusal.

RECOMMENDATION

To REFUSE planning permission for the following reasons:

1. It has not been demonstrated that adequate provision can be made on site for the parking of vehicles and for the setting down and picking up of pupils which will result in additional on street parking in an area where congestion is already caused by high parking demand. Therefore, the proposed development is considered contrary to Core Policy 60 of the Wiltshire Core Strategy and Policies C3 & T1 of the North Wiltshire Local Plan 2011.
2. The proposed development would result in an intensification of use of the single lane driveway into the site, which would result in circumstances prejudicial to pedestrian and highway safety from vehicles reserving into and out from the site or waiting in the public highway. Therefore, the proposed development is considered contrary to Core Policy 60 of the Wiltshire Core Strategy and Policies C3 & T1 of the North Wiltshire Local Plan 2011.
3. The proposed development, by reason of the proliferation of the built form into the open areas of the site, size, materials and design, would result in significant harm to the character and appearance of the Cricklade Conservation Area, the setting of the adjacent Listed Buildings and the open landscape from the River Thames. Therefore, the proposal is contrary to Core Policies 57 & 58 of the Wiltshire Core Strategy, Policies HE1, HE4 & TM4 of the North Wiltshire Local Plan 2011 and paragraphs 17(10), 131, 132, 134 and 137 of the National Planning Policy Framework.



REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	28 January 2015
Application Number	14/10498/FUL
Site Address	Corsham Police Station Priory Street Corsham Wiltshire SN13 0AY
Proposal	Demolition of Former Police Station & Construction of 10no. New Residential Units
Applicant	Mr Andrew Turner
Town/Parish Council	CORSHAM
Ward	CORSHAM PICKWICK- Cllr MacRae
Grid Ref	386712 170796
Type of application	Full Planning
Case Officer	Alex Smith

Reason for the application being considered by Committee

1. Purpose of Report

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

2. Report Summary

The main issues in the consideration of this application are:

- Principle of Development;
- Impact to the visual amenities and character of the surrounding area;
- Impact to the residential amenity of the adjoining occupiers;
- Highways Impacts & Parking;
- Planning Obligations
- Other Issues

Corsham Town council object to the application and 8 letters of objection have been received.

3. Site Description

The application relates to the former police station situated at the junction of Priory Street and Kings Avenue, in central Corsham. At present, the site is occupied by a large, single-storey building set over an L-plan and attached to a more traditionally proportioned, two-storey, former dwelling at its southeast end. Both are finished externally in brick under a concrete tile roof and there is a detached garage building at the northwest corner of the site. Parking is provided in a rear yard within the

regularly shaped plot, whilst the street-facing elevations are set well back from the highway behind a substantial verge laid to grass. Access into the site is from an existing crossover in Kings Avenue.

To the north of the application site are the two-storey, semi-detached dwellings of No.2 & 4 Thames Lane and their residential gardens. Separated by the highway of New Priory Street to the west of the site, is the two storey residential dwelling of No.118 Priory Street and its residential curtilage.

The site is not within a Conservation Area and the buildings are not Listed. The site is located within the designated framework boundary of Corsham as identified in the Policies of the Wiltshire Core Strategy and the North Wiltshire Local Plan 2011.

4. Planning History

The following planning applications have been determined at the application site:

00/02059 – COU of Flat to Restroom

84/01282 – 2 Garages, Hardstanding and Car Parking

5. The Proposal

The application seeks planning permission for the demolition of the existing police station and associated outbuildings and the erection of 10 dwellings with car parking, amenity space and vehicular access.

The proposal would comprise of 1 detached dwelling, 1 pair of semi-detached dwellings and a terrace of 3 dwellings (totalling 6 dwelling) facing onto the highway of Priory Street. A pair of semi-detached dwellings would be provided to the north of the site, facing towards Kings Avenue. A further set of semi-detached dwellings would be provided in the north-eastern corner of the site, which would be accessed from the new vehicular access from Kings Avenue. All of the dwellings within the site would be two storeys.

The proposal would provide each dwelling with a garden area and a total of 22 off-street parking spaces would be created, two for each dwelling and two visitor spaces.

6. Local Planning Policy

Wiltshire Core Strategy:

CP1 – Settlement Strategy

CP2 – Delivery Strategy

CP3 – Infrastructure Strategy

CP11 - Spatial Strategy for the Corsham Community Area

CP53 - Providing Affordable Homes

CP57 - Ensuring High Quality Design and Place Shaping

CP60 – Sustainable Transport

CP67 – Flood Risk

North Wiltshire Local Plan 2011:

C3- Development Control Policy;

H3 – Residential Development within Framework Boundaries;

H5 – Affordable Housing in Urban Areas

NE18 – Noise and Pollution;

NE22 – Surface Water Run-off

National Planning Policy Framework 2014:

Chapter 6 - Delivering a wide choice of high quality homes

Chapter 7 – Requiring Good Design.

7. Summary of consultation responses

Corsham Town Council: Resolved that the application be refused on the grounds that the proposal is too imposing due to it being forward of the existing building line on that side of Priory Street and Kings Avenue; poor traffic management on site; inappropriate layout; overdevelopment of the site; unacceptable levels of overlooking onto existing properties; impact of parking on already busy roads

and a lack of proper consultation with neighbours and residents. The Town Council are happy in principle that the site be used for housing but feel that this proposal is unsuitable for the reasons stated above.

Spatial Plans: There are no spatial planning policy objections to the proposal submitted. The principle of development is acceptable given the location of the site on previously developed land within the Corsham Market Town settlement boundary. The site is well located to Corsham town centre and services / facilities in the area.

Highways: Revised plan 3802/204F addresses the issues that had been previously raised and that the layout is now satisfactory, subject to imposition of a condition (see condition 9).

Public Open Space: Ordinarily the scheme would have attracted a requirement for a contribution towards public open space. However, as the scheme is for 10 units or less and less than 1,000 square metres, no contribution can be sought.

Education: Ordinarily the scheme would have attracted a requirement for a financial contribution towards secondary school education places. However, as the scheme is for 10 units or less and less than 1,000 square metres, no contribution towards educational facilities can be sought.

Public Protection: I have now had an opportunity to look at the site and proposed plans. The major consideration should be given to the historic land use and whether there is any contamination. Therefore I recommend that the land contamination condition is attached.

Corsham Civic Society: We support much of the objection raised by local residents. The plans presented show effort has been made to blend the external architecture with existing housing and this is greatly appreciated. However, the site has an overcrowded look. Removal of plot 10 will give an improved balance and provide traffic visibility from both Priory Street and Kings Avenue. The passage between plots 6 and 7 seems unnecessary.

Wiltshire Fire and Rescue: No objection.

Wiltshire Police: I note that there is no mention of what consideration has been given to the potential impact in terms of crime and disorder that this proposed development may have on the community and what steps will be taken to reduce this. While I do not wish to formally object to the proposals at this time, I will draw attention to the fact that there are opportunities to design out crime and the fear of crime and to promote community safety. Therefore, should the proposals gain planning approval, I ask that an informative relating to secure by design be added to any approval.

8. Publicity

The application has been advertised by site notice and neighbour consultation. This resulted in the submission of 8 letters of objection and none in support. The issues raised in the letters of objection can be summarised as follows:

- i) Overdevelopment of the site causing harm to the character and appearance of the surrounding area;
- ii) Insufficient parking resulting in displacement of parking to surrounding residential streets;
- iii) Harm to highway and pedestrian safety;
- iv) Loss of residential amenity through overlooking and noise disturbance;

In addition the following issues were raised which are not material planning considerations:

- i) Noise and dust disturbance during building demolition and building works at the site;
- ii) Removal of asbestos from the site;
- iii) Letters advertising the applicant's public consultation were only delivered the night before the public consultation event;

9. Planning Considerations

Principle of the Development

Core Policy 2 of the WCS states that within the defined limits of development, in this instance the Market Town of Corsham, there is a presumption in favour of sustainable development. Core Policy 19 of the e-WCS states that a provision of 330 dwellings needs to be provided within the framework boundary of Corsham within the plan period.

The proposed development would see the re-use of a brownfield site within the framework boundary of Corsham and the presumption in favour of development would apply. As such, the proposal would be considered to comply with Local, emerging Local and National Planning Policy and, therefore, is acceptable in principle.

Impact to the Visual Amenities and Character of the Surrounding Area

Policy H3 of the North Wiltshire Local Plan states that a minimum density of development of 30 dwelling per hectare should be sought and higher densities maybe appropriate in towns. A number of neighbouring occupiers have objected to the proposal as they considered it to be an overdevelopment of the site. The current proposal has a density of 41.7 units per hectare, which is slightly higher than the minimum of 30, but is in keeping with the density of the surrounding area and considered acceptable, given the location within a designated Market Town.

The proposed development would result in development which is forward of the building lines on Priory Street and Kings Avenue. However, the nearest building to the highway, Unit 10, would be 2.7 metres from the highway of Priory Street and 4.7 metres from Kings Avenue. This distance separation would be sufficient to ensure that the dwelling would not appear overly dominant in the streetscene and would have an acceptable impact on the visual amenities of the surrounding area.

The design of the dwellings has been taken from the surrounding residential properties and their appearance are considered to harmonise with the character of the surrounding area. The materials proposed for each of the dwellings reflect those of the street to which they belong, with orange brown brick use for units 1 & 2 to match those on Kings Avenue and reconstituted Bath Stone for the elevations facing Priory Street. A condition relating to sample materials will be added to ensure the quality of these materials have an acceptable impact on the surrounding area. Unit 10 has been design to reflect its location as a corner plot and provides architectural interest to both elevations facing the highway and is considered an appropriate design solution.

Overall the scheme is considered to have an acceptable impact on the visual amenities and character of the surrounding area and is considered to comply with Core Policy 57 of the Emerging Wiltshire Core Strategy (submission Draft as proposed to be amended April 2014) and Policy C3 of the North Wiltshire Local Plan 2011.

A condition will be added to remove permitted development rights for outbuildings to ensure that further development within gardens to protect the character of the area from further built form within the site.

Impact on the Residential Amenity of the Adjoining Occupiers

The proposed development would create a pair of semi-detached dwellings to the south of the side elevation of No.2 Kings Avenue. The layout of this building has no windows in the side elevation of the application site which are the primary light source to a habitable room. The distance separation between the side elevation of this dwelling and Unit 1 is typical of a residential street and ensures no significant loss of light would occur. The rear elevation of units 1 & 2 are proposed to be set just behind the original rear elevation of No.2 Kings Avenue, which has also undergone a significant single storey rear extension. The proposal would not breach the 45 degree guideline from the rear windows of this neighbouring dwelling and would result in no significant harm in terms of loss of light.

The principal elevation of Unit 3 is located 14.5 metres from the rear elevation of the ground floor extension on No.2 Kings Avenue and 20 metres from its original rear elevation, both on a splayed

angle. The first floor windows between Unit 1 and Unit 3 would retain a distance separation of 17metres. Given this degree of distance separation between dwellings the proposal would have an acceptable impact in terms of overlooking of the neighbouring occupiers and the proposed dwellings within the site. Whilst some degree of overlooking would occur of the amenity space of No.2 Kings Avenue, this would be typical of a residential estate such and would be considered to have an acceptable level of harm to the residential amenity of this neighbouring occupier.

The remaining units within the site would not significantly harm the residential amenity of the adjoining occupiers. A neighbouring resident has objected on the grounds of odour and noise disturbance. Given the proposed residential use, this would be no worse than the existing surrounding residential units and would not cause significant harm to the neighbouring occupiers.

Highways Impacts & Parking

Following the initial comments of the Highways Officer, the applicant submitted a revised site layout to address some concerns about the siting of the parking for unit 1 & 2 and the vehicular access into the site. The boundary wall to the southern boundary of the front garden of Unit 2 would now allow for sufficient visibility into the access road for when cars exit Unit 2.

A number of residents have objected due to the siting of Unit 10 and concerns about visibility at junction between Priory Street and Kings Avenue. The dwelling is sufficiently sited from the junction to ensure that the required visibility splays are available and the front boundary wall is only 0.5 metres in height allowing for views over it towards the adjoining street. Therefore, the highways officer has raised no concern in this regard and a condition to remove permitted development rights for boundary treatments will be added to ensure the protection of visibility splays at this junction. It is noted that a tree is shown in close proximity to the junction in the front garden of Unit 10. The landscaping shown is indicative and planting plans required by pre-commencement condition would ensure that any planting should not unacceptably obstruct visibility splays.

The plans demonstrate how a refuse vehicle can access and turn in the site to enter and exit in forward gear, to allow for bin collection within the site. Alternatively a bin collection point is shown adjacent to Unit 2, where occupiers could present their bins on collection day, should waste services wish not to access the site.

The plans show that two car parking spaces would be provided per dwelling with an additional two visitor spaces provided within the site. The Highways Officer has reviewed this proposal and raised no objection to parking provision within the site, which complies with the Council's Parking Standards.

Given the location of the site within a designated framework boundary of a Market Town, the proposed location is considered to be well served by employment, services and shopping facilities and is considered a sustainable location.

Planning Obligations

In his ministerial statement on 28th November 2014, the Minister of State for Housing and Planning (Brandon Lewis) announced a change in national policy with regards to S106 planning obligations with site of 10 units or less and less than 1,000 square metres of floor spaces. Under applications which meet these criteria, affordable housing and tariff style contributions should not be sought. The proposal meets both of these criteria and this policy change has been introduced into the Planning Practice Guidance at paragraph 012.

The Council's Housing Team has advised that no provision of affordable housing would be required within the site.

The applicant has provided a floor space schedule for the 10 units which shows the gross internal floor area for the development would be 997 square metres. Therefore, no planning obligations will be sought in relation to this scheme with regards to education, public open space and indoor leisure services, in line with the updated guidance.

Other Issues

No plans have been submitted for the drainage within the site. However, given the location the details of drainage systems could be secured by way of a suitable pre-commencement condition.

The site plans show a large amount of planting / trees along the boundary of No.2 Kings Avenue, with further off-site trees along the eastern boundary to Priory New Street. Therefore, a tree protection condition would be added to any approval to ensure the protection of these off-site trees during building works.

The Council's Public Protection Officer has reviewed the proposal and considers that, given the history of the site, an initial site investigation in relation to contamination is dealt with by way of a pre-commencement condition.

10. Conclusion

Paragraph 14 of the NPPF states the presumption in favour of sustainable development, whilst paragraph 7 states the three dimensions of sustainable development as being, economic, environmental and social factors.

The proposed development would provide the benefit of 10 new residential units within a sustainable location, via the use of a previously developed site. The impacts to the visual amenities of the surrounding area, residential amenity of the adjoining occupiers and highway safety would be considered acceptable. Therefore, the benefits of the development would outweigh any harm and the proposal would be considered to be sustainable development and the application is recommended for approval.

RECOMMENDATION

To GRANT planning 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Site Location Plan – 3802/201 Rev A – Received 5th November 2014
Proposed Site Plan - 3802/204 Rev G – Received 12th January 2015
Proposed Streetscene Elevation - 3802/230 Rev D - Received 12th January 2015
Plot 10 Elevations - 3802/229 Rev A – Received 22nd December 2014
Plot 10 Floor Plans - 3802/228 – Rev A Received 22nd December 2014
Plots 1 & 2 Elevations - 3802/221 – Received 5th November 2014
Plots 1 & 2 Floor Plans - 3802/220 - Received 5th November 2014
Plots 3 & 4 Elevations - 3802/223 - Received 5th November 2014
Plots 3 & 4 Floor Plans - 3802/222- Received 5th November 2014
Plots 5 & 6 Elevations - 3802/225- Received 5th November 2014
Plots 5 & 6 Floor Plans - 3802/224 – Received 5th November 2014
Plots 7, 8 & 9 Elevations - 3802/227 – Received 5th November 2014
Plots 7, 8 & 9 Floor Plans - 3802/226 – Received 5th November 2014
Design and Access Statement – Received 5th November 2014
Material Schedule - Received 5th November 2014

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.

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

- location and current canopy spread of all existing trees and hedgerows on the land;
- full details of any to be retained, together with measures for their protection in the course of development, including off-site trees.
- a detailed planting specification showing all plant species, supply and planting sizes and planting densities;
- finished levels and contours;
- means of enclosure;
- car park layouts;
- other vehicle and pedestrian access and circulation areas;
- all hard and soft surfacing materials;
- minor artefacts and structures (e.g. furniture, play equipment, refuse and other storage units, signs, lighting etc);
- proposed and existing functional services above and below ground (e.g. drainage, power, communications, cables pipelines etc indicating lines, manholes, supports etc);

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

5. 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.

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

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

7. No development shall commence on site until details of the works for the disposal of sewerage including the point of connection to the existing public sewer have been submitted to and approved in writing by the Local Planning Authority. No dwelling shall be first occupied until the approved sewerage details have been fully implemented in accordance with the approved plans.

REASON: To ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or the environment.

8. No development shall commence on site until an investigation of the history and current condition of the site to determine the likelihood of the existence of contamination arising from previous uses has been undertaken and until:

a) The Local Planning Authority has been provided with written confirmation that, in the opinion of the developer, the site is likely to be free from contamination which may pose a risk to people, controlled waters or the environment. Details of how this conclusion was reached shall be included.

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

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

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

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

REASON: In the interests of highway safety.

10. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no buildings or structures, or gate, wall, fence 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.

REASON: To safeguard the character and appearance of the area and in the interests of highway safety.

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

REASON: In the interests of residential amenity and privacy.

12. Notwithstanding the provisions of the Town and Country Planning (General Permitted

Development) Order 1995 (as amended by the Town and Country Planning (General Permitted Development) (Amendment) (No.2) (England) Order 2008 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

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

INFORMATIVES:

13. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

14. The developer is advised to discuss the contaminated land issues relevant to the site and what works, if any, are required in order to comply with the relevant conditions attached to this approval. The developer should contact Richard Francis in the Council's Public Protection Team.

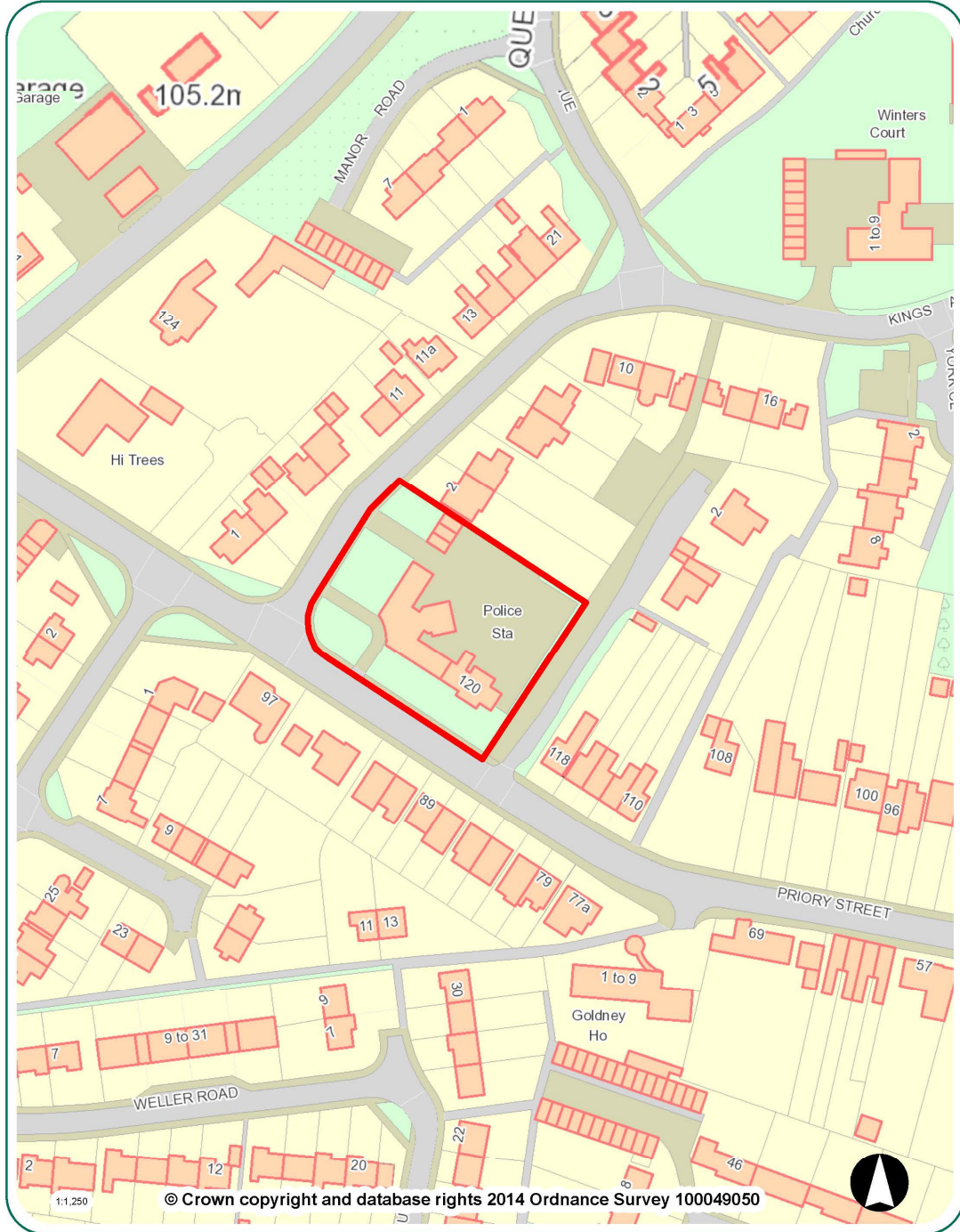
15. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.
If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

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

17. The applicant should note that the works hereby approved could involve the removal and disposal of asbestos cement roofing. This should only be removed by a licenced contractor. Asbestos waste is classified as 'special waste' and as such, can only be disposed of at a site licensed by the Environment Agency. Any contractor used must also be licensed to carry 'special waste'.

18. Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

19. The applicants should aim to achieve Secured by Design (SbD) award status for this development. SbD is an initiative owned by the Association of Chief Police Officers with the aim of providing an acceptable minimum standard of security and crime prevention measures within the built environment. The scheme has a proven history of reducing crime and generally improving the quality of life within communities. The principals and standards involved provide an excellent guide to effective and acceptable measures that can and should be adopted to reduce crime opportunities and otherwise prevent crime and anti-social behaviour. Details can be found on line at www.securedbydesign.com.



REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	28 January 2014
Application Number	14/10004/FUL
Site Address	South View 14 The Street Oaksey Malmesbury Wiltshire SN16 9TG
Proposal	Creation of Office and Design Studio
Applicant	Miss L Kingscott
Town/Parish Council	OAKSEY
Ward	MINETY – Cllr Berry
Grid Ref	398693 193564
Type of application	Full Planning
Case Officer	Alex Smith

Reason for the application being considered by Committee

1. Purpose of Report

To recommend that planning permission be GRANTED subject to planning conditions.

2. Report Summary

The main issues in the consideration of this application are as follows:

- Impact on the character and appearance of the Conservation Area
- Use of the outbuilding
- Impact on the residential amenity of the neighbouring occupiers.

Oaksey Parish Council object to the application. One letter of objection was received on the initial proposal and a further letter of objection was received to the revised proposals.

3. Site Description

The application relates to a two storey detached dwellinghouse, known as South View, located on the southern side of The Street, Oaksey.

The dwelling is erected from Cotswold Stone and has garden to the rear which provides the amenity space for the occupiers of the dwelling. The applicant has operated Control Microsystems Ltd, a software and electronics design consultancy, from this address for 16 years in a bedroom converted into an office. The size and scale of this operation is considered ancillary to the main residential use of the dwelling.

Contained within the garden is a half constructed outbuilding made from block work and Cotswold Stone (which does not have planning permission) and a smaller outbuilding with pitched roof which provides a garden shed, in the southwestern corner of the garden.

To the southeast of the application site is Meadow House, a two storey detached dwelling, which has undergone a first floor side extension above the garage. The extended garage is adjacent to the eastern boundary line of the garden within the site. The rear garden of No.37 Bendy Row runs along the rear boundary line of the site. This neighbouring garden is long and narrow, ensuring the dwelling of No.37 Bendy Row is set a significant distance from curtilage of the application site.

The dwelling is not a Listed Building, but is located within the Oaksey Conservation Area.

4. Planning History

N/87/02362/FUL – Erection of a garage – Approved with Conditions.

5. The Proposal

The application seeks planning permission for creation of single storey outbuilding to be used as a design studio and office. The outbuilding would be used as an ancillary to the main dwelling and would allow the applicant to relocate the business from an existing bedroom into the outbuilding.

The outbuilding would measure 10.5 metres by 4.4 metres with a hipped & pitched roof with a maximum height of 4 metres and a height to the eaves of 2 metres. The outbuilding would be erected from Cotswold rubble stone, Cotswold render and reconstituted stone slates to match the main dwelling.

6. Local Planning Policy

Emerging Wiltshire Core Strategy (submission Draft as proposed to be amended April 2014):

CP57- Ensuring High Quality Design and Place Shaping.

CP58- Ensuring the Conservation of the Historic Environment.

North Wiltshire Local Plan 2011:

C3- Development Control Policy.

HE1- Development in Conservation Areas.

National Planning Policy Framework 2014:

Chapter 7 – Requiring Good Design.

Chapter 12- Conserving and enhancing the historic environment.

7. Summary of consultation responses

The original application sought the creation of a two storey outbuilding within the rear garden of the site. The comments from the original scheme were as follows:

Oaksey Parish Council: The Parish Council had been informed that a revised application had been requested by Wiltshire Council, but had not received any amendments to those received in November. The decision was to object to the application on the grounds of over-development of the site being disproportionate to the nature of the area. It is in a conservation area and no development would be appropriate for that position due to the access and overall density within the immediate area, giving the potential for further traffic congestion. The plans provided did not indicate the current density of the site.

The applicant was advised that the two storey scheme would not be acceptable and revised plans for a single storey outbuilding with a maximum height of 4 metres were submitted on 15th December 2014. A further round of public consultation was undertaken and comments received were as follows:

Oaksey Parish Council: The initial comments from the Parish Council remain unchanged.

8. Publicity

The application was advertised by site notice and neighbour consultation. This resulted in the submission of 1 objection and no letters of support. This objection can be summarised as follows:

- Overly dominant structure for a residential rear garden;
- Harm to residential amenity due to loss of light and overshadowing;
- Harm to character and appearance of the Conservation Area.

During the second consultation period one response was received in objection to the proposed development. This objection can be summarised as follows:

- Overly dominant structure for a residential rear garden;
- Harm to character and appearance of the Conservation Area.

The neighbouring occupier also suggested a flat roof structure with a height of 3 metres, would be more suitable.

9. Planning Considerations

Impact on the Character and Appearance of the Conservation Area

The proposed development seeks the erection of an outbuilding within the rear garden of the application site. The height of the outbuilding would be 4 metres and would be built up to the rear and eastern side boundary lines of the site. Whilst the proposed outbuilding would be a sizeable addition in the rear garden, it needs to be considered in the context of the site. The dwelling to the east, Meadow House has undergone a first floor side extension over the garage which is significantly higher than the proposed ridgeline. The proposed outbuilding would be subservient to this adjoining structure, so in terms of height would be in keeping with the nearest adjacent structure.

The pitched roof design would reflect the pitched roof on the existing outbuilding in the garden and the roof forms of the adjoining dwellings and the hips would minimise the bulk of the roof structure.

Overall the size, materials and design of the outbuilding would be considered to preserve the character and appearance of the Conservation Area and would be in accordance with Policies 57 & 58 of the e-WCS and Policies C3 and HE1 of the NWLP.

Use of the Outbuilding

The application has been submitted to allow the applicant to move their existing electronics consultancy business from within the bedroom of the dwelling into the proposed outbuilding.

No staff would visit the site to work within the building and the number of visitors would be the same as existing, a maximum of 3 per month. Given the level of floor space provided, the use of the outbuilding would be of a scale which would be considered to be ancillary to the main dwellinghouse. A condition would be attached to any approval to ensure that it remains ancillary and an informative advising that any increase in intensity in use may require planning permission.

Impact to the Residential Amenity of Neighbouring Occupiers

The application has been amended so that the outbuilding would be no more than 4 metres in height. The ridgeline of the outbuilding would be significantly lower than the extension over the garage of Meadow House, which has roof lights in the roofslope facing towards the application site. Given the overall height of the outbuilding, the height of the roof lights in the adjoining roof slope and their angle, the proposal would not result in any significant loss of light into these neighbouring windows. The side elevation of Meadow House, which adjoins the rear boundary line of the garden of No.37 Bendy Row, has no primary habitable rooms windows in the side elevation. Therefore, the proposal would result in no significant loss of light, loss of outlook or sense of dominance to this neighbouring occupier.

The residential dwelling No.37 Bendy Row is sufficiently distanced from the proposed outbuilding to ensure no significant harm would occur to the occupiers of this dwelling. Whilst the outbuilding is set adjacent the boundary line shared with the garden of this neighbouring dwelling, the outbuilding would

only cover a small proportion of the boundary line of this garden and any level harm from dominance and overshadowing are considered to be within an acceptable parameter.

The windows of the outbuilding would face into the garden of the application site and would be at ground floor level, ensuring no significant overlooking of any neighbouring occupier would occur. Two rooflights are proposed in the roofslope facing south, however, these would be at a height above the ground level in the building which would not afford outlook over the neighbouring garden.

Therefore, the proposed development would have an acceptable impact on the residential amenity of all neighbouring occupiers.

10. Conclusion

The proposed development would have an acceptable impact on the character and appearance of the Conservation Area and the residential amenity of the neighbouring occupiers. The proposal would comply with emerging Local, Local and National Planning Policy and is recommended for approval.

RECOMMENDATION

To GRANT planning 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 development hereby permitted shall be carried out in accordance with the following approved plans:

Revised Proposal Block Plan – 100/14 – Received 15th December 2014.
Revised Proposal Elevations – 101/14 – Received 15th December 2014.
Revised Proposal Elevations – 102/14 – Received 15th December 2014.
Site Location Plan – Received 6th November 2014.

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

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

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

4. The outbuilding hereby permitted shall not be occupied at any time other than for purposes ancillary to the residential use of the main dwelling, known as South View, 14 The Street, Oaksey and it shall remain within the same planning unit as the main dwelling.

REASON: The additional accommodation is sited in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit a wholly separate dwelling.

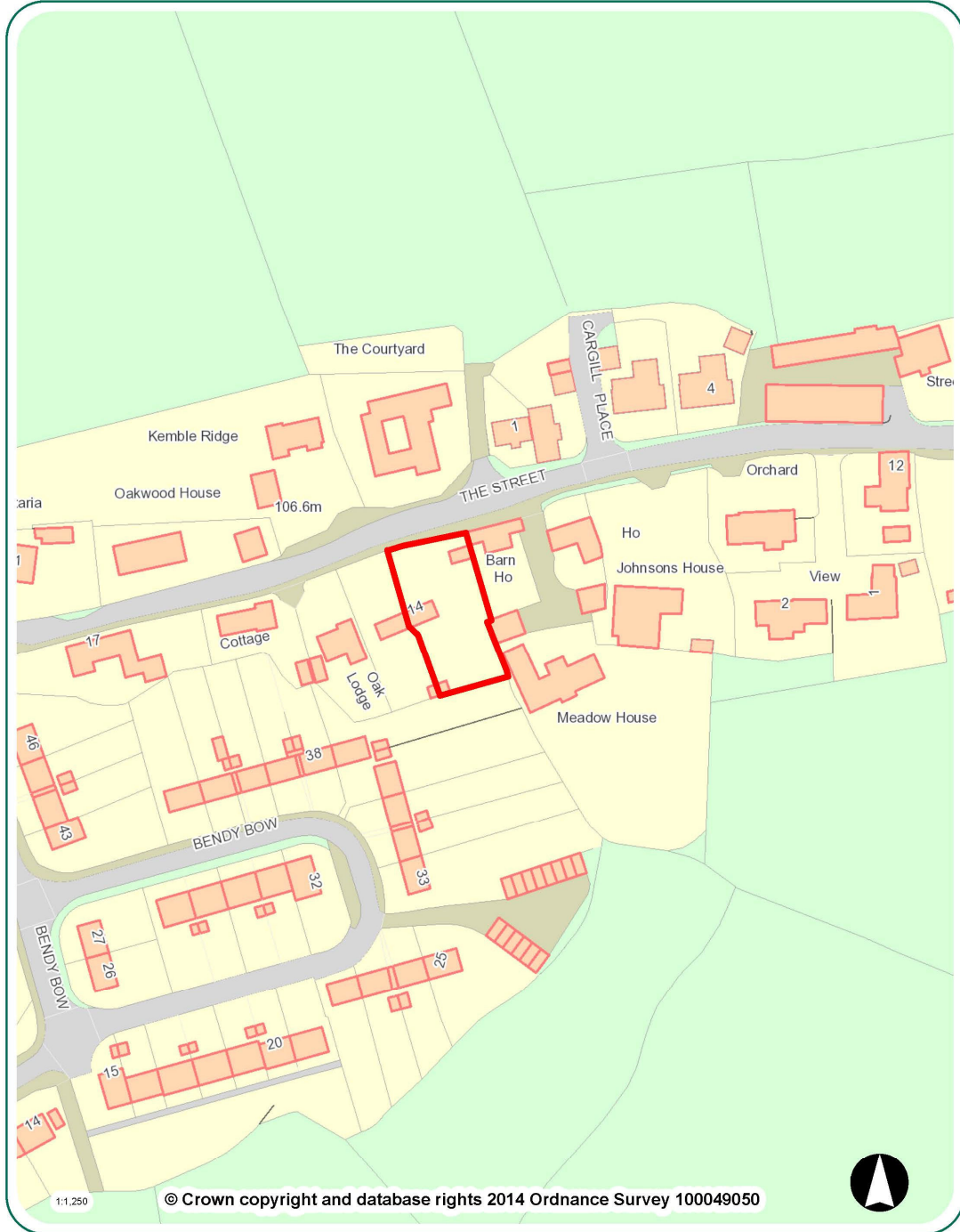
INFORMATIVES

5. You are advised that the current scale of the business operate at the site is considered as ancillary to the main residential use of the dwelling. Any increase in intensity of use of the business at the site, including employment of staff, increase in customers to the site

and use of more floor space of the dwelling for operation may require planning permission for a change of use.

6. Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

7. The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence. If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.



REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	28 January 2015
Application Number	14/09422/FUL
Site Address	Land Adjacent To Ashley Lane Box Wiltshire SN13 8AN
Proposal	Change Of Use From Agricultural To Equestrian Use, Erection Of 2 Stables, storage building & 2 Mobile Field Shelters. (Part-Retrospective)
Applicant	Mr M Regnard
Town/Parish Council	BOX
Ward	BOX AND COLERNE- Cllr Parker
Grid Ref	381289 168246
Type of application	Full Planning
Case Officer	Charmian Burkey

Reason for the application being considered by Committee

The application has been called to Committee by the Local Member, in order to consider the impact on the Green Belt and AONB, the impact of the traffic on the lane and the sustainability of keeping 4-7 horses on the land.

1. Purpose of Report

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

Box Parish Council object and 9 letters of objection and 1 letter of support have been received.

2. Main Issues

The main issues in considering the application are:

- Retrospective nature of the application and changes to the original submission..
- Impact on the openness of the Green Belt.
- Impact on the landscape quality of the Area of Outstanding Natural Beauty.
- Access.

3. Site Description

The application lies within the Bath Green Belt and the Cotswolds Area of Outstanding Natural Beauty (AONB) on a sloping site with mature trees along its north western boundary with Ashley Lane and mature hedging to its south eastern boundary with Wormcliffe lane. Access is from Ashley Lane with the village of Ashley lying approx.100m to the east of the site entrance.

The stables and field shelters are already on site together with a mobile home and 2 containers.

There has been some subdivision of the land to form paddocks, but the land is laid to grass.

4. Proposal

The proposal has been amended from its original submission following negotiations. The mobile home and containers have been removed from the proposal. However, they were still on site and if not removed will need to be subject of enforcement action.

The remaining part of the proposal is for a change of use of the land from agriculture to land for the keeping of horses; the retention of the 3 stables and haystore and another general store and the retention of 2 field shelters. All but the additional store are already in place although one of the field shelters is not in the position shown on the plans. The buildings are all timber and are simple in design with low pitched roofs except for the new store which has a hipped roof.

The 2 stable buildings would measure approx. 7.5m x 4.5m x 3m in height to the ridge. The additional store would measure 5m x 5m by approx 3.3m in height. The field shelters would measure 4.4m x 4.5m and 3m in height.

5. Consultations

Box Parish Council has strong objections as the site description is incorrect. The previous owner did not have permission for a mobile home. It is a caravan with no lawful use as a dwelling. WC and tea making facilities are domestic use. It is also not part retrospective as everything is currently on site. This is over development of the site in the Green Belt and AoNB and would ask why 2 storage containers plus storage in the caravan is required for 3 horses. If this is a change from agriculture to equestrian, why do they need machinery on site?

Highways comments were not received by the time this report was drafted, but will be reported at the Committee meeting.

The Cotswold Conservation Board recommends that any approval is accompanied by a restriction on the number of horses kept on the site; that a pasture and waste management plan is approved by The Council in order to maintain the biodiversity of the site; Permitted development rights for the erection of shelters, fences, jumps etc on the land area restricted to avoid clutter in the AONB and external lighting is limited to prevent harm to tranquillity and dark skies.

6. Local planning Policy

Wiltshire Core Strategy:
Core policies 51 and 57

North Wiltshire Local Plan 2011:
saved policies NE1 and NE4

National Planning Policy Framework 2014

7. Publicity

The application was advertised by way of site notice and neighbour consultation.

9 letters of objection have been received raising the following key points:

- Inconsistencies between what is on site and the design and access statement.
- The whole application is retrospective.
- The retention of the caravan for storage etc is unacceptable. The caravan is fully kitted out to live in.
- Unsightly and extensive in the Green Belt and AoNB.
- There is no need for additional storage.
- Reference needs to be made back to the Inspector's decision.
- Potential for damaging paraphernalia.

1 letter of support has also been received.

8. Planning Considerations

The application is in retrospect but has been amended since its original submission. The amendments are the removal of both the mobile home and the containers from the description, but the addition of a further store and the re-location of one of the mobile field shelters. Both the containers and mobile are planned to be removed from the site when ground conditions permit, but should this not be done in a timely fashion, the Council will be in a position to invoke enforcement proceedings.

The use of land for the keeping of horses for leisure purposes is an appropriate use within the Green Belt and, subject to careful controls, should not negatively impact on its openness nor on the landscape quality of the Area of Outstanding Natural Beauty. The number of horses kept on site should be restricted to approx 1 per acre to prevent over grazing of the land; the siting of any containers, van bodies or other forms of shelter should be conditioned against as should the siting of temporary/permanent jumps; the use should be restricted to private use to prevent commercial livery etc.

The access to the site has recently (unlawfully) been tarmacked on the basis that such works are required to get the mobile home and containers off the site. The tarmac will be removed once this has been done and the access returned to its agriculture appearance.

The Green Belt and AONB are often key areas of land for the keeping of horses for recreational purposes and have little negative impact on the landscape quality of the area and its openness. In fact within the immediate surrounding area there are a number of other areas of land that are used for the keeping of horses and, despite its retrospective nature, the proposal is largely considered to be similar to them.

The proposal is considered to comply with core policies 51 and 57 of the Core Strategy and saved policies NE1 and NE4 of the North Wiltshire Local Plan 2011 and the guidance contained within the National Planning Policy Framework 2012.

RECOMMENDATION

To GRANT planning permission subject to the following conditions:

- 1 There shall be no more than 10 horses kept on site at anyone time, including foals at foot.

REASON: To prevent over grazing of teh land to the detriment of the landscape quality of the Area of Outstanding Natural Beauty.

- 2 Within 3 months of the date of this permission, the mobile home and 2 containers on site, including any fixtures and ancillary pipework, shall be fully removed from the site.

REASON: To protect the amenity and landscape quality of the Area of Oustanding Natural Beauty and Green Belt.

- 3 No fences or jumps shall be erected on the site without the prior approval in writing of the Local Planning Authority.

REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.

- 4 Within 2 months of the date of this permission details for the storage of manure and soiled bedding (including the location of such storage) and its disposal from site (including frequency) have been submitted to and approved in writing by the Local Planning Authority. Before the development is first brought into use, the works for such storage and disposal shall be completed in accordance with the approved details and shall subsequently be maintained in accordance with the approved details. No storage of manure and soiled bedding shall take place outside of the storage area approved under this condition.

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

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

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

- 6 There shall be no parking of horse boxes, caravans, trailers or other vehicles during the hours between dusk and dawn on the site.

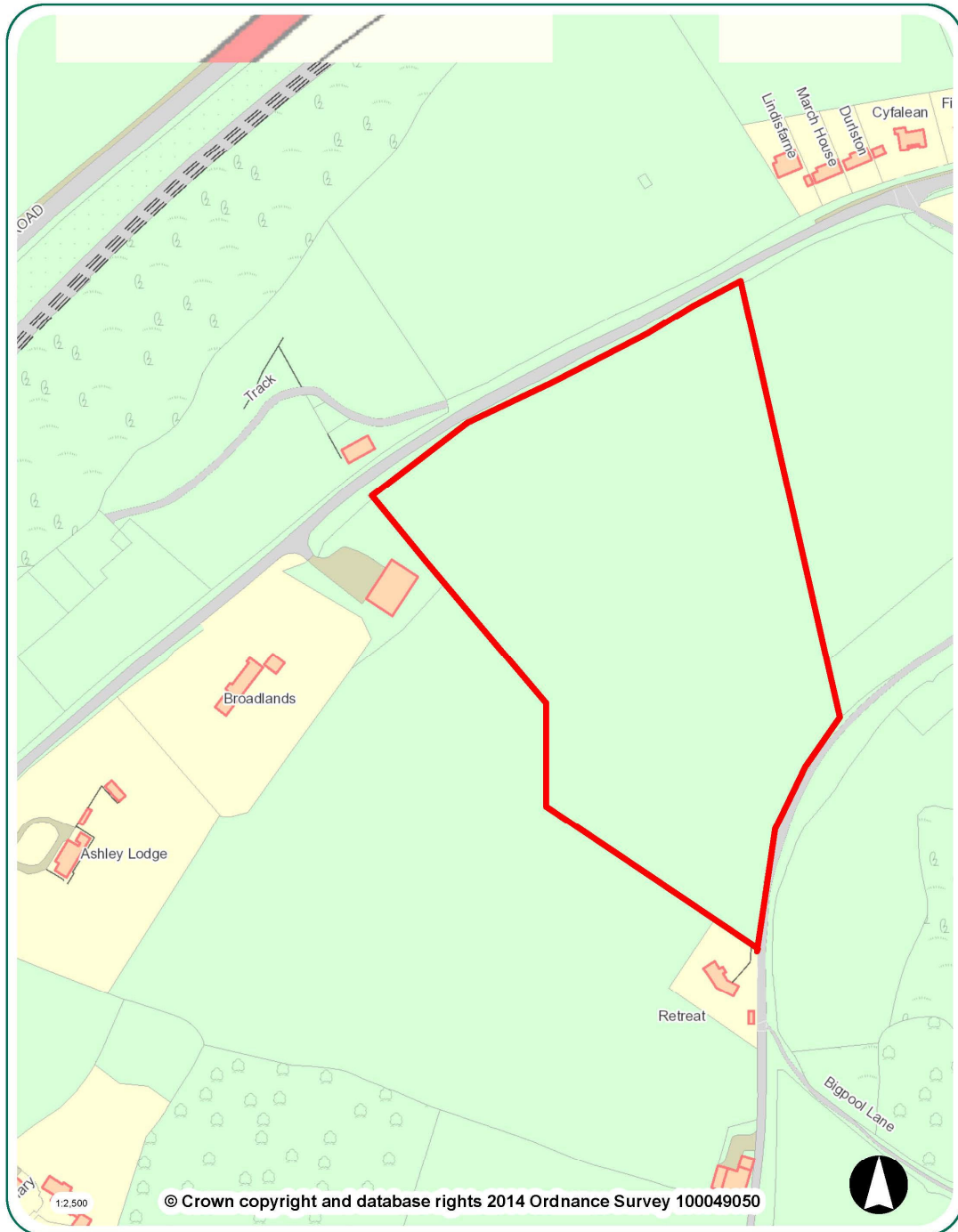
REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.

- 7 No portable buildings, van bodies, trailers, vehicles or other structures used for storage, shelter, rest or refreshment, shall be stationed on the site without the prior approval in writing of the Local Planning Authority.

REASON: In order to protect the living conditions of nearby residents and/or the rural character of the area.

- 8 The development hereby permitted shall be carried out in accordance with the following approved plans: Drwgs PL05A; PL03A dated 4th December 2014 and Drwg PL02PL06 dated 6th October 2014.

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



REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	28 January 2015
Application Number	14/09315/ADV
Site Address	Roundabout East Of Priory Mews Burton Hill Malmesbury Wiltshire SN16 9LS
Proposal	4 free standing non illuminated sponsorship signs
Applicant	Wiltshire Council
Town/Parish Council	ST PAUL MALMESBURY WITHOUT
Ward	SHERSTON- Cllr Thomson
Grid Ref	393557 186728
Type of application	Full Planning
Case Officer	James Taylor

Reason for the application being considered by Committee

This is a Wiltshire Council application and objections have been received; as such under the terms of the constitution the application must be referred to committee.

1. Purpose of Report

To recommend that Advertisement Consent be GRANTED subject to conditions.

2. Report Summary

This report sets out that this is an application for the erection of 4 non-illuminated advertisements on the Priory Roundabout to the south of Malmesbury; that the material considerations are public amenity and public safety only; that the site is located adjacent to a designated conservation area; that the Parish Council objects and that 4 public letters of objection have been received; and that your officers are recommending the application for consent.

3. Site Description

The application site is a 4 junction roundabout on the A429 on the southern side of Malmesbury. It is the junction of the A429 and the B4042. The roundabout is landscaped with grass and a central area planted to trees. It is characterised in part by highway signage including illuminated chevron signs at each junction.

The immediate surroundings are landscaped highway verges laid to grass with some trees which provide a sense of enclosure to the roundabout. This area is characterised in part by highway furniture and signage. Other 'unofficial' signage was noted upon site inspection. Close by this roundabout are residential properties, a telephone exchange and a supermarket to the north with its associated advertisements.

To the north west is a designated conservation area which extends towards the town centre of Malmesbury.

4. Planning History

None

5. The Proposal

This is a proposal for 4 sponsorship signs on a roundabout on the A429 on the southern side of Malmesbury, Wiltshire. The signs would be sited adjacent to the highway chevron signs and be approximately 0.3 square metres in area; being 300mm in height and 1 metre in length. They would be 375mm above the ground so having an overall height of circa 675mm. The signs would be non-illuminated. The final details of the signs wording and colour is unknown.

This application is one of a number of such applications made by Wiltshire across the County in order to generate income for the Council. Wiltshire Council has come to an agreement with a firm whereby they will conduct the whole sales process and the income generated will be split on a 50/50 basis between them and Wiltshire Council. The money is not intended to necessarily improve the maintenance of each roundabout, but if there are any additional costs incurred in keeping the roundabout to the same level of maintenance - for instance an increase in costs due to the signs causing an obstruction to the Balfour Beatty technicians, this will be absorbed from the income generated.

6. Local Planning Policy

It is anticipated that the Wiltshire Core Strategy (WCS) will be made available for and adopted at the earliest convenient date in 2015. At that time the WCS will be afforded '*Full Weight*' in planning terms. In the light of its imminent adoption, it is Wiltshire Council's policy that for the purposes of delegated and committee reports "*very significant weight*" must be accorded to the Emerging Core Strategy.

North Wiltshire Local Plan 2011 Policy BD9 (local plan)

Emerging Wiltshire Core Strategy Policy CP57 (eWCS)

Draft Malmesbury Neighbourhood Plan

National Planning Policy Framework 2012 (NPPF)

National Planning Practice Guidance (PPG)

7. Summary of consultation responses

St Paul Malmesbury Without Parish Council: Objection which may be summarised as:

- Site is a prominent entry point adjacent to a designated conservation area;
- Inadequate detail provided given the sensitivity of the location;

- Would set a precedent for further such development;
- Create a distraction to the detriment of highway safety;
- Harm to visual amenity and possibly to road safety.

Highways: No objection.

8. Publicity

The application was advertised by way of a site notice. The public consultation raised 4 letters of objection:

- Site is a prominent entry point adjacent to a designated conservation area;
- Inadequate detail provided given the sensitivity of the location;
- Would set a precedent for further such development;
- Create a distraction and restrict visibility to the detriment of highway safety – there are already directional arrow signs;
- Harm to visual amenity and possibly to road safety;
- Cumulative impact with other signs at entrance to ancient town and adjacent to conservation area;
- Neighbourhood Plan lays emphasis on quality of the environs;
- Reduces amenity without compensating;
- Poles are not suitable in this countryside location;
- Should remain green and pleasant; and
- Contrary to policy BD9 of the local plan.

9. Planning Considerations

Principle of development.

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The local plan policy BD9 states:

“Permission will be granted for signs and advertisements provided:

- i) They would not prejudice public safety;*
- ii) They are suitable in size, siting and design for both the building and/or the immediate locality; and*
- iii) Cumulatively with existing and other proposed signs and advertisements, they do not affect the visual amenity in the locality.”*

The emerging Wiltshire Core Strategy Policy CP57 states:

“Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through.....the sensitive design of advertisements and signage, which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials”.

The relevant national policy position on adverts is set out at paragraph 67 of the NPPF which states:

“Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

In principle the erection of signage is acceptable and it is the detailed matters of amenity and public safety that require further consideration.

Public amenity

The site is located adjacent to the conservation area to the north west. However, given the scale, siting and non-illuminated nature of the signs then it is assessed that no harm would occur to this designated heritage asset.

The site is within a designated Area of Special Advertisement Control; which is a long standing designation that has not be reviewed and covers virtually all rural and semi-rural locations in Wiltshire. Only very limited weight if any can be attached to this consideration and it is not of significant concern.

It is noted that there is no other permanent signage in the immediate locality other than the necessary highway signs and furniture. There would be no cumulative impact with other signage on the area’s amenity.

The proposed signs would not cause significant harm to the amenity of the area including the cultural and heritage interests of the conservation area and its setting.

Public safety

The application site is located on a road junction that includes A-classified roads. The signs are considered to be relatively discrete and modest in size so as to avoid causing any significant distraction to drivers or pedestrians that are behaving in a reasonable fashion. There would be no illumination.

There is no other permanent signage in the immediate locality other than the necessary highway signs and furniture. There would be no cumulative impact with other signage on public safety.

Moreover it is noted that the highway officer raises no objection to the proposals; and given this the proposed signs would not cause significant harm to the public safety including the highways.

10. Conclusion

Whilst the public objection and the Parish Council objections are noted; it is assessed that the proposals would cause no harm to the relevant considerations of amenity and public safety. As such the application must be recommended for consent.

RECOMMENDATION

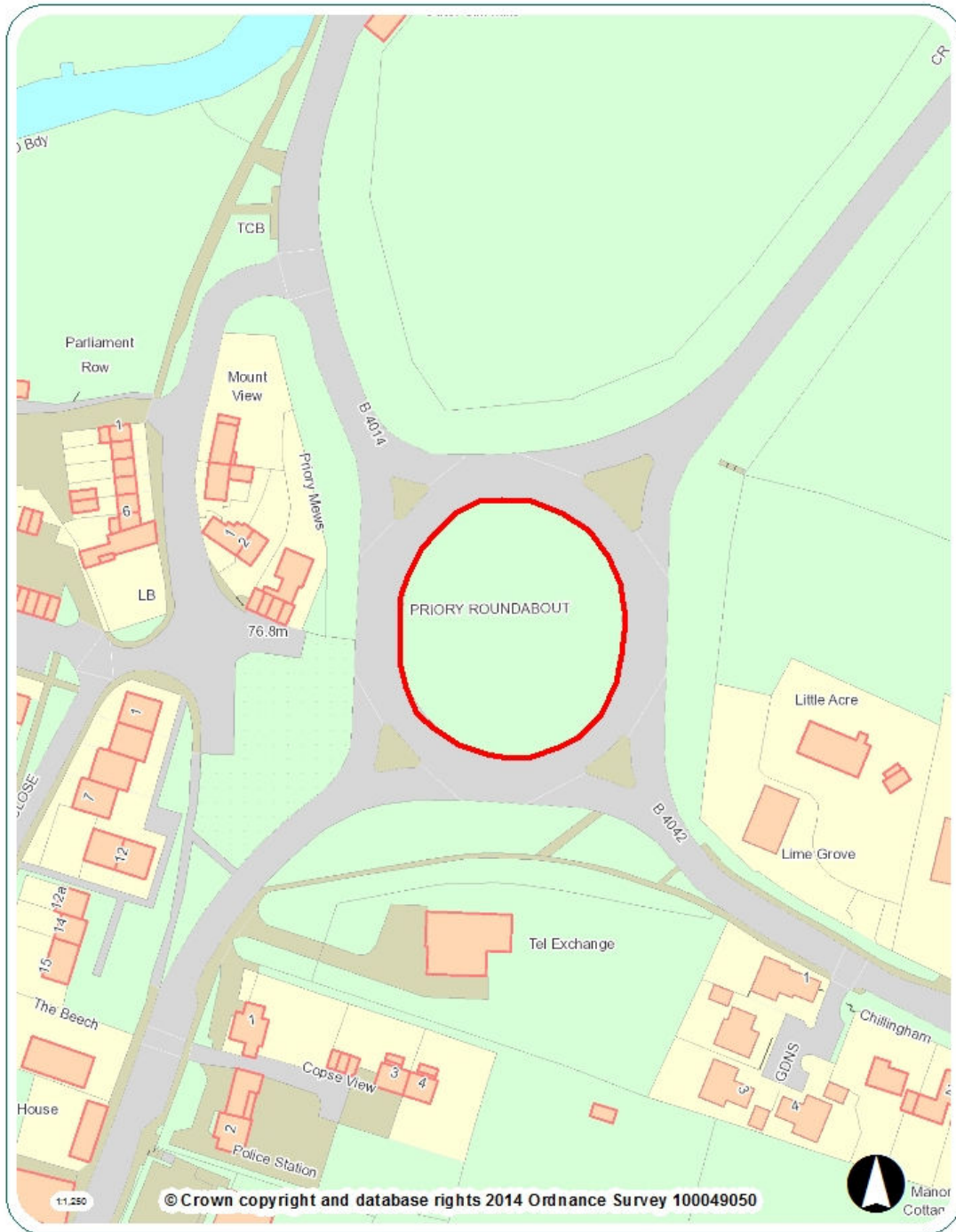
To GRANT Advertisement Consent subject to the following condition:

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

Location plan received on 3 December 2014; and

Sign Spec received on 26 September 2014.

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



REPORT FOR NORTHERN AREA PLANNING COMMITTEE

Date of Meeting	28 January 2015
Application Number	14/09316/ADV
Site Address	Whychurch Roundabout Malmesbury Wiltshire
Proposal	4 free standing non illuminated sponsorship signs
Applicant	Wiltshire Council
Town/Parish Council	MALMESBURY
Ward	MALMESBURY- Cllr Killane
Grid Ref	394004 187996
Type of application	Full Planning
Case Officer	James Taylor

Reason for the application being considered by Committee

This is a Wiltshire Council application and objections have been received; as such under the terms of the constitution the application must be referred to committee.

1. Purpose of Report

To recommend that Advertisement Consent be GRANTED subject to conditions.

2. Report Summary

This report sets out that this is an application for the erection of 4 non-illuminated advertisements on the Whychurch Roundabout to the north of Malmesbury, Wiltshire; that the material considerations are public amenity and public safety only; that the Parish Council objects and that 2 public letters of objection have been received; and that your officers are recommending the application for consent.

3. Site Description

The application site is a 4 junction roundabout on the A429 on the northern side of Malmesbury, Wiltshire. It is the junction of the A429 and the B4040. The roundabout is landscaped with grass and a central area planted to trees. It is characterised in part by highway signage including illuminated chevron signs at each junction.

The immediate surroundings are landscaped highway verges laid to grass with some trees. This area is characterised in part by highway signage and furniture. Other unofficial signage was noted upon site inspection. Beyond this environment there are residential properties,

Grade II listed buildings to the south west and a petrol station to the north with its associated advertisements.

4. Planning History

None

5. The Proposal

This is a proposal for 4 sponsorship signs on a roundabout on the A429 on the northern side of Malmesbury, Wiltshire. The signs would be sited adjacent to the highway chevron signs and be approximately 0.3 square metres in area; being 300mm in height and 1 metre in length. They would be 375mm above the ground so having an overall height of circa 675mm. The signs would be non-illuminated. The final details of the signs wording and colour is unknown.

This application is one of a number of such applications made by Wiltshire across the County in order to generate income for the Council. Wiltshire Council has come to an agreement with a firm whereby they will conduct the whole sales process and the income generated will be split on a 50/50 basis between them and Wiltshire Council. The money is not intended to necessarily improve the maintenance of each roundabout, but if there are any additional costs incurred in keeping the roundabout to the same level of maintenance- for instance an increase in costs due to the signs causing an obstruction to the Balfour Beatty technicians, this will be absorbed from the income generated.

6. Local Planning Policy

It is anticipated that the Wiltshire Core Strategy (WCS) will be made available for and adopted at the earliest convenient date in 2015. At that time the WCS will be afforded 'Full Weight' in planning terms. In the light of its imminent adoption, it is Wiltshire Council's policy that for the purposes of delegated and committee reports "very significant weight" must be accorded to the Emerging Core Strategy.

North Wiltshire Local Plan 2011 Policy BD9 (local plan)

Emerging Wiltshire Core Strategy Policy CP57 (eWCS)

Draft Malmesbury Neighbourhood Plan

National Planning Policy Framework 2012 (NPPF)

National Planning Practice Guidance (PPG)

7. Summary of consultation responses

Malmesbury Town Council: Objection which may be summarised as:

"The signs detract from the visual amenity of this location, especially the entrance to Malmesbury down the ancient Holloway. Concern about what further revenue generating signage might be proposed here."

Highways: No objection.

8. Publicity

The application was advertised by way of a site notice. The public consultation raised 2 letters of objection:

- Site is a prominent entry point;
- Create a distraction and restrict visibility to the detriment of highway safety – there are already directional arrow signs;
- Cumulative impact with other signs at entrance to ancient town;
- Neighbourhood Plan lays emphasis on quality of the environs; and
- Poles are not suitable in this countryside location.

9. Planning Considerations

Principle of development.

Section 70(2) of the Town and Country Planning Act 1990 and section 38(6) of the Planning and Compulsory Purchase Act 2004 require that the determination of planning applications must be made in accordance with the Development Plan, unless material considerations indicate otherwise.

The local plan policy BD9 states:

“Permission will be granted for signs and advertisements provided:

- i) They would not prejudice public safety;*
- ii) They are suitable in size, siting and design for both the building and/or the immediate locality; and*
- iii) Cumulatively with existing and other proposed signs and advertisements, they do not affect the visual amenity in the locality.”*

The emerging Wiltshire Core Strategy Policy CP57 states:

“Applications for new development must be accompanied by appropriate information to demonstrate how the proposal will make a positive contribution to the character of Wiltshire through.....the sensitive design of advertisements and signage, which are appropriate and sympathetic to their local setting by means of scale, design, lighting and materials”.

The relevant national policy position on adverts is set out at paragraph 67 of the NPPF which states:

“Poorly placed advertisements can have a negative impact on the appearance of the built and natural environment. Control over outdoor advertisements should be efficient, effective and simple in concept and operation. Only those advertisements which will clearly have an appreciable impact on a building or on their surroundings should be subject to the local planning authority’s detailed assessment. Advertisements should be subject to control only in the interests of amenity and public safety, taking account of cumulative impacts.”

In principle the erection of signage is acceptable and it is the detailed matters of amenity and public safety that require further consideration.

Public amenity

The site is within a designated Area of Special Advertisement Control; which is a long standing designation that has not be reviewed and covers virtually all rural and semi-rural locations in Wiltshire. Only very limited weight if any can be attached to this consideration and it is not of significant concern.

It is noted that there are Grade II listed buildings to the south west. However they are relative large distance from the proposals and not well related to the application site. Given the scale, siting and non-illuminated nature of the signs then it is assessed that no harm would occur to these designated heritage assets.

Whilst the signage of the petrol filling station is noted there is no other permanent signage in the immediate locality other than the necessary highway signs and furniture. There would be no cumulative impact with other signage on the area's amenity.

The proposed signs would not cause significant harm to the amenity of the area including the cultural and heritage interests of the listed buildings and their settings.

Public safety

The application site is located on a road junction that includes A-classified roads on the northern periphery of the town. The signs are considered to be relatively discrete and modest in size so as to avoid causing any significant distraction to drivers or pedestrians that are behaving in a reasonable fashion. There would be no illumination.

Whilst the signage of the petrol filling station is noted there is no other permanent signage in the immediate locality other than the necessary highway signs and furniture. There would be no cumulative impact with other signage on public safety.

Moreover it is noted that the highway officer raises no objection to the proposals; and given this the proposed signs would not cause significant harm to the public safety including the highways.

10. Conclusion

Whilst the public objection and the Parish Council objections are noted; it is assessed that the proposals would cause no harm to the relevant considerations of amenity and public safety. As such the application must be recommended for consent.

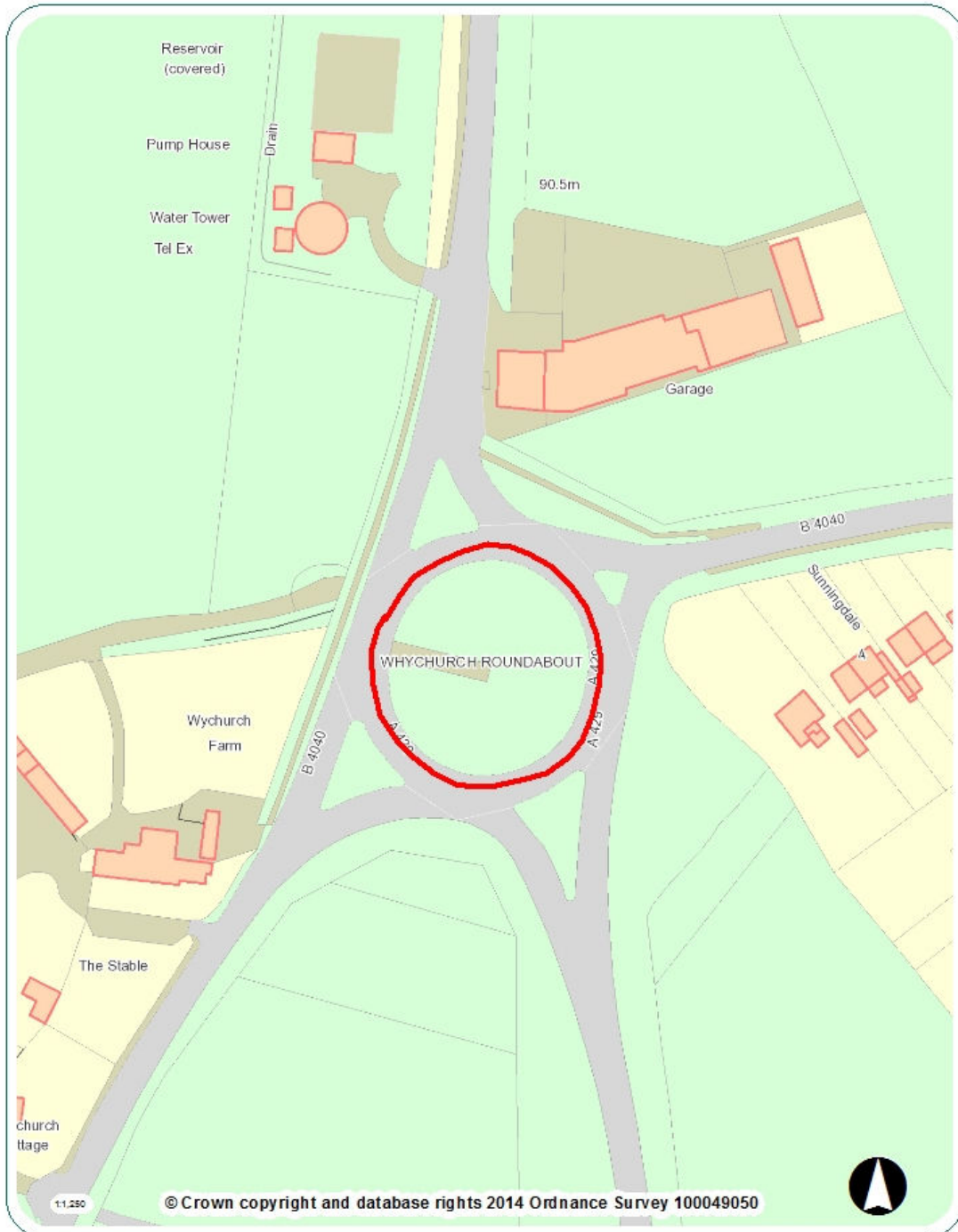
RECOMMENDATION

To GRANT Advertisement consent subject to the following planning condition:

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

Location plan received on 26 September 2014; Block Plan received on 26 September 2014; and Sign Spec received on 26 September 2014.

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



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