

REPORT OUTLINE FOR AREA PLANNING COMMITTEES**Report No.**

Date of Meeting	15 February 2017
Application Number	16/09314/OUT
Site Address	Old Glove Factory, Adj. 25 Brockleaze, Neston, Corsham, Wiltshire, SN13 9TJ
Proposal	Demolition of redundant factory storage units, replacement with 10 new dwellings, associated works & landscaping.
Applicant	Mr & Mrs Sibley
Town/Parish Council	CORSHAM
Electoral Division	CORSHAM WITHOUT AND BOX HILL – Cllr Dick Tonge
Grid Ref	386726 168186
Type of application	Full Planning
Case Officer	Chris Marsh

Reason for the application being considered by Committee

The application has been called to Committee by Cllr Tonge in order to consider the need to replace derelict buildings on site.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be refused.

2. Report Summary

The key issues in the consideration of the application are as follows:

- Principle of development;
- Re-use of employment site;
- Impact on heritage assets;
- Impact on landscape;
- Impact on ecology;
- Impact on local highways;
- Impact on residential amenity;
- Drainage; and
- Planning obligations

3. Site Description

The application relates to a former glove factory situated on the outskirts of the village of Neston. The site is relatively isolated, with only a single residential property, no.25, lying to the immediate South and the remaining site boundaries abutting open agricultural land. Vehicular access is obtained via a narrow lane to the West of no.25. The application site, which amounts to around 0.25ha, comprises an array of disused light industrial buildings together with associated access and yard, all of which is set back from the highway behind the adjacent property. A small amount of undeveloped rough grassland is also included toward the North and East sides. Although the degree to which the buildings continue to be used for storage is questionable, manufacturing activity on the land has long ceased.

Three separate industrial buildings are arranged around a courtyard, open to the East, and each is different in size, scale and quality. The first building reached, arranged alongside the Northern part of the main access track, is two-storeys in scale and faced in natural stone under a pitched clay tile roof. Attached at its northern end is a further array of single-storey manufacturing space, extending further under a series of three asymmetrical pitched roofs and a lean-to at its far end. This element is finished externally in a mixed brick, with distinctive large arched windows. The remaining buildings, of lesser architectural quality, are laid out to either side of the central yard perpendicular to the larger section described. One of these is severely damaged by fire and missing significant structural sections. Both are originally of generous single-storey proportions, with a repeated asymmetrical profile sheet roof supported by a metal frame and clad in a mixture of reconstituted stone and concrete.

The site lies outside of any development framework boundary, around 400m beyond the Neston Conservation Area and approximately 2.5km East of the Cotswolds Area of Outstanding Natural Beauty. A public right of way – CORM45B – runs on a North-South axis a short distance to the West/northwest.

Full planning permission was granted in 2014 for the conversion of all three buildings, together with associated works (13/2173/FUL refers). At the time of writing, the permission remains unimplemented and expires on 25 February 2017.

4. Planning History

13/02173/FUL	Conversion of 3 Factory Units to 10 Dwellings
N/93/02103/FUL	CHANGE OF USE OF LAND FROM DOMESTIC TO WIDEN ACCESS ASSOCIATED WITH B1 USE WIDEN ACCESS FOR B1 USE
N/93/02093/CLE	CERTIFICATE OF LAWFULNESS - USE OF SITE AS B1 USE CLASS USE OF SITE AS B1 CLASS
N/91/01170/OUT	OUTLINE WITH SITING AND LANDSCAPING FOR RE-DEVELOPMENT OF EXISTING PREMISES FOR CONTINUED USE WITHIN CLASS B2
N/97/00858/OUT	O/L - RESIDENTIAL DEVELOPMENT O/L - RESIDENTIAL DEVELOPMENT
N/98/00884/OUT	OUTLINE - RESIDENTIAL DEVELOPMENT INCLUDING SITING LANDSCAPING AND MEANS OF ACCESS RESIDENTIAL DEVELOPMENT
N/02/00063/FUL	CHANGE OF USE TO STORAGE AND SALE OF RECLAIMED WALLING STONE AND ROOFING TILES
N/02/02960/CLP	CERTIFICATE OF LAWFUL USE FOR THE PROPOSED USE OF BUILDING FOR SHREDDING OF MOTOR VEHICLE TYRES

N/07/02070/FUL	Demolition of B1 Use Industrial Buildings and Erection of 11 Live Work Units
N/12/02174/FUL	Change of Use From B1 Light Industrial to Residential
15/02566/PREAPP	Demolition of Existing Buildings. New Development of 4 Detached Residential Units
16/08105/PREAPP	Demolition of Existing Non-Viable Industrial Buildings and Replacement with 10no. New Detached Dwellings Including Bat Facilities

5. The Proposal

Outline permission is sought in respect of the wholesale clearance of the site and the erection of up to 10no. new dwellings, together with associated access and landscaping works. Whilst approval is sought in respect of access detail, matters of layout, appearance, scale and landscaping are reserved for later consideration.

The indicative scheme shows 10 detached dwellings, laid out around the site periphery in a horseshoe shape, with gardens backing on to the site boundaries. Access is to be obtained via the existing site entrance from Brockleaze, leading past no.25 to serve each dwelling from a single route.

6. Local Planning Policy

The following planning policies are relevant:

Wiltshire Core Strategy:

- Core Policy 1 (Settlement strategy)
- Core Policy 2 (Delivery strategy)
- Core Policy 35 (Existing employment sites)
- Core Policy 41 (Sustainable construction and low-carbon energy)
- Core Policy 43 (Providing affordable homes)
- Core Policy 48 (Supporting rural life)
- Core Policy 50 (Biodiversity and geodiversity)
- Core Policy 51 (Landscape)
- Core Policy 57 (Ensuring high quality design and place shaping)
- Core Policy 58 (Ensuring the conservation of the historic environment)
- Core Policy 61 (Transport and new development)
- Core Policy 64 (Demand management)
- Core Policy 67 (Flood risk)

North Wiltshire Local Plan 2011:

- Saved Policy NE14 (Trees, site features and the control of new development)
- Saved Policy H4 (Residential development in the open countryside)

National Planning Policy Framework:

- Paragraphs 14 & 17
- Section 4 (Promoting sustainable transport)
- Section 6 (Delivering a wide choice of high quality homes)
- Section 7 (Requiring good design)
- Section 10 (Meeting the challenge of climate change, flooding and coastal change)
- Section 11 (Conserving and enhancing the natural environment)
- Section 12 (Conserving and enhancing the historic environment)

7. Summary of consultation responses

Corsham Town Council – support

Highways – objections, citing unsustainable location

Conservation – objections, citing unjustified loss of heritage asset

Ecology – objections, citing harm to protected and priority species (awaiting further comment)

Environmental Health – no objection, subject to conditions

Waste – no objection, subject to conditions

8. Publicity

The application was advertised by site notice and neighbour notification. Objections to the application were received from the neighbours at no.24, citing the increase in traffic, capacity issues with sewerage and potential harm to local wildlife arising from the scheme.

9. Planning Considerations

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.

Principle of development

In principle, the proposal represents new residential development in the open countryside. Unequivocally, this represents a conflict with Core Policy 2 and saved Policy H4 of the former North Wiltshire Local Plan. There are no dwellings on site to be replaced, no conversion of existing fabric and no indication that the development should be treated as a rural exception such as targeted affordable housing or accommodation to meet the needs of a rural worker. As the number of units – although broadly not disproportionate to a settlement such as Neston – is limited, this will not ‘boost significantly’ the supply of housing and therefore the wider public benefits in this respect are associatively limited.

The application contests that the earlier permission for conversion is unviable as a prospect however the information submitted in this regard is lightweight at best. Although a supporting letter from the sale agents asserts that conversion and remediation costs would render the permitted scheme unviable, this still assumes a residual land value (based on credible estimates of final GDV based on local indicators and the exact nature of the units permitted) of several hundred thousand pounds. This does not seem an unreasonable return, especially in the light of no indication being provided as to the site’s current value as a (rather dilapidated) commercial storage facility.

Furthermore, it is understood that the site was marketed at a seemingly arbitrary mark nearing double that figure, likely explaining the conceivable lack of interest from potential developers. The agents’ letter does not specify to whom the site was marketed, however it is reasonable to assume that interest – particularly amongst smaller

developers specialising in bespoke schemes – would be greater if the accurate residual figure were used. Although the letter asserts that the site was marketed as early as 2012, planning permission for residential development was not obtained until the end of February 2014 so it is unclear what was actually marketed in the initial period of at least 14 months and how this relates to the current proposal. This, together with a lack of clarity over how potential purchasers were identified/targeted, further weakens the case that a robust marketing exercise has been carried out to establish that the extant scheme is unworkable.

Although the application is made in outline, examination of the marketing undertaken and assumptions of value and return strongly indicate that the intended form of development would be of a relatively conservative, suburban nature, making little concession to the industrial heritage of the site or embracing more experimental approaches. Whilst this is not considered to be intrinsically harmful – indeed Neston has its share of such dwellings – neither is it considered that the likely final design will be of anywhere near the exemplary standard required in national policy to justify in its own right new residential development in the open countryside. Thus although the prospect of detached, suburban housing does not in design terms itself weigh against the merits of the application, and could be controlled by reserved matters, neither should it command any positive weight in terms of the exception criteria intended to encourage exceptional new design in all environments. It should also be noted that adopting such unit types does little to address the wider affordability crisis in new housing or specifically address the most acute local housing needs.

Re-use of employment site

Whilst the wording of CP35 itself does not address existing/former employment sites outside of identified higher-order settlements, the supporting text does offer the following:

- 6.16 It will also be important to retain existing employment uses outside the Principal Employment Areas to maintain diversity and choice of sites for employers and allow for local business expansion. However, it is important to acknowledge that some older employment areas may no longer be fit for purpose or that their role has changed, for example, from a primarily employment site to a trade centre site. Changes of use within sites can invigorate an area and act as a positive catalyst for change. The overall employment land target includes an allowance for the replacement of some sites. Therefore, in some circumstances it may be appropriate to allow for the redevelopment (in whole or part) of existing employment sites for an alternative use, particularly where the site is not required to remain in its current use to support the local economy in the area.

Within this context, it is considered that the former glove factory and latterly storage facility contributes little to the local economy. The dilapidated buildings and low-level use of the site over recent years are self-evident and, taking a reasonable approach, do not warrant further interrogation in respect of any practical ongoing business prospect in the present condition. Alternative uses are nonetheless bound by other policies set out in the development plan.

Impact on heritage assets

Core Policy 58 states that *“Distinctive elements of Wiltshire’s historic environment, including non-designated heritage assets, which contribute to a sense of local character and identity will be conserved, and where possible enhanced.”* As an undesignated heritage asset, the demolition of the historic element of the buildings on site presents an obvious conflict with this policy that must be weighed in the planning balance. As

previously identified, it is considered that the historic two-storey building and attached distinctive range of workshops are of a high evidential and communal value and crucial to the identity and distinctiveness of the site. Thus these components have some identifiable historic merit.

The structural information indicates the condition of the buildings has deteriorated since the previous approval; substantially in respect of the fire-damaged modern building but more gradually and sporadically within the older fabric. As such, it is speculated that the costs of conversion and need for new structural fabric are greatly increased, although conversion itself in the proper sense has not been rendered impossible. There is no reason to doubt these conclusions, being that the almost non-existent level of use in the interim is not commensurate with regular maintenance. Nonetheless, a conversion cost is used for the purposes of estimating the land value; in accepting this value, one accepts that conversion remains – at least in practical terms – a realistic prospect.

As evidenced by the updated structural survey information, the relevant buildings can be considered as 'at risk'. To this end, CP58 further states that "*Heritage assets at risk will be monitored and development proposals that improve their condition will be encouraged.*" This was a critical plank of the justification originally provided for the redevelopment of the site as previously approved. The distinction between that earlier application and this is clear to see; whereas the earlier proposal brought back into active use the historic buildings, the current scheme comprises their wholesale removal. As the submission indicates that conversion of this fabric is merely complex and costly, but not impossible, the proposals represent a conflict with CP58 and Paragraphs 129, 131 and 135 of the NPPF. It should be noted that an active discharge of condition application in respect of 13/02173/FUL even advocates the buildings' capability for conversion, such that their loss is unjustified.

A relevant consideration in this instance, it appears no assessment has been given in principle to an alternative, hybrid, scheme comprising the conversion of the 'historic' fabric, demolition of the modern buildings and erection of a small number of high-quality new units. Such an approach has been adopted, for instance, at the nearby Old Dairy, Priory Street, Corsham, which is in the course of build-out and sale. Not only would this conserve historic fabric and potentially even lead to an increase in overall design quality, this may improve the cost balance of development and aid viability. It is regrettable that this notion has not been carried forward at least as an academic financial exercise, if not tested though a formal application and marketing. The significantly reduced heritage harm arising from such an approach, relative to wholesale redevelopment of the type indicated, is a relevant consideration.

Impact on landscape

Due to the relative degree of enclosure of this previously-developed site, it is not considered that the proposed development – subject to appropriate layout and landscaping – will appear as unduly prominent in the wider landscape and/or valued views. These include those from the nearby footpath route of CORM45B. Historic aerial photography indicates that the established industrial use of the site at one point extended as far as the northern boundary, which appears as an extended hard core or similarly-surfaced yard area. However, with the continuing decline in both the use of the facility and condition of the buildings, the most northerly section comprising approximately one quarter of the site has been steadily subsumed into the countryside. Nonetheless, this area does not independently contribute to the wider quality of the surrounding landscape and therefore its inclusion within the outline site boundary is unlikely to present serious difficulty in negotiating a final layout and design.

Impact on ecology

Updated ecological reports indicate that the deteriorating state of the buildings is likely to have lessened – although by no means eliminated – their capacity to support bat species, a key consideration in this location. Whilst incurring harm, death or loss of habitat to protected species is also a criminal matter under the Wildlife and Countryside Act, Core Policy 50 expects that nature conservation features shall be retained, buffered and managed favourably in order to maintain their value. For the part of the historic buildings, their continuing capacity to be converted would suggest that the current proposals for wholesale demolition would conflict with this requirement. This can only be compensated for – and not mitigated or avoided – by the provision of new conservation features in any replacement development.

The site is located within a core area of the Bath and Bradford Bats SAC and will affect at least one of the qualifying features. It is therefore likely that the application will require an appropriate assessment of potential effects including loss of roosts, degradation of commuting / foraging features, and lighting. In the first instance, however, the County Ecologist has identified that the lack of concession to likely commuting/foraging routes around the site periphery in the indicative layout is concerning. To properly consider the suitability of the site for the proposed quantum of development and access, details of corridors to be safeguarded for such purposes must be provided, establishing the parameters of any final layout and Landscape and Ecological Management Plan (LEMP). In particular, further attention was sought in respect of:

- Up to date bat surveys of the site in accordance with best practice;
- Details of any replacement roost provision;
- Minimum lighting requirements for sections of highway to be adopted, to be agreed with the highways team and lux plots produced to demonstrate the resulting light spill; and
- Potential revisions to plans to demonstrate that impacts upon commuting routes / foraging areas can be avoided.

Responding to a revised bat survey submitted during the course of the application period, the Ecologist notes that this now provides an account of a recent inspection of the existing buildings. The report confirms that the building is still used as a roost by lesser horseshoe bats however there is still no indication of how many bats use the building, at what time of year, or how they use the wider site for commuting / foraging. No further information on replacement roost provision or lighting has been provided and no amendments to the scheme have been made. The report highlights the likely presence of reptiles on the site due to the presence of suitable habitats however no survey has been carried out and given the number and type of properties proposed on the site it is unlikely that any suitable habitat for these species would remain when the site has been developed.

For the above reasons, the Ecologist retains an objection to the application on the basis that there is insufficient information available for the competent authority to consider whether an appropriate assessment is required and thus the proposals fail to meet the elementary tests of the Habitats Regulations and are likely to incur harm to protected priority/species currently using the site.

An additional submission from the applicant's consultant has been provided for the County Ecologist's review – further comments will follow and will be reported later.

Impact on local highways

The Council's Highways Officer has commented to the effect that the existing highway arrangements require some limited improvement in order to adequately serve the site access, which should be agreed by an amendment to the plans. Specifically, the adjustment of the proposals is sought in order the carriageway width is a minimum of 5m, with 2m service strip/footway (extended) and an opposite 0.5m service margin. This assumes that an adoptable road will be provided within the development, in respect of which further conditions would be required to ensure this is provided to an appropriate standard.

However, these changes have not been sought owing to an overriding highways objection in respect of the development's siting in the open countryside and with limited access to a range of services, employment opportunities and being unlikely to be well served by public transport. As such, the development is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. Whilst such an objection on grounds of sustainability was overcome previously by the exceptional circumstances warranting support in principle for the scheme (i.e. the re-use of heritage assets and conversion of buildings in the open countryside) the current proposals are unacceptable in principle, as discussed above, and therefore their unsustainable location warrants a further reason for refusal.

Impact on residential amenity

Mindful that the application is made in outline, it is not considered that the proposed quantum of development represents any insurmountable conflict between the development and the residential amenity of neighbouring occupiers. No.25 does maintain a slightly unusual relationship to the site involving traffic passing its western boundary however this will differ little from the established situation and although attracting a greater frequency of vehicle movements, this is not considered excessive and will generally comprise of smaller vehicles. Due to the well-established low level of use of the site, it is considered that the relative levels of activity overall will be largely comparable, and not out of keeping with the general character of the area. The co-location of residential uses in the quantum proposed is considered compatible in terms of residential amenity, with any issues of overlooking, overshadowing or overbearing capable of resolution through appropriate design measures.

Planning obligations

On the basis that the units would individually comprise no more than 100m² of floor space so that the scheme does not exceed 10 units or 1,000m² in total, it is considered that no specific on-site provision or off-site contributions should be provided under S106 of the Act. Although adopted policy expects on-site affordable housing and education contributions, there are no exceptional local circumstances that warrant this in light of the updated national Guidance. The upper limit on floor space would need to be controlled by condition in order to render the development acceptable in this regard, however.

The proposals would be liable for payments under the adopted Community Infrastructure Levy (CIL) Charging Schedule, although this is a process separate from planning. Whilst the lack of specific contributions is compliant with national guidance, it must be noted that the absence of any on-site affordable housing significantly diminishes the potential public benefits of the development, which are already limited.

Conclusions

By reason of its failure to meet any of the exceptional criteria for new residential development in the open countryside and, through the loss of historic fabric, specific shortcomings in respect of pts 2 and 3 of NPPF Paragraphs 55 and 116, the development is considered to be unsustainable and unacceptable in principle. There is insufficient information to suggest that a compliant scheme in this regard would be unfeasible or unviable however, moreover, the development would result in the unwarranted loss of a heritage asset with limited compensatory benefits either to housing delivery or the local economy.

The submission strongly indicates that any intended scheme would in practice far from secure the exemplary standard of design that may override other considerations to warrant an exceptional approach to new residential development in the open countryside, and would result in the permanent and unjustified loss of heritage assets. Furthermore, it is likely that the scheme would result in the harm/loss of protected species and habitats, with inadequate information available to undertake a robust assessment of likely impacts in this regard. Overall, therefore, the development is considered to be unsustainable and therefore unacceptable in planning terms.

RECOMMENDATION

That the application is REFUSED for the following reasons:

- 1 In the absence of appropriate exceptional justification, the proposed development, by reason of its amount and location outside of the built area of Neston, represents inappropriate residential development in the open countryside in conflict with Core Policies 2 and 48 of the adopted Wiltshire Core Strategy, saved Policy H4 of the North Wiltshire Local Plan and Paragraph 55 of the National Planning Policy Framework.
- 2 The proposed development, located remote from a range of services, employment opportunities and being poorly served by public transport, is contrary to the key aims of local and national sustainable transport policy guidance which seeks to reduce growth in the length and number of motorised journeys. The proposal is contrary to Core Policy 60 of the adopted Wiltshire Core Strategy and Paragraph 34 of the National Planning Policy Framework.
- 3 The proposed development will result in the permanent and unjustified loss of an undesignated heritage asset of local value. No meaningful investigation of alternative options comprising the retention/conversion of the asset and accompanying enabling residential development has been undertaken, such that the proposals conflict unduly with the asset's conservation. The proposal conflicts with Core Policies 57(i) and (xiii) and 58 of the adopted Wiltshire Core Strategy and Paragraphs 129, 131 and 135 of the National Planning Policy Framework.
- 4 Insufficient information has been submitted with the application to enable the Council to carry out an appropriate assessment of the proposals or determine whether an appropriate assessment is required, in accordance with the requirements of Regulation 61 of the Habitats Regulations. The proposals are also likely to negatively affect protected / priority species in a manner contrary to Core Policy 50 of the adopted Wiltshire Core Strategy, Paragraph 118 of the National Planning Policy Framework and Circular 06/2005.