

Date of Meeting	27 th November 2013
Application Number	13/03919/FUL
Site Address	Made to Measure Ltd Carsons Yard Warminster Wilts BA12 9NA
Proposal	Proposed conversion and extension of existing building to provide single dwelling with workshop/garaging
Applicant	Mr J Braddell
Town/Parish Council	WARMINSTER
Grid Ref	387587 144944
Type of application	Full Planning
Case Officer	Matthew Perks

Reason for the application being considered by Committee

Cllr Davis has requested that this application be submitted to Committee for consideration for the following reasons:

- Scale of development;
- Relationship to surrounding properties;
- Design;
- Highway Impact and car parking; and
- Warminster Town Council requested call-in.

1. Purpose of Report

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

Advertising Responses - no neighbour responses were received.

Warminster Town Council – raises concerns about the design compromising the narrow access which is on land that has unidentifiable ownership.

2. Report Summary

The main issues to consider are:

- principle of change of use and loss of employment floor space;
- highways;
- environmental health;
- impact on the appearance of the area, including the nearby Conservation Area; and
- any impact upon neighbouring amenity.

3. Site Description

The application site of some 440m² accommodates a workshop for a furniture-making business, with two Nissen-hut structures to the rear. Access is via the track known as “Carsons Yard” being an unmade and unadopted access road whose ownership is understood to be unknown. The workshop itself is a building that has a good degree of historical character, but has been subject to ad-hoc extension to the rear. It is not however listed.

The building is not within the Conservation Area, which lies immediately to the north. A modern development comprising flats lies to the east.

4. Planning History

90/00001/FUL Continued use for motor repairs : Permission : February 1990.

5. The Proposal

The proposal is for the conversion of an existing furniture workshop to a dwelling. The proposals include the refurbishment of the existing single storey building to provide garaging and workshop accessed via an existing opening, with living accommodation/facilities over the remainder of the ground floor level, with bedrooms formed within the existing roof space. All other existing openings to the north elevation would be retained with a view to preserving the character and appearance of the building.

An extension on the south side of the existing building would replace two derelict Nissen huts. Materials are proposed to match the existing brick, which is mixed with stone (albeit that concrete block has been utilised in parts of the building in the past). The upper level bedrooms would be lit naturally using conservation roof windows, with the master bedroom to the new extension having, in addition, a primary window to the south-facing elevation. An enclosed garden would be located on the south side of the dwelling, together with additional parking. A narrow outdoor space would be created to the west of the extension to provide a degree of separation from the existing building to that side of the property.

6. Planning Policy

West Wiltshire District Plan 1st Alteration (2004) (WWDP)

West Wiltshire District Plan 1st Alteration 2004
C31a Design
C38 Nuisance
E5 Loss of employment floor space
H1 Further Housing Development within towns
H4 Urban Mixed Use Brownfield Allocations
T10 Car parking

NPPF

7. Consultations

Warminster Town Council: Objects to the proposal where the Members have severe concerns about the design compromising the narrow access which is on land that has unidentifiable ownership. Members also requested that the application is to be called in.

Wiltshire Council Highways: Considers that the proposed conversion will not detrimentally affect highway safety. No highway objection is therefore raised subject to conditions in relation to parking provision, surfacing and drainage.

Wiltshire Council Environmental Health Officer:

Points out that the situation is less than ideal with the garage workshop in such close proximity. However it is noted that there has been much recent residential development/conversion in the area and, in view of this, there are no objections or conditions recommended.

Wiltshire Council Conservation Officer: No objections

8. Publicity

The application has been advertised by way of Public Notice and neighbour notifications. No responses have been received.

9. Planning Considerations

The site is within Warminster Town Policy limits where the principle of new dwellings is accepted in terms of current West Wiltshire District Plan H1, as well as the emerging Core Strategy and the sustainability goals of the NPPF. However, there are additional considerations in this case:

9.1 Loss of employment land

The site falls within the WWDP Policy H4 mixed-use brownfield allocation. This policy is supportive of retaining a mix of uses that include small scale retail, leisure/arts or office/business. The Core Strategy consultation document has however indicated that the old "H4" allocations are not all scheduled for retention, with the "Land at Market Place / East Street, Warminster" (within which this property falls) one of the allocations no longer being included. The Core Strategy has progressed significantly towards adoption and, it is considered, carries a reasonable degree of weight at this point.

Pre-Core Strategy adoption, however, Policies E5 (Loss of Employment Floor Space) and H4 remain in effect.

The application is supported by a written evaluation by Messrs Cooper and Tanner (July 2013) which, in summary, expresses doubt as to the viability of the building for sale/rental as an employment premises for the following reasons:

- The unsuitability of the building in particular in relation to the cost-effectiveness of bringing it up to the necessary standards;
- The access for working/delivery vehicles is unacceptable;
- The character of the area has fundamentally changed in recent times with surrounding development exclusively having been residential, with the potential for conflicting uses.

In considering these factors it is noted that the situation within Carsons Yard has evolved over the fairly recent past with a number of dwellings having been permitted to the rear of the East Street-facing buildings, as well as to the east of the application site. Remaining employment/commercial sites are restricted to the application site and the vehicle repair business to the west, the latter now also the subject of a planning application for demolition and the erection of 4 two-bedroom dwellings. The issue of the inadequacy of the access over the track leading to East Street has been long-standing and is not conducive to use by delivery vehicles and heavier traffic that might result from an alternative light industrial/commercial use on this property. Parking and manoeuvring issues are also restrictive for any business use. The Environmental health Officer's comments also have a bearing – the area is not ideally suited to a mix of workshop/commercial activities given the increased number of residential units within the area.

Based on the above, it is considered that the conversion to residential use from a workshop with the loss of employment floor space can be supported

9.2 Highways:

Warminster Town Council has objected on the grounds that the design compromises "the narrow access which is on land that has unidentifiable ownership". The highway officer confirmed at pre-application stage that Carsons Yard is indeed a sub-standard access, but has raised no objections to the application, provided that relevant conditions are imposed. He has indicated the need for proper parking and turning areas. The officer notes: "These would be required if the intention is to

include parking in the scheme, which I understand is the case. Alternatively, I am aware that car-free schemes have been accepted on sites in relative close proximity to the town centre, an option that could be explored.”

With regard to the access to the neighbouring workshop it has been confirmed that the window design in the deep reveals will be such that no new interference on the access way will result.

Given the status quo where vehicular access and parking already exists for the workshop and in the light of the highway officer comments it is considered that there is no highways or parking reason not to permit the application.

9.3 Impact on the appearance of the area

The building does have a character which is considered worthy of preservation. The proposals show that, in particular the north and east-facing elevations would retain a number of original features. Although the building is not listed it lies immediately adjacent to the conservation area and the preservation/restoration of the building in that context is considered to be of benefit to the area.

To the south of the building there are two dilapidated Nissen Huts that would be replaced by a proposed extension and the amenity/parking area to the new dwelling. The removal of these units was discussed with the Conservation Officer who raised no concerns. In terms of the general appearance of the area it is considered that the removal of these units would be an improvement. No references to the huts that would indicate historical significance has emerged and they appear purely to have been “temporary” structures previously used in association with a car body repair shop.

9.4 Environmental Health Considerations.

The Environmental Health officer notes that the situation is less than ideal with the garage workshop in such close proximity but, given the extent of recent residential development/conversion of similar buildings in the area there are no objections or conditions recommended. Furthermore, the occupancy of the workshop can be conditioned to someone living in the house.

9.5 Relationship to neighbouring properties

The building sits in the context of an area of changing usage, with a number of residential units having been approved to the north and east in recent times. Together with the vehicle repair workshop to the west the building is the last of the workshop-type buildings within the Carsons Yard area.

The proposed dwelling has publicly accessible pathways/unadopted roads of to the north and east, and the workshop to the west. To the south there is a treed open space, towards which the primary window to the proposed master bedroom is orientated. The proposed roof lights at upper level to this room would face east, towards a residential property on the opposite side of the pathway/road wherein there are upper level windows at a separation distance of approximately 15m. Whilst publicly accessible space lies in the intervening area, it is considered that any permission should include a condition requiring that the proposed east facing roof lights should be obscure glazed. The primary gable end window facing the open space would have no impact on any neighbouring amenity.

At ground floor level the proposals include new screening to the eastern boundary that would provide privacy from passing pedestrians and the ground floor windows on the opposite side of the path/roadway.

Other upper-level windows face inwards onto the site itself, with the treed area beyond to the

south. No neighbouring residential properties would be affected. There would be a degree of overlooking from the existing flats onto the amenity/parking area to the proposed dwelling but this is in a situation where there is intervening publicly accessible areas

10. Conclusion

The proposal would result in the restoration and long-term maintenance of the building of character in the setting of the nearby Conservation Area. The proposal accords with the presumption in favour of sustainable development in the NPPF and it is accepted in the emerging Core Strategy that the area is not suited for development as a mixed brownfield site. Permission is recommended.

RECOMMENDATION

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 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.

- 3 The roof-lights to the east facing elevation shall be obscure glazed for the lifetime of the development

REASON: In the interests of residential amenity and privacy.

- 4 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 interest of highway safety

- 5 The development hereby permitted shall not be first occupied until the first five metres of the site access, measured from the edge of the access track (Public Footpath 92), has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

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

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

7 The development hereby permitted shall be carried out in accordance with the details shown on the submitted plans:

790/1 received on 2 September 2013;
790/2 received on 2 September 2013;
790/3 received on 2 September 2013;

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

Informative:

All public rights must be safeguarded in respect of Public Footpath 92 which is directly affected by the vehicular access leading to the site.

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Appendices:

Background Documents Used in the Preparation of this Report: