

**REPORT TO THE NORTHERN AREA
PLANNING COMMITTEE**

Report No.

Date of Meeting	14th March 2012		
Application Number	11/02514/FUL and 11/03731/LBC		
Site Address	Scarrott's Yard, adjacent to 6 Old Court, Royal Wootton Bassett		
Proposal	Erection of Three Terraced Dwellings Including Garage Accommodation and Associated Works (Resubmission of 11/01514/FUL)		
Applicant	Mr and Mrs Scarrott		
Town/Parish Council	Royal Wootton Bassett		
Electoral Division	Wootton Bassett South	Unitary Member	Peter Doyle
Grid Ref	406977 182408		
Type of application	Full and Listed Building Consent		
Case Officer	Tracy Smith	01249 706642	tracy.smith@wiltshire.gov.uk

Reason for the application being considered by Committee

These applications have been called to Committee by Cllr Doyle to consider the applications and the impact upon the listed barn in the Conservation Area.

1. Purpose of Report

To consider the above applications and to recommend that Planning Permission and Listed Building Consent be REFUSED.

Royal Wootton Bassett Town Council raise no objection to the application.

No other letters of support or objection have been received.

2. Main Issues

This application seeks permission to erect three new dwellings and garage accommodation on Scarrotts Yard in Royal Wootton Bassett. The site is used for residential alongside a fairground business, registered scrap yard, hauliers yard and fuel depot, car restoration and storage of historic and antique items. The site contained a Listed Building and is located within the Wootton Bassett Conservation Area.

The main issues in considering the application are:

- Principle of development Policies C3, HE1, HE4 and H3 of the adopted North Wiltshire Local Plan 2011
- Impact on the character and appearance of the area and Conservation Area
- Affect on the privacy and amenity of existing neighbours and potential occupants
- Impact upon the Listed Building
- Affect on highway safety
- S106 contributions

3. Site Description

The application site comprises an established mixed use of residential (1 unit on the site) as fairground storage, scrap depot, haulier's yard and fuel depot within a residential area within the framework boundary of Royal Wootton Bassett.

The sites falls within a spur of the designated Conservation Area and contains Grade II Listed Barn which dates back to the 17th-18th Century comprising a timber framed barn with deep elm weatherboarding, on brick sills. It has a quarter-hipped corrugated iron roof and several openings. The barn has been extended and this is very modern in comparison.

The site has two frontages, Downs View and Old Court. The area is mainly post WWII 20th century development.

In terms of the former this part of Downs View is a cul-de-sac off the main Down View road and slopes downwards. The street scene is characterised by single storey bungalows some at street level and some, due to the topography, a slightly elevated position from the road. Due to the significant difference in levels from Down View and the land immediately to the south, all dwellings along that boundary are set down from the road, such that they appear as either single storey or one and a half storey dwellings on the street scene. None have frontage onto Down View and appear subservient or similar to the bungalows surrounding them.

The listed barn dominates the view of the site from Old Court and due to the gates, no views into the site are afforded from the road. However, the roofs of properties in Downs View can be seen stood back in Old Court due to the difference in levels.

When viewed from Downs View it is clear the site contributes little to the character and appearance of the area but it does appear open with the lower level storage largely obscured from view.

4. Relevant Planning History		
Application Number	Proposal	Decision
11/01514FUL	<p>Erection of three terraced dwellings including garage accommodation and associated works.</p> <p>The application was identical to the current application with the exception that it failed to recognise the status of the barn as being listed and the works requiring Listed Building consent.</p> <p>The officer confirmed to the agent that the application was to be refused on grounds of it being out of keeping with the character and appearance of the area, detrimental to residential amenities of existing and proposed residents, highway concerns (on-site parking and turning) and the affect on and setting of, the Listed Building. The application was then withdrawn and no further discussions took place.</p>	Withdrawn

5. Proposal

Planning permission is sought for the erection of three terraced dwellings and associated works to include garage accommodation at Scarrots Yard, Wootton Bassett. The development would enable the whole Scarrott family to reside on the site and continue to operate their business on the site also.

The proposed dwellings would be three storeys in height with garage/car port accommodation in the basement. Due to the differences in levels, the dwellings would appear as two storeys at street level from Downs View.

The proposed dwellings would be sited slightly set back from the pavement.

The dwellings will provide three bedroom accommodation are proposed to be constructed of slate and brick.

The application is silent in plan form to show any specifics and how the garages/storage will be accessed in conjunction with the retained use for the family business together with any amenity land for the occupants such as gardens etc. The design and access statement does however state that the family members will continue their various historic businesses on the site and that there is an opportunity to tidy the site up.

A recent letter from the agent confirms that the site has special circumstances in the way it is used and the Scarrott Family and their workers have, in practice, always used the Yard for work, rest and play. The site has no formal layout and changes on a day to day basis with storage, vehicles, rides, equipment and mobile homes all being moved around to accommodate the activities and needs. For example, in the summer the Yard is largely clear as the Fair travels from event to event. In the autumn and winter the Yard is quite full as everything returns and general maintenance takes place read for the next year along with winter fuel rounds, etc.

This is confirmed to always be the case as the yard will be handed down generations with the traditions continuing.

The informal layout will continue however the agent considers that the basement level of the three proposed dwellings will be available for the parking of family cars, pick up trucks, vans etc which currently park in the yard.

In terms of the listed building the modern extension is proposed to be removed as part of the new development with the boundary wall reinstated and the external fabric of the barn made good with matching materials.

No pre-application discussions have taken place in respect of this application of the previous application to which 11/01514FUL relates.

6. Consultations

Royal Wootton Bassett Town Council – no objections

Highways Development Control Engineer – if a condition can be imposed to secure no gates or doors to the car ports so they remain available to parking then the previous objection in this respect to 11/01514FUL which related to lack of on-site parking can be overcome.

The other highways objection to 11/1514 remains due to the poor access and standard of Old Court Lane.

Senior Conservation Officer – recommends refusal due to the harm to the listed building.

Public Protection Officer EP – no objections subject to conditions regarding contamination.

Principal Ecologist – no objections.

Technical Officer Amenity and Fleet – same comments as per 11/01514 off-site contribution required of £17,400 towards the maintenance of Old Court Play Area and Local Park.

Thames Water – responsible for water supply only. An informative is suggested in respect of water supply and pressure to be provided by Thames Water.

Wessex Water – waste water connections needed from Wessex Water to serve this development and application forms can be provided or are on line and from 1 October 2011 a signed adoption agreement with Wessex Water is required for developments of more than a single dwelling before the connection can be made.

2011 Water Industry Regulations have meant that Wessex Water is now responsible for the ownership and maintenance of formerly private sewers and drains. The applicant is advised to survey and plot these in order to ensure these are not affected by development proposals.

7. Publicity

The application was advertised by site notice, press advert and neighbour consultation.

No letters of support or objection have been received.

8. Planning Considerations

- Principle of development
- Impact on the character and appearance of the area including Conservation Area
- Affect on the privacy and amenity of existing neighbours and potential occupants
- Impact upon the Listed Building
- Affect on highway safety
- S106 contributions

Principle of development

The site is within the framework boundary and the principle of residential development is not objectionable in principle subject to relevant criteria being satisfied contained in Policy C3 of the North Wiltshire Local Plan 2011.

A key constraint of the site is the Listed Barn within the curtilage of the site as well as the CA designation to which Policies HE1 and HE4 relate.

The use within this residential area might be historic but is not considered to be compatible with its surrounds.

The proposal needs to be considered also in terms of the amenity of the proposed occupants who will retain the business use on the site to which Policy C3 relates.

Character and Appearance of the Area including Conservation Area

The scheme will provide a terrace of three storey dwellings across the northern boundary with a full two storeys fronting the road with limited set back and three storeys visible from Old Court .

The single terrace spanning virtually the full width of the site fronting Downs View will be a prominent feature and will effectively close down the openness of this part of Down View. Other two storey cottages are set down into the road with access from Old Court. When

viewed from Downs View they appear largely as single storey dwellings with the newer bungalows having evolved around them.

It is considered that the development of a terrace across the full frontage/northern boundary at two storeys would be detrimental to the character and appearance of the area. It is appreciated that the site when viewed from the elevated position of Down Views is not best pleasing, it nonetheless retains openness (hence the name Downs View). The scale and massing of the terrace would reduce its openness and result in a domination of the street scene by two storey dwellings.

The three storeys would be visible from Old Court, appearing above the fence and larger in scale than the existing listed bar. The scale and massing of the development when viewed from the south would be out of keeping with the character and appearance of the area.

Accordingly, the proposal is considered to fail to preserve or enhance the character and appearance of the Conservation Area in which it is located.

The proposal is thus contrary to Policies C3 and HE1 of the North Wiltshire Local Plan 2011.

Impact on residential amenity of existing residents and proposed occupants

Full two storey dwellings will be visible on the street scene with habitable rooms looking out onto the road and dwellings opposite.

No's 43 and 44 which fall directly to the north are some 15 metres distance, window to window. These semi-detached bungalows occupy an elevated position from the road and contain habitable windows on their front elevations which are open and visible from the street.

This spur of Downs View does not have the frontages of bungalows looking onto one another as does the main Downs View Road as they are all set at oblique angles to one another. The bungalows are set back some distance from the road within this spur as well as the main road.

It is also noted that no 43 and 44 have developments in close proximity to the rear. Whilst it might be said that these properties have such overlooking already, this was a situation in which residents were aware as that development was comprehensive, it was not imposed on them at a later date as this new development would.

Accordingly, it is considered that the proposed development would result in an unacceptable loss of privacy to both existing and proposed occupants as a consequence of the scale of the development (i.e. the second storey).

Furthermore, due to the two storey street level nature of development so close to the street and by reason of its being a terrace to the south of these properties, it is considered that there would be an overbearing impact on the residential amenity of these properties.

The residential amenity of proposed occupants is equally important as the amenity of existing residents. The development makes no attempt to provide any amenity space for the occupants who are family members. The agent has clarified that existing business activities and informal layout of the site will continue. The proposed block plans simply show a void which will be used to the applicant's requirements.

It is considered that for 3 bedroom houses some level of amenity space is required within the site even if it were to be shared regardless of the expectations and requirements of the intended occupants.

Thus the proposal is considered to be detrimental to the residential amenity of the proposed occupants contrary to Policy C3.

In the event the officer recommendation is not accepted on this occasion, in light of the poor level of amenity on the site, a personal permission would be considered necessary whilst the business use continued on the site.

Impact on the Listed Building

The section drawing submitted with the application shows how the ground will be excavated to accommodate the additional storeys. The new three storey dwellings (when viewed from the Yard and Old Court) by reason of their scale, design and detailing add to the prominence of the new dwellings and will detract from the listed building.

The new buildings have been designed to show the uninspired bulk housing style that has sprung up around the UK for the past 30 years. The proportions and details do not relate to vernacular details in this area of Wiltshire, nor do they reflect elements of the listed barn. The combination of bulk, design, materials and location would be very harmful to the setting of the listed barn and would be contrary to PPS5 as well as Policy HE4 of the adopted North Wiltshire Local Plan 2011.

Highways Impact

The proposed development is and can only be accessed via Old Court. This road is considered to be too narrow, has poor alignment and lacks pedestrian facilities and is thus considered unsuitable to cater from the increased vehicle movements associated with the proposed development, particularly as the business use will continue in operation.

As mentioned above, the business use of the site is to continue with the informal layout currently in operation. Whilst car ports are provided in the absence of any definitive plan which shows that vehicular access can be gained to them for the purposes of parking, it is considered that the scheme continues to fail to provide adequate parking as with the previous application and despite repeated requests for some managed layout.

The highways officer has suggested a condition to ensure no gates or doors are placed on the car ports, but it is considered that such a condition in the absence of any defined internal layout of the site in the context of the continuing business use, adequate on site parking will not be provided and the objection made to the previous application remains relevant.

S106 matters

An off-site open space contribution is required for this development towards old Court Play Area and Local Park. A contribution was sought for £17.4k based on three dwellings, however, this does not factor in the loss of the 2 bedroom dwelling on the site. In the event of the officer recommendation is not supported, this contribution would need to be secured via a legal agreement in advance of permission being granted

9. Conclusion

By reason of the scale, design and appearance of the proposed development alongside the intended continued use of the site for the family business, the proposal is considered detrimental to the character and appearance of the area; would fail to preserve the character and appearance of the Conservation Area, would be detrimental to the residential amenity of existing residents and proposed occupants as well as failing to provide adequate onsite parking. Further to access to the site via Old Court is not considered to be suitable for any intensification of use from this site. The development thus fails to accord with Policies C3, HE1, HE4 and CF3 of the adopted North Wiltshire Local Plan 2011.

10. Recommendation

In respect of Planning Permission 11/02514/FUL:

Planning Permission be REFUSED for the following reasons:

1. The proposed development by reason of its scale, design and detailing would be out of keeping with the character and appearance of the area; would fail to preserve the setting of the Grade II Listed Building contrary to Policies C3, HE1 and HE4 of the adopted North Wiltshire Local Plan 2011 and National Guidance contained in PPS5.
2. Old Court lane by reason of its restricted width, poor alignment and lacking pedestrian facilities is considered unsuitable as a means of access to cater for increased vehicle movements associated with the development.

INFORMATIVE

1. This decision relates to documents/plans submitted with the application, listed below.

Dwg no: 2011-11-1, 2, 3A, 4A, 5 and 6 dated 25 July 2011

In respect of Listed Building Consent 11/03717/LBC

Listed Building Consent be REFUSED for the following reason:

1. The proposed development by reason of its scale, design and detailing would be out of keeping with the character and appearance of the area; would fail to preserve the setting of the Grade II Listed Building contrary to National Guidance contained in PPS5.

INFORMATIVE

1. This decision relates to documents/plans submitted with the application, listed below.

Dwg no: 2011-11-1, 2, 3A, 4A, 5 dated 25 July 2011
2011-11-6 6 dated 31 October 2011

