DELEGATED REPORT

Application Reference:	PL/2023/07264
Application Type:	Planning Permission
Site Address:	Avonbridge House, Suits A, B and D, Avonbridge House, Bath Road, Chippenham, Wilts, SN15 2BB
Proposal:	Installation of Sub-Station, EV charging points and associated landscape works
Recommendation:	Planning Permission be GRANTED

SITE DESCRIPTION AND PROPOSAL

The application relates to Avonbridge House which is a Grade II listed building located along Bath Road close to Chippenham town centre and within the Chippenham Conservation Area. The building runs parallel with the River Avon to the rear separated by the access and parking areas. The site falls within Flood Zones 2 & 3. The listing describes the building as a 19th century former warehouse and factory comprising limestone rubble elevations and slate roof. It has 2 storeys with attic floor and features modern additions in the form of a glazed atrium, entrance screen and glazed curtain walling, aluminium windows and recently installed solar panels to the roof. It is a prominent town landmark visible from several public vantage points including Bath Road to the front and Town Bridge and River Parade across the river to the rear. The building is currently in use as offices for Alliance Pharmaceuticals Ltd.

This application seeks planning permission for the installation of Sub-Station, EV charging points and associated landscape works. It is explained that the mains electrical supply currently runs at capacity and that in order to optimise the functionality of the recently installed PV array, allowing for export to the grid, and to serve the EV charging points it is necessary to replace the existing supply and install a new electrical substation.

The substation will be in a grey coloured GRP enclosure, positioned over two existing parking spaces close to the southwestern end of the building. Four Electric Vehicle (EV) charging points will be provided on two free standing posts adjacent to the south-west boundary wall.

RELEVANT PLANNING HISTORY

In February 2023, listed building consent and planning permission was granted for the replacement of the existing roof slates and installation of Photo Voltaic Solar panels (PL/2022/05334 & PL/2022/05006 refer)

In January 2020, listed building consent and planning permission was granted to replace the existing C20th metal framed windows with aluminium framed double-glazed windows finished in grey (19/10884/FUL & 19/11223/LBC refer).

In November 2019, listed building consent and planning permission was granted for alterations affecting 'Suite D' on the first floor, including the creation of new stairs and the conversion of the attic floor with the installation of rooflights to both roof slopes (19/03473/FUL & 19/03994/LBC refer).

In April 2019, listed building consent was granted for internal alterations within 'Suite A' on the ground floor to the north east end of the building along with the installation of an external louvre to the south east elevation (19/02830/LBC refers). Planning permission was also granted for the external louvre (19/02718/FUL refers).

In October 2018, listed building consent and Planning permission was granted for alterations including upgrading and replacing the entrance lobby and curtain walling (18/08080/LBC & 18/07771/FUL refer).

Internal works to the office accommodation within suites B, C & D to the south-west end of the building have also been undertaken under relevant listed building consents 18/03992/LBC and 18/08745/LBC.

PLANNING POLICY

Wiltshire Core Strategy 2015 (WCS):

CP10 Spatial Strategy: Chippenham Community Area
CP34 Additional Employment Land
CP41 Sustainable construction and low carbon energy
CP57 Ensuring High Quality Design and Place Shaping
CP58 Ensuring the Conservation of the Historic Environment
CP61 Transport and Development
CP 64 Demand Management

National Planning Policy Framework 2023 (NPPF):

Chapter 6 Building a strong, competitive economy
Chapter 9 Promoting sustainable transport
Chapter 12 Achieving well-designed and beautiful places
Chapter 15 Conserving and enhancing the natural environment
Chapter 16 Conserving and enhancing the historic environment

MAIN ISSUES

- Principle of Development
- Heritage Impacts– impact to listed building and conservation area

- Residential Amenity
- Flood Risk
- Access and Parking

CONSULTATIONS

Chippenham Town Council: No objection

The Town Council welcomes this application as a positive contribution to carbon reduction.

Wiltshire Council Conservation Officer: No objection

Wiltshire Council Highways: No objection

Wiltshire Council Public Protection: No comment to make

Wiltshire Council Archaeology: No comment to make

Environment Agency: Initially raised concerns in relation to the flood data used in the FRA and proposed sub-station plinth height. Objection was later withdrawn in light of revised FRA and on the basis that the applicant accepted the flood risk posed to their structure at the proposed height.

REPRESENTATIONS

The applications have been advertised by site notice, press advertisement and neighbour letter.

No responses have been received.

ASSESSMENT

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 National Planning Policy Framework (NPPF) is a key material planning consideration. Local planning authorities should consider whether otherwise unacceptable development could be made acceptable through the use of conditions or planning obligations.

Principle of Development

Decisions on planning applications are made in accordance with the policies contained in the Wiltshire Core Strategy and government guidance. The application site is situated within the town centre of Chippenham which is a Principal Settlement where development affecting existing employment sites is supported.

In addition, the principle of installing integrated renewable or low-carbon technologies to existing buildings is considered acceptable under WCS Core Policy 41. In determining planning applications, local planning authorities should give significant weight to the need to support energy efficiency to existing buildings, both domestic and non-domestic. The proposal is considered to meet with CP 41 of the WCS.

Heritage – impact to listed building and conservation area

Section 66(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 states that in considering whether to grant planning permission for works which affects a listed building or its setting, the local planning authority or, as the case may be, the Secretary of State shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Conservation Area to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

Core Policy 58 states that development should protect, conserve and where possible enhance the historic environment. Chapter 16 of the NPPF states that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation.

Avonbridge House is a Grade II listed former Nestle factory and warehouse that is now offices, located alongside the river in the middle of Chippenham. It comprises two parts (eastern and western wings) with two storeys plus attic. It is constructed of natural stone under a grey slate roof. The building has undergone significant alteration following demolition of attached factory buildings and conversion to offices in 1980's. This included substantial rebuilding of the eastern wing, replacement fenestration an entrance atrium and rendering of the riverside elevation where parts of the building were demolished. Further renovation works have taken place in recent times as set out in the planning history section above. The most notable recent exterior changes being installation of solar panels, new roofing slates, replacement atrium and entranceway and windows throughout. The building is a prominent local landmark close to the town centre and visible from a number of public vantage points including from the riverside and Town Bridge looking towards the south elevation of Avonbridge House. It is identified as a landmark building in these views and the simple, linear form of the building is noted to respond positively to the river landscape.

The Heritage Statement identifies that the significance of the building derives mostly from its evidential value of a factory complex close to the river Avon and its outward industrial architectural character. It is also described as providing communal and historic value as a local employer and as the first condensed milk factory in Britain. Despite the building being subject of extensive repairs and alterations it retains it character as a converted industrial building.

The Conservation Officer has provided comments on the significance of the building as below -

The contribution of Avonbridge House to its setting rests primarily in its role as a former industrial complex close to the centre of Chippenham. The main Bath Road frontage remains imposing and a good reminder of its former use. By contrast the riverside frontage is not authentic from a heritage perspective, instead it retains an important role as a backdrop to the River Avon and views of the site from the town centre. It also reveals the scale and massing of the two linked structures (east and west wings).

The proposed development involves two EV charging posts measuring approximately 0.2m x 0.2m x 1.13m high. These will be sited within the existing parking area and close to the existing SW boundary wall. The substation is approximately 4m x 4m x 4m and will also be installed within the existing carpark close to the building at the SW end. It is to be finished in a grey coloured GRP.

In this case, the charging points and sub-station are likely to appear as obvious modern features against the backdrop of the historic building, though they are typical functional items that would be expected within the curtilage of commercial properties, particularly within car parks and service areas. The Conservation Officer is satisfied that proposed works will create a very minor change to the current setting of the Listed Building, and that by virtue of the location and scale of the proposals, these are not considered to be of any harm to the asset. No objection has been raised.

The building is a prominent structure in the town and Conservation Area. A number of other listed buildings are in the vicinity, the closest being Grade II listed Ban House to the north of the site. In accordance with Core Policy 58 development proposals should ensure the character and appearance of these sensitive areas, as well as the setting of listed buildings, is preserved and/or enhanced. In this case, the proposed development would be well contained within the carpark area and would not appear unduly prominent within the Conservation Area. Accordingly, the character and appearance of the conservation area would be unharmed. For the same reasons, setting of other nearby listed buildings would be unaffected.

When taking into account the history of alterations and redevelopment of the building, the impact of the proposals on heritage assets are considered to be neutral and would comply with requirements of current conservation legislation, policy and guidance. It is concluded that the development would not harm the character and appearance of the conservation area or the significance of the listed buildings in the vicinity. The proposal is considered to comply with WCS CP58, the NPPF and relevant Acts in this respect.

Residential Amenity

Core Policy 57 states that development should have regard to the compatibility of adjoining buildings and uses, the impact on the amenities of existing occupants and ensuring that appropriate levels of amenity are achievable within the development itself. Chapter 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

The proposal involves replacement roof slates and the installation of solar panels on an existing roof. The closest residential properties are along River Parade to the opposite side of the river.

These properties are over 50m away. Given the nature and scale of development the proposal does not give rise to concerns in relation to overbearing development, loss of privacy or light or other disturbance such as noise and odour. The Public Protection team has raised no objection and confirm they have no comments to make. The proposal complies with WCS CP57 and the NPPF in this respect.

Flood Risk

Core Policy 67 of the WCS expects all new development to include measures to reduce the rate of rainwater run-off and improve rainwater infiltration to soil and ground (sustainable urban drainage) unless site or environmental conditions make these measures unsuitable. Chapter 14 of the NPPF expects development to be located, designed and laid out to ensure that it is safe, that the risk from flooding is minimised whilst not increasing the risk of flooding elsewhere, and that residual risks are safely managed.

The development consists of the installation of a new substation and EV charging points within the existing car park area of Avonbridge House. The site lies fully in Flood Zone 3, that is having a high probability of flooding from rivers. The Council SFRA identifies the groundwater levels between 0.025m and 0.5m below ground level. No surface water flood risk is noted.

The application is supported by a detailed FRA which investigates flood risk on site and in the area and establishes the mitigation measures required to ensure the sustainability and safety of the proposed development over its lifetime. The proposal does not involve any significant excavation, foundation, change in hardstanding area or levels across the site. The FRA concludes that the proposed development will not affect the probability of fluvial flooding at the site and in the surroundings. Given that the nature of the development involves minimal ground disturbance and no change in hardstanding, there is no need for further assessment or consideration in respect of groundwater flooding.

The Environment Agency were consulted and initially raised an objection in relation to the flood data and plinth height. A revised FRA was submitted with updated data which was accepted by the EA. The applicant also confirmed that the installation would comply with the Scottish and Southern Electricity Network's guidance for sub stations installed within flood zones. The EA later withdrew their objection after being satisfied that the applicant accepted the flood risk posed to their structure and agreeing that there was no increased probability of flooding at the site or elsewhere. The proposal is considered to be compliant with CP67 and the NPPF Section 15 in respect of flood risk.

Access & Parking

Wiltshire Core Strategy policy CP61 states that new development should be capable of being served by safe access to the highway network. Core Policy 64, states that provision of parking associated with private non-residential development will be limited to maximum parking standards (except for disabled parking spaces) and that standards will be reduced to reflect local circumstances and the relative accessibility by sustainable transport modes in accordance with an accessibility framework. Section 9 of the NPPF expects that development provides safe and

suitable access for all users and that opportunity is taken to promote sustainable transport options.

The access arrangements are unchanged though the proposal does result in the loss of two parking spaces. In this case, the site is located centrally within a large Principal settlement that has good services and facilities within easy walking distance including access to public transport provision. Wiltshire Council Highways have raised no objection.

The proposal is considered to compliant with CP61 & 64 and the NPPF Chapter 9 in respect of access and parking.

CONCLUSION

The proposal is considered to be acceptable in principle and design. No harm to the significance of the listed building or character and appearance of the conservation area has been identified. The setting of other nearby listed buildings would be unharmed. The flood risk, highways and amenity impacts are acceptable. The proposal is therefore considered to comply with Core Policies 41, 57, 58, 61, 64 & 67 of the WCS as well as Chapters 9, 12, 15 & 16 of the NPPF. The proposed development is considered to be in accordance with the development plans and relevant Acts and therefore approval of planning permission is recommended.

RECOMMENDATION

That Planning Permission is GRANTED 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 and documents:

389 P 010 P6 Site Plan Proposed
10160APH7 rev.4 Flood Risk Assessment
(received 21 November 2023)

Substation – image and dimensions
Vehicle Charging Points Data Sheet
(received 4 September 2023)

389 S 001 S8 Location Plan
389 S 010 S1 Site Plan as Existing

(received 25 August 2023)

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

Informatives: (3)

3 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.

4 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.

5 The applicant should note that an Environmental Permit may be required for any works within 8m of a main river.

You are breaking the law if you operate without getting the permit you need. For more guidance on environmental permits, please consult the Environment Agency's website.