DELEGATED REPORT

Application Reference:	PL/2023/07491
Application Type:	Full Planning Permission
Site Address:	Stockham Marsh Farm, Foxham, Chippenham, Wilts, SN15 4NL
Proposal:	External alterations to agricultural building (retrospective) arising from change of use to use class A1 and A3 (Small Retail Unit/ Farm Shop/ Cafe)
Recommendation:	Planning Permission be GRANTED

PROPOSAL

The application seeks retrospective planning permission for external alterations to an agricultural building. The application is submitted pursuant to a prior notification of a change of use of the same building to retail and café (under reference 20/10169/CLASSR) under Class R to Part 2 of the Town and Country Planning (General Permitted Development) Order 2015 (as amended).

Works to change the use of the building is understood to have been carried out and the retail/café use commenced. This application is only concerned with the physical alterations to the unit. It does not make a judgement in relation to the change of use. The proposed alterations are set out as follows, although no existing or proposed plans have been provided:

* New exterior walls and cladding
* Interior dividing walls
* New windows and door

It is understood from the submitted information that, prior to conversion the building was of steel portal frame with cladding. The roof was corrugated sheeting as is now. During the conversion block work was built between the steels with doors and windows inserted, some cladding was removed to allow for this.

The materials used in the finish of the proposal are stone and timber cladding for the walls, green corrugated sheeting for the roof and dark grey aluminium doors and windows.

SITE DESCRIPTION

The application site is in a rural location, situated on a farm which has a range of differing uses within its control. The unit its self is a former agricultural unit which has changed use under Class R of PDR.

POLICIES

Wiltshire Core Strategy 2015 (WCS)
Core Policy 1: Settlement Strategy
Core Policy 2: Delivery Strategy
Core Policy 57: Ensuring High Quality Design and Place Shaping

Bremhill Neighborhood Plan
NP 1: General Development

MAIN ISSUES

- Principle of Development
- Scale and design
- Amenity

CONSULTATION

Bremhill Parish Council: No objection

"Bremhill Parish Councillors have reviewed this application and are happy to support it."

REPRESENTATIONS

No representations 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) and the made Bremhill Neighbourhood Plan are key material planning considerations. 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 proposal is outside of a defined settlement boundary and while an agricultural business diversifying would typically be considered under CP48, in this instance the applicant claims that the change of use is permitted by Class R to the GPDO. A notification of that change of use was made under 20/10169/CLASSR, but no assessment by the Council is afforded by Class R or was carried

out as to the lawfulness of the development. Accordingly, the consideration of this application does not make a judgement on whether or not the change of use is lawful or has complied with the GPDO, rather it is concerned with the extent of the development and if the extent of the development amounts to a rebuild rather than a conversion and if the resulting development is acceptable when assessed against the local plan.

Limited information has been submitted with this application. However, the applicant has submitted an email outlining the steps involved in the conversion of the building. It is understood that the that prior to conversion the building was of steel portal frame with cladding.

Previously, the roof was corrugated sheeting as is now. Block work has been built between the exiting steels with doors and windows inserted. To allow for the insertion of the window, some cladding was removed for this.

While only limited information has been submitted it, the proposal when compared to available information does not appear to have been altered in terms of its footprint. Furthermore, the steel portal frame of the building appears to have been retained during the development, currently retrospectively applied for, in this instance.

On balance it is considered that the proposed development has not been so significant as to result in what would be considered to be a rebuild following demolition. Indeed, the retention of the existing steel portal frame and roofing and minor internal alterations are considered to suggest that on the balance of probability, the development is a conversion rather than a rebuild.

As the proposal is considered to have been a conversion rather than a rebuild it is considered that the proposal is acceptable in principle. This is, as ever subject to the proposal comply with other policies within the WCS.

In my opinion the building was converted from its initial state to the barn and was substantial enough in its build and condition to warrant a conversion and not a rebuild.

Scale and design

WCS Core Policy 57 requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, elevational design, materials amongst other things. Sections 12 of the NPPF expects a good standard of design.

The scale of the development dealt with here has not seen a noticeable increase in the scale of the building. Its built form and scale, remain appropriate to the locale and does not suggest that the wider site is being overdeveloped.

In terms of design the proposal appears typical of this form of development. Indeed, the proposed building palette and built form remain sympathetic to the main dwelling and clearly reads as a typical converted agricultural building.

As such in terms of design and appearance the proposal is in this instance considered to be acceptable.

In terms of scale and design the proposal in its totality is considered to comply with the requirements of CP 57 of the WCS and NP1 of the Bremhill Neighbourhood Plan.

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. Section 12 of the NPPF also states that planning decisions should create places with a high standard of amenity for existing and future users.

Due to the proposal's location within the plot and distance from immediate neighbours, it is not considered that the proposal will result in unacceptable impact upon the amenity of neighbouring properties in terms of overlooking, loss of light or overshadowing.

As such, on balance the proposal is acceptable in terms of amenity in relation to CP57 of the WCS.

CONCLUSION

The proposal is considered to be acceptable in respect of size, scale and design. The development is not considered to impact unacceptably upon the character of the area, wider landscape, highways safety, and subject to the imposition of planning conditions, is not considered to have an unacceptable impact upon the amenity or living conditions of the adjoining occupiers. The proposal is therefore in accordance with Core Policy 57 of the Wiltshire Core Strategy, Policy NP1 of the Bremhill Neighbourhood Plan and relevant sections of the National Planning Policy Framework (2023).

RECOMMENDATION: That Planning Permission be GRANTED subject to the following conditions:

See decision notice