

REPORT TO THE DEVELOPMENT CONTROL COMMITTEE

Report No.

Date of Meeting	12th March 2008
Application Number	08/00220/FUL
Site Address	Malford Farm, Christian Malford,SN15 4AZ
Proposal	Conversion of Milking Parlour to 2 Dwellings and Erection of 5 New Dwellings
Applicant	Mr D D Claudio
Town/Parish Council	Christain Malford
Grid Ref	396906 179171
Type of application	Full application

Reason for the application being considered by Committee

This application has been submitted to the Committee for decision under the scheme of delegation in force after the 8th April 2002 because Councillors Causer and Crisp have requested that the application be considered by committee to assess the effect on amenities of the area.

Summary of Report

- The key points to consider are the Policies of the Local Plan relating to housing in the countryside outside settlement boundaries (H4) and the re-use of rural buildings (BD6)

Officer Recommendation

Planning Permission be REFUSED

Contact Officer	John Simmonds	01249 706643	jsimmonds@northwilts.gov.uk
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Proposal and Site Description

The site is located in a farmyard amongst a group of buildings on the B4069 outside the Christian Malford settlement boundary.

It is proposed to convert a stone milking parlour into two dwellings, demolish the other farm buildings and erect five two storey houses in a "T" shaped plan.

Planning History

Application number	Proposal	Decision
00/00053/OUT	Residential development and access	Refused
00/01000/OUT	7 dwellings and access	Refused
00/01607/COU	8 dwellings and access	Refused – Appeal

		dismissed
06/01002/FUL	Change of use of milking parlour to 2 units, erection of 3 units	Withdrawn
07/02665/FUL	Conversion of milking parlour to 2 dwellings and erection of 5 dwellings	Withdrawn

Consultations

Christian Malford Parish Council – The proposed development is outside the village framework boundary, but Councillors agreed to support the application because of the desirability of removing the disused agricultural buildings on this prominent site.

Wiltshire County Council Highways – comments awaited – (objections raised to previous identical scheme on sustainability grounds)

Representations

None.

Planning Considerations

The site is in the countryside outside a settlement framework where residential conversion of the milking parlour could be acceptable in principle under Policy BD6. This Policy requires, however, that employment or community use should be considered first. Evidence has been submitted to indicate that those alternatives have been investigated. The conversion might be acceptable subject to conditions including a condition to remove the other agricultural buildings to create a satisfactory residential environment. Part of an application cannot be considered separately from the whole and therefore the proposal is unacceptable as part of this application.

The previous applications in 2000 were considered under Policy RH10 of the old 2001 Local Plan. That Policy allowed very limited development within the “physical limits” of a settlement even if it was outside a settlement boundary. The site was considered at that time to be within the “physical limits” but applications were refused (and an appeal dismissed) on matters relating to the scale of the development, sustainability, design and the flood risk.

Since the adoption of the 2011 Local Plan in June 2006 there is no Policy (such as RH10) which allows residential development outside settlement boundaries (except replacement, conversion, essential for agricultural need and rural exceptions – affordable housing). Such applications now fall to be considered under Policy H4 and numerous applications have been refused on that basis. The applicant has produced a design for the housing which may overcome some of the previous objections on those grounds, but this does not overcome the fundamental Policy objection to housing in this location.

The applicant also points out in support of his application that the farm is unviable. This is unfortunate, but it is not a material consideration which would allow the setting aside of policy to build five houses in the countryside.

Similarly with regard to the comments of the Parish Council, the farm buildings on the site etc. are unattractive but they are no more so than numerous other farm buildings at locations throughout the District. They are the sort of buildings which are expected and accepted in the countryside. In any event, the unattractive nature of the buildings would not be a reason to grant permission for housing. All or some of the buildings would need to be removed in any event should a separate application for the conversion of the milking parlour be successful.

Conclusion

The proposal is contrary to Policy. There are no material considerations which indicate that permission should, nevertheless be granted. To grant permission would set a precedent which could have serious implications for policy and other similar applications and appeals.

Recommendation and Proposed Conditions/Informatives

Permission be refused for the following reasons:

- 1 The site is in the countryside outside a settlement boundary and the proposal does not fall within any of the categories of residential development permitted under Policy H4 of the North Wiltshire Local Plan 2011

2 – WCC condition to follow

Informative

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

A – site location
B – Existing layout
C – Proposed layout
D – Conversion of milking parlour proposed
E – Rear (north) elevation
F – Rear (West) elevation
G – Plans & elevations of garages
H – Conversion of milking parlour
I – Proposed conversion of milking parlour
J – First floor plans x 2
K – Milk parlour existing
All dated 30/01/2008

Appendices:	<ul style="list-style-type: none">• NONE
Background Documents Used in the Preparation of this Report:	<ul style="list-style-type: none">• 1.19, 1.20, 2.02, 4.02, 5.01, 5.04.