

**REPORT TO THE DEVELOPMENT CONTROL COMMITTEE** Report No.

<b>Date of Meeting</b>	<b>30 July 2008</b>
<b>Application Number</b>	<b>08/00638/FUL</b>
<b>Site Address</b>	<b>Trinity Farm, Rodbourne, Malmesbury, Wilts, SN16 0EX</b>
<b>Proposal</b>	<b>Change of use to residential and erection of pool, changing facilities and wall</b>
<b>Applicant</b>	<b>Mr and Mrs Dibben</b>
<b>Town/Parish Council</b>	<b>St Paul Malmesbury Without</b>
<b>Grid Ref</b>	<b>393258 183261</b>
<b>Type of application</b>	<b>Full application</b>

**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 8<sup>th</sup> April 2002 because Councillors Henderson and Greenman have requested that the application be considered by committee to assess the impact on the countryside.

**Summary of Report**

This application proposes the change of use of land to residential curtilage and the construction of a pool, changing facilities and wall on land adjacent Trinity Farm, a Grade II Listed Building. The site lies within the open countryside outside but adjacent to the designated Rodbourne Conservation Area.

The proposal falls to be considered against policies C3, HE4, NE15 and H8 of the North Wiltshire Local Plan 2011.

The key issues are:

- impact on the countryside
- impact on the setting of the Grade II Listed Building and Conservation Area.

**Officer Recommendation**

Planning Permission be REFUSED.

<b>Contact Officer</b>	Tracy Smith	01249 706642	tsmith@northwilts.gov.uk
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## **Proposal and Site Description**

The application is seeking to change the use of the land from agriculture, to construct a swimming pool, together with associated changing rooms and wall enclosure on land at Trinity Farm, Rodbourne.

Trinity Farm is a Grade II listed farmhouse and lies outside but adjacent to the designated Rodbourne Conservation Area.

The existing use of the application site and adjacent land to the south and west is agriculture. It is noted that the application site and land to the west has been sectioned off via post and rail fencing and used for equestrian purposes.

The application site is situated to the south of the rear vehicular access with associated hardstanding. The access historically serves both the main house.

The application site is separated from the garden of the Listed farmhouse via a hedge which also runs along the southern boundary of the site. Post and rail fencing is along the eastern and northern boundaries of the site.

The swimming pool measuring approx. 5m x 12.5m would be set some 10m distance from the hedge. The changing rooms would be single storey constructed of brick with two flank walls either side screening views to the pool from the access road.

## **Planning History**

The application site has not been the subject of any specific planning proposals previously but the main house has. None of those applications is considered to be of relevance to this proposal.

## **Consultations**

St Paul Malmesbury Without Parish have no comment.

## **Representations**

No representations have been made in respect of this application.

## **Planning Considerations**

### Principle of development

The application is seeking to change the use of land from agriculture to residential curtilage and construct a swimming pool and changing rooms on the land.

The land is physically separated from the existing curtilage via an existing hedge (to be retained) and is enclosed via post and rail fencing to keep horses/ponies.

### Impact on the open countryside

The residential curtilage is to be extended by some 22 metres westwards and its character significantly changed.

The encroachment of the residential curtilage into the open countryside is considered to be contrary to Policies C3 and NE15 of the North Wiltshire Local Plan 2011.

In the case of Policy NE15 proposals should not adversely affect the locally distinctive characteristics of the area. In this particular area, the distinctiveness of the countryside is largely formed by the listed farmhouse and the adjacent conservation area.

It is considered that the introduction of changing rooms spanning the northern boundary of the site and the construction of the swimming pool would result in the introduction of features alien to the landscape to the detriment of its character and appearance.

### Impact on the Conservation Area and Listed Building

The designated Rodbourne Conservation Area runs along the eastern boundary of the application site. The curtilage of the Listed Building also extends to that boundary. However, the setting of the listed farmhouse extends to a much wider area and this includes the countryside adjacent including the application site.

The incursion of the proposed development into the open countryside would erode the rural surroundings of the listed building. The rural surroundings form a significant component of its setting and character as a building of architectural or historical interest. Furthermore, the proposed development would result in the development of open countryside which forms part of the setting of the Conservation Area, to the detriment of that designated area.

### **Recommendation and Proposed Conditions/Informatives**

REFUSE for the following reasons:

1. The proposed extension of the residential curtilage to accommodate a swimming pool and changing rooms would result in an unacceptable encroachment into the open countryside to the detriment of the character and appearance of the area contrary to Policies C3 and NE15 of the North Wiltshire Local Plan 2011.
2. The proposed extension would result in the erosion of the rural surroundings of the Grade II Listed Building and the adjacent designated Rodbourne Conservation Area location to the detriment of the setting and character of both the Listed Building and the Conservation Area. The proposal therefore conflicts with Policies C3, HE1 and HE4 of the North Wiltshire Local Plan 2011.

<b>Appendices:</b>	<b>NONE</b>
<b>Documents used in the preparation of this report:</b>	<b>1.20 4.02 4.03</b>