

Date of Meeting	3 July 2014
Application Number	13/06901/FUL
Site Address	Hunts Cottage Hindon Road Dinton Salisbury SP3 5EQ
Proposal	Remove existing stores and stable, conversion of existing outbuilding to create 3 bed dwelling
Applicant	Mr & Mrs N Brodrick-Barker
Town/Parish Council	DINTON
Electoral Division	NADDER AND EAST KNOYLE
Grid Ref	402348 131393
Type of application	Full Planning
Case Officer	Andrew Bidwell

Reason for the application being considered by Committee

The Division Member Cllr Bridget Wayman has called-in the application for the following reasons;

- Visual impact on surrounding area
- Environmental Highways impacts
- Outside settlement boundary – in countryside

1. Purpose of Report

To consider the application and recommend that planning permission is granted.

2. Report Summary

This application will result in the removal of an existing store and stable buildings and to convert an existing relatively large garage / outbuilding into a 3 bedroom dwelling. In this case the dwelling will not be an annex but, will be a separate dwelling from the main house.

3. Site Description

The site is comprised of a residential dwelling house (Hunts Cottage) and some outbuildings (the subject of this application) located to the east of Dinton outside the defined development limits of the settlement. Hunts Cottage has a large residential curtilage fronting the B3089 road to Salisbury where vehicular access is gained. The residential curtilage extends to both sides of the property and to the rear where it adjoins open countryside. An area of field / pasture land – approximately 15 acres - adjoining the residential curtilage is also within the ownership of Hunts cottage.

The property is within the Cranborne Chase & West Wiltshire Downs Area of Outstanding Natural Beauty (AONB) and is also an Area of Special Archaeological Significance.

4. Planning History

Planning History is limited to equestrian type development comprised of a Change of Use application of land and the erection of stables and hay store S/2007/360 and Erection of a Tack Room and toilet S/2009/796.

5. The Proposal

Remove existing stores and stable, conversion of existing outbuildings to create 3 bed dwelling

6. Planning Policy

Adopted Salisbury District Local Plan saved policies in Appendix C of the adopted South Wiltshire Core strategy: (amongst others)

C4 – C5: development within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty.

C22: Change of Use & Conversion of Buildings.

C24: Residential curtilage

D3: Design criteria - development within residential cartilages

R2: Off-site adult recreation provision

The National Planning Policy Framework (NPPF), part 7 Requiring Good Design (amongst others)

7. Consultations

Parish Council:

Dinton PC wishes to object on the proposed application for the following reasons;

- Outside the housing policy boundary
- Not in accordance with policy C22.2
- In AONB

Highways:

This proposal has been subject to pre-application discussions and initially it was indicated that a proposal for a new dwelling in this location would be likely to attract an adverse highway recommendation. The application remains to be unacceptable in principle from a highways point of view, (see highways section below).

Ecology:

The Ecology officer commented on this application in the pre – app planning stage and suggested that conditions regarding protected species be imposed including for breeding birds. Otherwise no objections are raised.

AONB: Officers comments;

“The site appears to have two groups of buildings within it. The group in question appears to derive from single storey agricultural structures. The proposal appears to relate to the buildings further from the road that link through a gap to the adjoining field. The general height of the buildings would be increased by the proposal and the general appearance from the illustrations seems more in-keeping with an urban rather than a rural situation.

I am aware that there have been refusals for not dissimilar conversions of agricultural buildings to domestic accommodation on a nearby site. This location appears to be outside of the developed area of Dinton and therefore would comprise a new dwelling in the countryside in an isolated location. I also note that from a highway point of view there is a preference to utilise the existing site access. Creating a new visibility splay would certainly remove lengths of hedgerow which would be deleterious to the character of the neighbourhood.

I note that Section 5 of the Planning Statement does not refer to the important NPPF policies in relation to the countryside and the AONB. The submitted photographs show a variety of buildings on the site, including active and occupied stables. It appears, therefore, that the conversion of stables and stores into a new dwelling would be likely to trigger a request for permission for new stables. That would, of course, further extend the development on the site.

In conclusion, it appears to the AONB that there are fundamental policy objections, similar to those that apply to the nearby sites that militate against the proposals.

However, if you are minded to give sympathetic consideration to the proposals then the AONB would expect to see a scheme for the capture and utilisation of solar energy incorporated in the development.

If you are minded to approve the proposal then I would remind you that the provision of CILS for AONB Management Plan purposes is a policy adopted by your Council”.

8. Publicity

The application was advertised by site notice and neighbour notification. No comments have been received.

9. Planning Considerations

Principle of development:

“Outside the defined limits of development of the Principal Settlements, Market Towns, Local Service Centres and Large Villages, and outside the existing built areas of Small Villages, proposals for residential development will only be supported where these meet the accommodation needs required to enable workers to live at or in the immediate vicinity of their place of work in the interests of agriculture or forestry or other employment essential to the countryside”.

This site is just outside the defined development limits or, housing policy boundary of Dinton. As such developments that are not required for agricultural or forestry and those that do not provide other employment essential to the countryside, are not likely to be acceptable in principle in this location.

However, this policy led approach is a starting point for consideration of development proposals which, can be influenced by other adopted policies on a case by case basis. There is no requirement for proposals to comply with adopted policy in all respects but, proposals should always seek to comply with their overall objectives having regard to all relevant material planning considerations.

In this case the applicants have set out their reasons for the development being related to their need to “make timely, suitable and appropriate living arrangements” in light of medical health reasons that are explained in a confidential letter from the applicants GP. The resulting development is designed to be suitable for occupation by the applicants.

This need led approach is reflective of an objective of the NPPF to deliver a wide choice of homes... to meet the needs of older people and people with disabilities. The NPPF – in this regard – is itself a very weighty material planning consideration.

The applicants state that “Hunts Cottage, which is a large family sized dwelling, would then be released back into the housing market and be available for occupation by a new owner and more suitable and appropriate (sustainable) family use; and to this limited extent helping with supply of housing”.

Furthermore, policy would seek to secure uses in buildings like this “those to be converted” that are located in the countryside, for business use before considering residential use. However in this case the buildings which will form the dwelling are inside the existing defined residential curtilage of Hunts Cottage and they already have an ancillary residential use.

The buildings are also just outside the Dinton Housing policy boundary and in this respect the proposal would not be remotely located and due to the closeness of the buildings with Hunts Cottage and as vehicular access would be shared, there is no real prospect of a business use operating successfully from this site without causing potentially unacceptable impacts on the existing predominant residential use.

Whilst this proposal fails to strictly comply with the letter of some of the relevant planning policy, it does nonetheless comply with the overall objective of providing a choice of homes. This combined with the identified health circumstances that have led to the requirement for the development, suggest that in this case the proposal should not be ruled out in principle.

Policy / Design:

On the basis that the proposal is not unacceptable in principle for the above reasons (amongst others) it is considered that adopted saved policy relating to Change of Use & Conversion of Buildings is relevant and in particular policy C22 applies. Policy C22 states:

The change of use of buildings in the open countryside to alternative uses will be permitted, subject to the following criteria;

- (i) the existing building is not the result of a temporary planning permission
- (ii) the building is not made of flimsy prefabricated materials and is constructed in a permanent manner which enables its conversion without substantial reconstruction;
- (iii) the building is not visually intrusive or inappropriate to its setting and can be adapted without detriment to its external appearance or harming its setting; and
- (iv) the proposal does not involve additional development or require future extensions which would not be permitted under the policies of this Local Plan....

Also policy C24 "Extensions to Buildings" is considered to be relevant in this case.

Extensions and additions to buildings in the countryside will only be permitted if they are sympathetic in scale and character with the existing building and surroundings, and fall within the existing curtilage.

Other adopted policies include Landscape Conservation policies for example:

Policy C4 states: Within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty development will not be permitted if it would harm the natural beauty of the landscape...

The site and the buildings are well established and benefit from an existing mature landscaped context. This acts as a good visual foil to the site from the surrounding wider countryside. As such it is not considered that this proposal would harm the natural beauty of the countryside.

Policy C5 states: Within the Cranborne Chase and West Wiltshire Downs Area of Outstanding Natural Beauty small scale development proposals will only be permitted where they are in accordance with the policies of this Local Plan and provided that:

- (i) the siting and scale of development are sympathetic with the landscape of the AONB in general and of the particular locality; and
- (ii) standards of landscaping and design are high, using materials which are appropriate to the locality and reflect the character of the area...

It is considered that the design approach adopted is appropriate in the setting and in regard to the existing building overall. It is clear from the drawings that the garage building is not of flimsy construction can be converted without the need to substantially rebuild.

However, in this case the available space in the roof will be enlarged by reason of the increase in the height of the eaves. This will allow the roof space to be used more conveniently than existing and will provide a reasonable first floor area. Whilst this in its self is an 'enlargement' of the building and thus does not accord with the letter of the policy, it is minimal and not considered to be unacceptable in this case overall. This enlarged roof space combined with the use of roof lights / windows is an appropriate solution and would in fact reflect the existing characteristics of the building.

In terms of the remainder of the scheme the applicants have set out in their Design & Access Statement the approach adopted. The design approach will ensure the use of appropriate materials in keeping with the immediate area with an overall scale that will not dominate the site to any notable extent. Conditions will be imposed requiring that samples of materials are agreed prior to their use.

AONB; In terms of the comments regarding impacts on the wider AONB, the site and the buildings are well established and benefit from an existing mature landscaped context. This acts as a good visual foil to the site from the surrounding wider countryside. Furthermore, the building will be seen against the backdrop of Hunts Cottage – as it is now – and as much of the existing stable building will be removed there will in fact be less development on the site.

It is acknowledged that other sites have been refused for similar development but, in any event applications must be dealt with on a case by case basis.

As such it is considered that the proposal will not adversely harm the natural beauty of the countryside overall to an extent that it should be refused in this behalf.

Highways issues:

The site of the proposed development lies outside of any Housing Policy Boundaries and therefore a basic highways conclusion recommends that this proposal is refused on sustainability grounds since it is contrary to aspects of the National Planning Policy Framework which seeks to reduce the need to travel, influence the rate of traffic growth and reduce the environmental impact of traffic overall in support of sustainable development.

Notwithstanding the above, at pre-application stage, having regard to the vehicular access several alternatives were considered, however, it was agreed that the preferred access arrangement would be a shared driveway serving Hunts Cottage and the proposed dwelling. It is acknowledged that the existing access to Hunts Cottage is currently substandard and some improvements would be necessary to

accommodate the additional vehicle movements. The submitted scheme shows some widening to the access to allow two vehicles to pass, together with some hedge removal / trimming to achieve and maintain adequate sight lines. Hindon Road in the vicinity of the site is subject to the national speed limit and the required sight lines are based on the speed of traffic on the road. Visibility splays of 2.4m by 215m would generally be expected, however, the proposed splays are considered acceptable given that Hunts Cottage will also benefit from an improved access.

Therefore it is considered that to achieve an acceptable visibility splay and suitably enlarged access is easily possible in this case. This would be subject to highway approval in the normal way through the use of conditions.

Other matters/ S 106

This proposal will generate the need for a contribution to be paid in accordance with adopted saved policy R2. This has been agreed and will be secured through a Section 106 Unilateral undertaking.

10. Conclusion

When having had regard to the relevant planning policy, whilst the proposal does not entirely comply with the letter of some policy, it is nonetheless considered to be acceptable overall with key aspects of it that are specifically catered for in the NPPF.

This proposal will result in the conversion of an existing ancillary building which already has residential use, into an appropriately designed single planning unit required in connection with a specific identified need.

As such, it is considered that in his case there are material planning considerations that outweigh the limited negative aspects of the development.

RECOMMENDATION

To delegate to the Area Development Manager to Approve subject to the signing of a section 106 agreement for off-site adult recreation in accordance with saved policy R2.

And 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. No development shall commence on site until details and samples of the materials to be used for the external walls and roofs have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details.

REASON: In the interests of visual amenity and the character and appearance of the area.

3. No development shall commence on site until details of the design, external appearance and decorative finish of all railings, fences, gates, walls, and other means of enclosure have been submitted to and approved in writing by the Local Planning Authority. Development shall be carried out in accordance with the approved details prior to the development being occupied.

REASON: In the interests of visual amenity and the character and appearance of the area.

4. The development hereby permitted shall not be first brought into use until the first five metres of the access, measured from the edge of the carriageway, has been consolidated and surfaced (not loose stone or gravel). The access shall be maintained as such thereafter.

REASON: In the interests of highway safety.

5. The development hereby permitted shall not be first brought into use until splays have been provided on both its sides of the access in accordance with details that shall have been agreed in writing by the LPA.

REASON: In the interests of highway safety.

6. Any gates shall be set back 4.5 metres from the edge of the carriageway, such gates to open inwards only, in perpetuity.

REASON: In the interests of highway safety.

7. Demolition of the stables will be undertaken outside of the period 1st April to 30th September unless they have been checked by an ecologist within 48 hours of demolition and been found not to support nesting birds. Three artificial swallows nests will be erected in the barn in accordance with the details provided in Appendix D of the Phase 1 Bat Report and Ecological Assessment (PV Ecology, October 2013).

REASON: In the interest of ecology

8. The development hereby approved shall be carried out in complete accordance with the following list of documents and plans:

Phase 1 Bat Report and Ecological Assessment, dated October 2013, received 16/12/13

Planning Statement, dated December 2013, received 16/12/13

Drawing Ref no: 0787/05 Rev F Proposed site Plan, dated Nov 2013, received 10/01/14

Drawing Ref no: 0787/03 Rev C Proposed Elevations, dated Nov 2013, received 16/12/13

Drawing Ref no: 0787/02 Rev C Proposed Plans (Floor and Roof) dated Nov 2013, received 16/12/13

Drawing Ref no: 0787/04 Rev A Location Plan, dated Nov 2013, received 10/01/14

Reason: In the interest of clarity