

REPORT TO THE WESTERN AREA PLANNING COMMITTEE

Date of Meeting	27.10.2010		
Application Number	W/10/02908/FUL		
Site Address	Littleton Stables Littleton Semington Wiltshire BA14 6LF		
Proposal	Extensions to hay barn and kennels, erection of porch to existing cabin and erection of an agricultural building		
Applicant	Mr And Mrs A Diment		
Town/Parish Council	Semington		
Electoral Division	Summerham And Seend	Unitary Member:	Jonathon Seed
Grid Ref	390602 160214		
Type of application	Full Plan		
Case Officer	Mr James Taylor	01225 770344 Ext 5169 james.taylor@wiltshire.gov.uk	

Reason for the application being considered by Committee

Councillor Jonathon Seed has requested that this item be determined by Committee due to:

- * Scale of development
- * Visual impact upon the surrounding area
- * Relationship to adjoining properties
- * Environmental/highway impact
- * Other – Permission has previously been given for this site to be a traveller's site and the planned activity is at variance with the previous permitted activity.

1. Purpose of Report

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

2. Main Issues

The main issues to consider are:

- * Impact on the rural character of the countryside
- * Planning history

3. Site Description

The application site is located in open countryside to the east of the A350 near Semington, Wiltshire. The site is accessed from the A361 which runs parallel to the site to the south.

The site is currently occupied on a residential basis pursuant to a successful planning appeal. However this residential use of the on-site cabin is a temporary permission only.

Other buildings in the application site have been previously described by a Planning Inspector as subordinate parts of the existing complex. In part they are used in connection to the management of

the adjoining land to the east, west and south which is used for the keeping of pigs, chickens and also they are used as dog kennels. It is fair to summarise that the application site is used in a mixed manner. All the structures on site are single storey low profile buildings.

4. Relevant Planning History

01/00008/FUL - Change of use of land for the keeping of horses for recreation, erection of stables, hay store, hardstanding and tractor machinery shed – Permission on 28.02.2001

W/09/00407/FUL - Retrospective erection of dwelling, detached day room and touring caravan for residential use – Refusal on 19.06.2009 (Appeal Allowed on 12.01.2010)

5. Proposal

This application has several relatively minor aspects which may be summarised as:-

The erection of an agricultural building for the keeping of farrowing pigs and ancillary agricultural storage. This building would have a footprint of approximately 5.5 metres by 7.3 metres, utilise a low profile mono-pitch roof form up to 3.1 metres in height and have matching materials to the adjacent buildings. Further ancillary development including stock proof enclosures around the new building is included on the plans.

Erection of a porch to the front elevation of the domestic cabin building with a footprint of approximately 1.2 metres by 1.8 metres and a height no greater than 2.3 metres, utilising matching materials.

An extension to the south side of the existing stable/kennel/storage building with an L-shaped footprint and utilising the existing building's form and materials. This would have a footprint of approximately 21 square metres and be used for the kennels.

An extension to the north east of the existing stable/kennel/storage building with a rectangular footprint and utilising the existing building's form and materials. This would measure approximately 3.6 metres by 6.3 metres and be used for storage of hay and straw.

6. Planning Policy

C1 Countryside Protection
C31a Design
C32 Landscaping
C38 Nuisance
CF12 Gypsy Caravan Sites

National guidance
PPS1: Delivering Sustainable Development
PPS4: Planning for Sustainable Economic Growth
PPS7: Sustainable Development in Rural Areas
ODPM Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites

7. Consultations

Semington Parish Council

"In respect of the above application is the applicant, Mr Dimet, applying as a gypsy or part of the "settled community". This is a query in relation to the history of the site. In the first planning application for recreational stables he stated that he was part of the settled community with a house in Trowbridge. In the second planning application for a traveller's site he applied as a gypsy. This

application appears to be one from someone from the settled community? Please could you provide some clarification of the status of the applicant.”

Case officer provided guidance on 1 October 2010 and no further comments have been received.

8. Publicity

The application was advertised by site notice and neighbour notification.

Expiry date: 8 October 2010

1 letter received. Summary of points raised:

- * Inspector found this site unsuitable regarding access by foot/open countryside.
- * Temporary 3 year permission
- * Housing is being built at the Turnpike, Semington, have they applied?
- * Unsuitable for children
- * Highways increase in traffic
- * Open countryside
- * This couple have owned housing in Trowbridge for years
- * When did this site change to smallholding?
- * This is a creeping development, unsuitable for housing, this area has been subjected to more than it can take.

9. Planning Considerations

9.1 The application site is located in a relatively isolated countryside location. There would be no neighbours in close proximity affected by the development. Further it is noted that this location is not subject to any special designations.

9.2 The application site is located within the countryside. Therefore the principal of erecting a building in connection with an agricultural activity, albeit on a small scale does not pose any significant concerns. The pig farrowing and storage building would be modest in scale and kept to a low profile like the adjacent buildings on the site. The building would either be obscured from view by the existing hedgerows and buildings on site or be viewed against this. As such it would not cause any harm to the landscape.

9.3 In terms of use this building is being proposed in connection to the use of the wider area, as outlined in blue on the submitted plans, for agricultural purposes. No change of use is proposed. Due to the relatively small area of land involved no agricultural permitted development rights exist for new buildings, hence this full planning application. For the reasons detailed above it is not considered that the building causes any harm to any acknowledged planning interests.

9.4 The extensions to the stable/kennel/storage building too would generally be viewed against or be obscured from view by the existing buildings and landscaping on the site. They would make use of matching materials and replicate the form of the existing building. As such the proposals would not result in any harm to the rural character of the area over and above the existing.

9.5 The uses of the buildings would remain in accordance with the uses that exist on the site and would not lead to any significant intensification in use. It is noted that these buildings have a planning history that needs to be considered in the context of the current proposals. In particular condition 1 of the recent planning inspector's decision is key and should be re-imposed and varied on this application for the sake of clarity and to ensure that the Council retains reasonable control of the site.

9.6 Finally the proposals include the erection of a porch to the residential cabin which has been granted planning permission on a temporary basis. This porch has become desired in light of the conditions on site and need for further protection against the weather elements. As with the above proposals this would be sympathetic in terms of design and landscape impacts.

9.7 As detailed in paragraphs 9.3 and 9.5 there is no change of use being proposed in this application. The porch to the cabin would have a residential use like the rest of the cabin. Therefore it follows that since the cabin was only approved by a planning inspector for a temporary period that this porch should also be subject to a temporary permission. A slightly revised version of the inspector's condition 1 should therefore be reapplied to this application for the sake of clarity and to ensure that the Council retains reasonable control of the site.

9.8 In summary the proposals would not result in any harm to any acknowledged planning interests and planning conditions can reasonably control any concerns raised in the consultation process which are material to the planning merits of the case.

Recommendation: Permission

For the following reason(s):

The proposed development conforms to the Development Plan and there are no objections to it on planning grounds.

Subject to the following condition(s):

- 1 The pig farrowing building development hereby permitted shall be begun before the expiration of three years from the date of this permission. All other developments, namely the extensions to the stable/workshop/kennels and former tractor shed shall be begun before the 12 January 2013.

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 and to reflect the temporary nature of some parts of the existing development.

- 2 The materials to be used in the construction of the external surfaces of the development hereby permitted shall match in material, colour and texture those used in the existing buildings.

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

West Wiltshire District Plan 1st Alteration 2004 - POLICY: C31a.

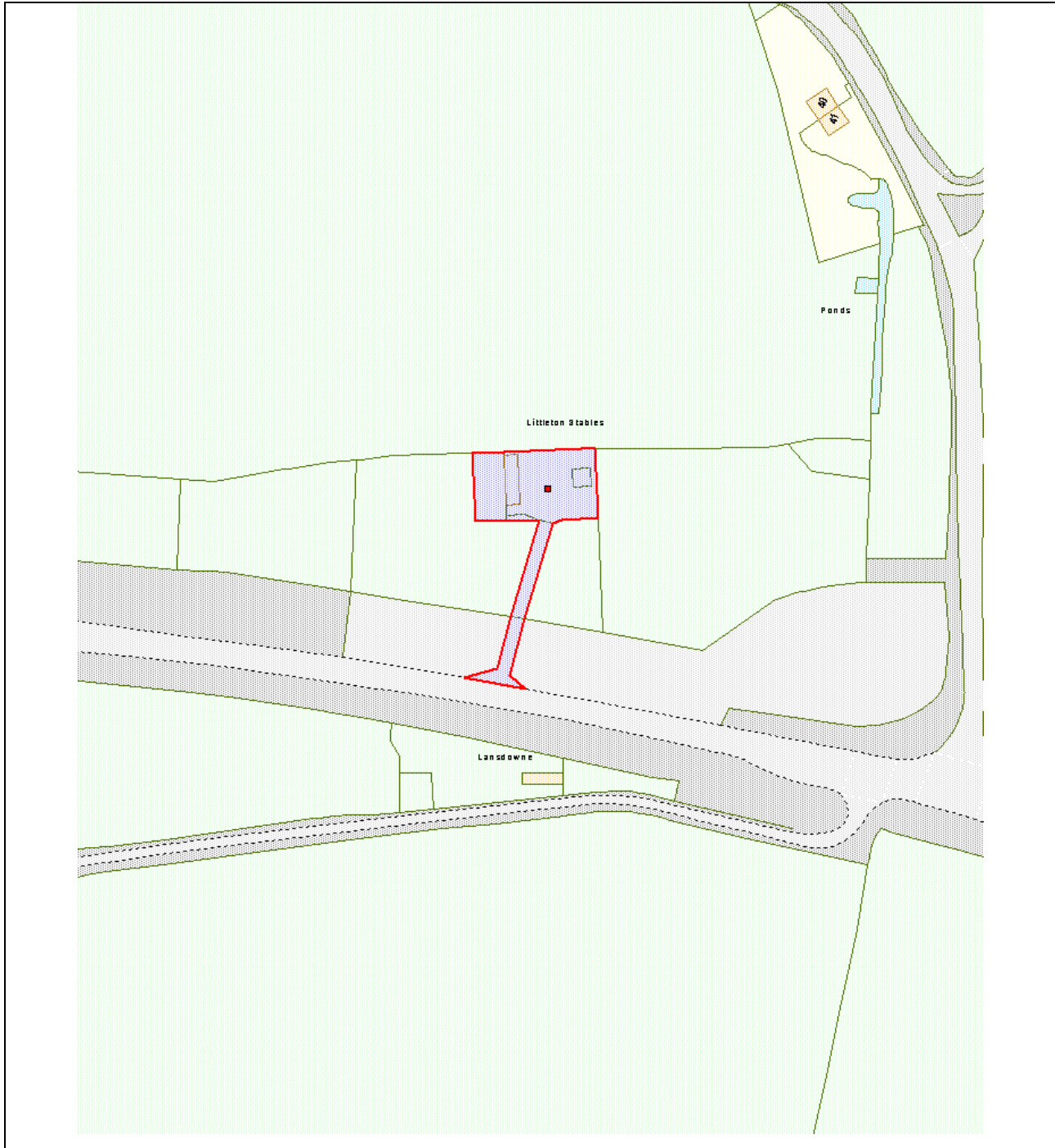
- 3 The use permitted under planning permission W/09/00407/FUL dated 12 January 2010 shall be carried on only by Mr Adrian, Mrs Christine and Mr Lee Diment, and shall be for a limited period until 12 January 2013, or the period during which the premises are occupied by one or more of these named persons, whichever is the shorter, within 6 months of which all residential use shall cease; the touring caravan, industrial container 'B', kennels and extensions hereto shall be removed; the cabin shall be restored to the condition and appearance approved under planning permission 01/00008, dated 21 February 2001; and the land to which planning permission W/09/00407/FUL dated 12 January 2010 relates restored to its condition before the residential use commenced.

REASON: In order to protect the rural character of the area and define the terms of this permission.

Informative(s):

- 1 The development hereby approved is limited to that detailed in section 3 of the submitted application form, namely "extensions to hay barn and kennels, provision of a small porch to existing cabin, erection of an agricultural building" pursuant to the conditions attached herewith.

Appendices:	
Background Documents Used in the Preparation of this Report:	



Reproduced from the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office ©
Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. Tel: 01225 770344 Fax: 01225 770314 Development Control West Wiltshire Council
Bradley Road Trowbridge Wiltshire BA14 0RD www.wiltshire.gov.uk

MSA: 100022961

RELEVANT APPLICATION PLANS

Drawing : LOCATION PLAN received on 14.09.2010

Drawing : 9/10/1/1 received on 14.09.2010

Drawing : 9/10/1/2 received on 14.09.2010

Drawing : 9/10/1/3 received on 14.09.2010

Drawing : 9/10/1/4 received on 14.09.2010