

**REPORT OUTLINE FOR AREA PLANNING COMMITTEES****Report No.**

<b>Date of Meeting</b>	03 February 2017
<b>Application Number</b>	16/08525/FUL & 16/09038/LBC
<b>Site Address</b>	Stable Block Thistle Barn Ashley Box Wiltshire SN13 8AJ
<b>Proposal</b>	Works to and change of use of stable block to 2 holiday lets
<b>Applicant</b>	Mr P Waters
<b>Town/Parish Council</b>	BOX
<b>Ward</b>	BOX AND COLERNE – Cllr Shelia Parker
<b>Grid Ref</b>	381370 168467
<b>Type of application</b>	Full Planning
<b>Case Officer</b>	Victoria Davis

**Reason for the application being considered by Committee**

The application has been called into committee by the Local Member, Cllr Shelia Parker in order to consider the scale of development, relationship with adjoining properties and the highways impact.

**1. Purpose of Report**

To consider the above application and to recommend that Planning Permission and Listed Building Consent is GRANTED subject to planning conditions.

**2. Report Summary**

11 Letters of objection received from 6 Neighbours; The Parish Council Objects to the proposal.

The main issues are:

- Principle of development

- Impact on the character and appearance of the surrounding area including Area of Outstanding Natural Beauty
- Green Belt Policy
- Residential amenity
- Parking and access

### **3. Site Description**

This application relates to Thistle Barn which is a grade II listed Barn previously converted to a residential dwelling. The site falls within the small settlement of Ashley which does not feature a settlement framework boundary. The site is within Ashley Conservation Area, the Cotswold Area of Outstanding Natural Beauty (AONB) and the Western Wiltshire Green Belt. A private access track leads from the road to a large parking area to the west of Thistle Barn. The track continues to the east to serve the neighbouring property, Bre. Immediately to the east of the Thistle Barn is a small courtyard area and stable block which is currently used for domestic storage. To the north of the property is a large private garden.

### **4. Relevant Planning History**

**15/08877/FUL** Change of Use and Conversion of Stable Block to Two Holiday Lets  
**15/08937/LBC** Change of Use and Conversion of Stable Block to Two Holiday Lets

Both applications were WITHDRAWN after concerns were raised in relation to the overall scale and design.

### **5. The Proposal**

The application seeks planning permission and listed building consent for the conversion of the former stable block and into two self contained holiday lets. The building which is the subject of the application was most recently used as domestic storage ancillary to Thistle Barn. These current applications follow two previous applications which proposed converting and extending the existing stable building to provide two, two storey holiday lets. These applications were withdrawn after concerns were raised in relation to the overall scale and design.

This latest proposal initially sought permission to replace the roof of the stable block however it was immediately established that there was no justification for raising the height of the roof, especially given the Green Belt location. This point was raised with the agent and revised plans were submitted. The revised proposal shows that the two self contained, one bed-roomed holiday lets would be created wholly within the existing built structure of the stable building and that the existing roof and roof-lights would be retained. It is intended to retain all of the existing door and window openings and to refurbish the frames where necessary. One new window will be fitted to the front (west) elevation and the existing window will be enlarged to match. It is proposed to finish the front (west) elevation in off white self coloured render. Access to the site utilises the existing private access track which

currently serves Thistle Barn and Bre. Three parking spaces are to be provided within an existing hard standing area to the south and west of the stable building.

## **6. Planning Policy**

### Wiltshire Core Strategy:

CP 1 Settlement Strategy  
CP 2 Delivery Strategy  
CP11 The Spatial Strategy: Corsham Community Area  
CP39 Tourist Development  
CP48 Supporting Rural Life  
CP51 Landscape  
CP57 Ensuring High Quality Design and Place Shaping  
CP 58 Ensuring the Conservation of the Historic Environment  
CP 61 Transport and New Development  
CP64 Demand Management

### National Planning Policy Framework (NPPF):

Achieving sustainable development – Core Planning Principles, para 17

Chapter 3 Supporting a Prosperous Rural Economy, para 28  
Chapter 7 Requiring Good Design, para 64  
Chapter 9 Protecting Green Belt Land, para 89 & 90  
Chapter 11 Conserving and Enhancing the Natural Environment, para 115  
Chapter 12 Conserving and Enhancing the Historic Environment, para 128, 129, 131, 132 & 134

### Cotswold AONB Management Plan 2013-2018

## **7. Consultations**

Box Parish Council: Objection - comments are summarised below -

- Increase in height, bulk and mass would harm the openness of the Green Belt
- Highways concerns in relation to visibility and increased vehicle movements
- Queried the alleged business use at the site
- Questioned feasibility of conversion – foundations
- Suggested that if permission was granted conditions should be applied to limit the occupancy to holiday let only

Highways: No Objection

The officer initially requested a parking plan to demonstrate the on-site parking for both the proposed holiday lets and the existing property. A revised plan was submitted and no objection is raised to the revised layout.

Conservation Officer: Supportive of the proposal in principle. Comments are summarised below -

- The existing building is of little architectural merit and currently has a negative impact on the setting of several surrounding heritage assets.
- There is no justification for increasing the roof height and therefore increasing the overall visual impact this building has on the setting of the nearby listed buildings.
- The existing roof height and pitch should be retained. An aesthetic slate or tiled roof finish is an option at this shallow pitch, alternatively a replacement 'low key' metal roof could also be considered.
- The use of render to the external walls is not considered any worse than the existing finish

The officer is satisfied that, subject to the existing roof pitch being retained, the proposal would not cause any harm to the significance of the curtilage listed building. The development would have a neutral impact on the setting of the principal listed building and the character and appearance of the surrounding conservation area would be preserved.

## **8. Publicity**

The application was advertised by site notice and neighbour consultation. A second neighbour consultation was carried out (on receipt of revised plans, parking plan and structural survey) allowing 14 days for further comments.

11 letters of objection were received overall from 6 neighbours. The issues raised are summarised below-

- Concern relating to whether the existing building is capable of conversion – query relating to the suitability of the foundations
- Resulting building is inappropriate and contrary to the Core Strategy for development within AONB & Green Belt
- Access, traffic and parking issues – highways safety particularly affecting Bre and Ashley Leigh
- Plans are unclear, lack of dimensions, height of building is unclear
- Concern relating to future commercial use of the property and site
- Reference made to ongoing issue with a number of vehicles being parked at the property and an alleged business use
- Drainage concerns relating to capacity of existing foul and surface water systems

Dorset and Wiltshire Fire and Rescue: Commented in relation to building regulations, building access, water supply and sprinkler systems. Full comments are available online.

## 9. Planning Considerations

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.

Sections 66 (1) and 72 (1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 require Local Planning Authorities in determining planning applications affecting a Listed Building or Conservation Area to pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses; and to pay special attention to the desirability of preserving or enhancing the character or appearance of that conservation area.

### Principle of Development

Core Policy 1 of the Wiltshire Core Strategy sets out the 'Settlement Strategy' for the county and identifies four tiers of settlement – Principal Settlements, Market Towns, Local Service Centres, and Large and Small Villages. Only the Principal Settlements, Market Towns, Local Service Centres and Large Villages have defined 'limits of development'/settlement boundaries.

Core Policy 2 of the WCS sets out the delivery strategy for Council and states within the 'limits of development', as defined on the policies map, there is a presumption in favour of sustainable development. The policy goes on to set out that other than in circumstances as permitted by other policies within this plan, identified in paragraph 4.25, development will not be permitted outside the limits of development.

Paragraph 4.25 sets out 'exception policies' which seek to respond to local circumstance and national policy. These exception policies are as follows

- Additional employment land (Core Policy 34)
- Military establishments (Core Policy 37)
- Development related to tourism (Core Policies 39 and 40)
- Rural exception sites (Core Policy 44)
- Specialist accommodation provision (Core Policies 46 and 47)
- Supporting rural life (Core Policy 48)

The proposed site in Ashley is located outside of the defined 'limits of development' however, and it is therefore considered that the proposed development should be considered under Core Policies 39 and 48, two of the exceptions policies listed in paragraph 4.25.

Core Policy 48 relates to supporting rural life and sets out that proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where they satisfy the following criteria:

- i. The building(s) is/are structurally sound and capable of conversion without major rebuilding, and with only necessary extension or modification which preserves the character of the original building.*

A basic structural survey has been provided which sets out that the building is structurally sound and that its conversion to a usable property would be feasible. The report concludes

that the structure is in good condition and can be converted without significant modification. Some neighbours have raised concern relating to lack of foundations supporting part of the wall along the north-eastern boundary. The councils building control officer has reviewed the structural report in conjunction with various internal and external photographs of the building and was satisfied with its conclusion. The officer commented as follows -

*“The fact there appears to be little or no foundation would not mean the conversion cannot take place ; most barns that we deal with do not have modern up to standard foundations ; in such cases we look for excessive movement and cracking which this barn doesn` t appear to have”*

On the basis that minimal external alterations are necessary to facilitate the conversion it is accepted that the character of the original building would be preserved.

*ii. The use would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.*

The revised application is for the change of the use of an existing building, with minimal external alterations proposed. The application is therefore not considered to have any impacts on the character or appearance of the surrounding area. There are no increased impacts on residential amenity resulting from the conversion of the building. The application proposes two, small one bedroom holiday lets. The anticipated vehicle movements associated with their occupation are unlikely to cause a significant level of disturbance to nearby residents.

*iii. The building can be served by adequate access and infrastructure.*

The site is accessed directly from the main road through Ashley. As an existing building the surface water arrangements are unchanged and the agent submits that the foul drainage will connect to an existing septic tank, a condition requiring submission of details in this respect is proposed. Adequate car parking provision for the holiday let can be accommodated within the site which meets the requirements of the council’s highways officer.

*iv. The site has reasonable access to local services.*

The site is situated along a main road through Ashley and is well connected to surrounding settlements including the large village of Box and the Market Town of Corsham. Rail and bus links are available to wider destinations from these settlements. The site is also located within walking distance of a public house and filling station with convenience store.

*v. The conversion or re-use of a heritage asset would lead to its long term safeguarding.*

The building itself is curtilage listed through its association with Grade II listed Thistle Barn. The external alterations are considered to improve the overall appearance of the building

which would have a positive impact on the setting of the listed building and conservation area. It is considered that finding an appropriate use for this building would contribute to its long term safeguarding which in turn would protect the contribution it makes to the character of the surrounding conservation area and setting of Thistle Barn.

It is considered that the development does satisfy the criteria of Core Policy 48.

Core Policy 39 is also relevant in this case as it specifically relates to new tourist development. This policy seeks to focus tourism development of an appropriate scale within Principal Settlements and Market Towns. Outside the Principal Settlements and Market Towns, the policy sets out that tourist and visitor facilities should be located in or close to Local Service Centres or Large and Small Villages. This policy also sets out that in exceptional cases development may be supported away from these locations where it can be demonstrated that all of the following criteria are met:

- i. There is evidence that the facilities are in conjunction with a particular countryside attraction.
- ii. No suitable alternative existing buildings or sites exist which are available for reuse.
- iii. The scale, design and use of the proposal is compatible with its wider landscape setting and would not detract from the character or appearance of the landscape or settlement and would not be detrimental to the amenities of residential areas.
- iv. The building is served by adequate access and infrastructure.
- v. The site has reasonable access to local services and a local employment base.

The application relates to the conversion of an existing building for two small one bed-roomed holiday lets. The site is situated just off the main road through Ashley which is well connected via the A4 to nearby settlements including the Box, Corsham and the City of Bath which is an established draw for visitors to the area. Rail and bus links are available to wider destinations from these settlements. The site is also located close to the village public house and filling station with convenience store. The proposed external changes would improve the appearance of the building overall meaning the proposed development is considered compatible with its setting. As has already been discussed in the sections above, the location is considered to have adequate parking, infrastructure and access to local services. The development is therefore considered to meet the requirements of Core Policy 39.

#### Development within the Green Belt

The main consideration would be whether the proposed development would be inappropriate development in the greenbelt for the purposes of the NPPF. Paragraph's 89 and 90 of the NPPF list forms of development that would not be considered inappropriate in the Greenbelt and this includes the reuse of existing buildings providing they are of permanent and substantial construction. It is considered that the development as proposed does fall within this category and so would not be considered inappropriate. It is also important to consider whether the development would have any adverse effect on the openness of the Green Belt.

In this case, the revised plans show that the holiday accommodation would be provided within the existing plan area of the building and that the existing roof would be retained. With no extension of the existing building being proposed there would be no impact on the openness of the greenbelt as a result of the development.

#### Impact on significance of curtilage listed building, setting of Thistle Barn and Conservation Area

The Conservation Officer has been consulted in order to assess whether the proposal would result in any harm to the significance of the curtilage listed building or the setting of Thistle Barn and surrounding conservation area. In relation to the original plans, the officer commented that there was no justification for raising the roof of the building as was initially proposed. The officer confirmed that subject to the existing roof pitch being retained, the proposal would not harm the significance of the stable block or the setting of Thistle Barn. In this case revised proposal shows that the existing roof and roof-lights would be retained. The existing doors and windows will be retained and refurbished where necessary. There is one new window proposed to the front elevation (facing Thistle Barn) along with the enlargement of one existing window in the same elevation. This elevation will also be finished in render. The courtyard area between the stable and Thistle Barn is already used for parking vehicles and so the appearance of this area would be unchanged by the proposed change of use. These minor external alterations will have no significant effect on the appearance of the stable block overall. It is not considered that the proposal would harm the significance of the curtilage listed building or the setting of the principally listed Thistle Barn. The impact on the surrounding conservation area is neutral and so its character and appearance would be preserved.

#### Area of Outstanding Natural Beauty

The site is also located within the Cotswold Area of Outstanding Natural Beauty Core Policy 51 aims to protect the beauty of the wider landscape. The Cotswold AONB Management Plan acknowledges that tourism is an important element of the economy of the AONB it also explains that conversions of traditional buildings for alternative uses need to be carefully appraised to ensure their character and setting are protected. In this case, the the external appearance of the building and its curtilage would be largely unchanged as a result of the modest alterations and so the proposal would have a negligible visual impact on the wider landscape.

#### Highways

The development would result in the creation of two holiday lets. The highways officer initially requested a plan to demonstrate the parking that would be made available for the holiday lets as well as the parking provision for the existing property, Thistle Barn. A revised site plan was submitted which demonstrated the proposed parking arrangements. The Officer provided the following final comments -



*Having seen the updated parking allocation information submitted for the above proposal of converting ancillary outbuilding storage space into holiday lets I am satisfied that there is sufficient space within the site for parking allocated to the main dwelling and for provision of parking spaces for the proposed two units for holiday let conversion.*

*The amount of traffic created by the proposal will not have a significant impact on the highway and provided the units remain ancillary to Thistle Barn I can raise no highway objection.*

As a separate issue there is an ongoing dispute between the occupant of Thistle Barn and some of the neighbouring residents in relation to an alleged business operation being carried out at the property. Several of the neighbour's letters referred to this and explained that a number of vehicles, in excess of what would be expected for domestic purposes, were regularly parked at the property. The letters explained that the resultant increase in vehicle movements has led to ongoing highways safety issues in the area. It is understood that this complaint is being investigated by the Council's enforcement officers. The alleged business use at Thistle Barn is not a material consideration that has a bearing on this current application which must, under national planning legislation, be considered on its own merits.

#### Impact on residential amenity

As the building itself would not be extended and no additional windows and doors are proposed in elevations facing the neighbouring properties there would be no additional impacts in terms of overlooking, overshadowing, loss of light or overbearing appearance. The vehicular access into the site is existing and currently serves Thistle Barn and Bre. The anticipated increase in vehicle movements that would be associated with the two holiday lets would be unlikely to cause a significant level of disturbance to any nearby residents.

#### Ecology

It was confirmed by the Ecology Officer that a bat survey would not be required in this case.

### **10. Conclusion**

The proposal is considered to be acceptable in principle and design. The location is considered appropriate for the conversion of an existing rural building for the purpose of providing tourist accommodation. The proposal is not considered to be detrimental to the openness of the green belt falling within the identified development which is not considered inappropriate in the green belt; or to the rural character or natural beauty of the wider landscape. There would be no harm to the significance of the curtilage listed building or other nearby heritage assets and the character and appearance of the surrounding conservation area will be preserved. It will not cause harm to the amenities currently enjoyed by the occupants of the residential properties nearby. The proposal is therefore considered

to comply with Core Policies 1, 2, 39, 48, 51, 57 & 58 of the WCS as well as sections 3, 7, 9, 11 & 12 of the NPPF.

The Stable Block at Thistle Barn is a curtilage listed building which it is desirable to preserve, for its contribution to the significance and the setting of the principle listed building. The alterations will preserve the special interest of Thistle Barn, the listed building and its setting, in accordance with S.16(2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 and Paragraph 17(10) & Section 12 of the National Planning Policy Framework.

## 11. Recommendation

Planning Permission be GRANTED subject to 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Existing Stable Plan 2276/2, Existing Elevations 2293/3 and Proposed Ground Floor 2293/4 rev. A (all received 1 September 2016), Proposed Rear (East) Elevation 2276/6 rev.D, Proposed End Elevations 2293/7 rev.C and Proposed Front (West) Elevation 2276/9 rev.E (all received 8 November 2016) and Location and Block Plan 2293/1 rev.B (received 6th December 2016)

REASON: For the avoidance of doubt and in the interests of proper planning.

- 3 No development shall commence on site until details of the works for the disposal of sewerage including details of the existing septic tank connection have been submitted to and approved in writing by the Local Planning Authority. No part of the development shall be first occupied until the approved sewerage and septic tank details have been fully implemented in accordance with the approved plans.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, to ensure that the proposal is provided with a satisfactory means of drainage and does not increase the risk of flooding or pose a risk to public health or

the environment.

- 4 Notwithstanding Class C3 of the Schedule to the Town and Country (Use Classes) Order 1987 (as amended)(or in any provisions equivalent to that class in any statutory instrument revoking or re-enacting that Order with or without modification), the accommodation hereby permitted shall be used to provide holiday accommodation only, which shall not be occupied as permanent, unrestricted accommodation or as a primary place of residence. An up to date register of names and main home addresses of all occupiers shall be maintained and shall be made available at all reasonable times to the Local Planning Authority.

REASON: This site is in a position where the Local Planning Authority, having regard to the reasonable standards of residential amenity, access, and planning policies pertaining to the area, would not permit permanent residential accommodation.

- 5 INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

- 6 INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

- 7 INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

- 8 INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in

question.

9           INFORMATIVE TO APPLICANT:

The applicant is advised that the development hereby approved may represent chargeable development under the Community Infrastructure Levy Regulations 2010 (as amended) and Wiltshire Council's CIL Charging Schedule. If the development is determined to be liable for CIL, a Liability Notice will be issued notifying you of the amount of CIL payment due. If an Additional Information Form has not already been submitted, please submit it now so that we can determine the CIL liability. In addition, you may be able to claim exemption or relief, in which case, please submit the relevant form so that we can determine your eligibility. The CIL Commencement Notice and Assumption of Liability must be submitted to Wiltshire Council prior to commencement of development. Should development commence prior to the CIL Liability Notice being issued by the local planning authority, any CIL exemption or relief will not apply and full payment will be required in full and with immediate effect. Should you require further information or to download the CIL forms please refer to the Council's Website  
[www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructur  
elevy](http://www.wiltshire.gov.uk/planninganddevelopment/planningpolicy/communityinfrastructur/elevy).

## 12. Recommendation

Listed Building Consent be GRANTED subject to conditions;

- 1           The works for which Listed Building Consent is hereby granted shall be begun before the expiration of three years from the date of this consent.

REASON: To comply with the provisions of Section 18 of the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended by the Planning and Compulsory Purchase Act 2004.

- 2           The works hereby permitted shall be carried out in accordance with the following approved plans:

Existing Stable Plan 2276/2, Existing Elevations 2293/3 and Proposed Ground Floor 2293/4 rev. A (all received 1 September 2016), Proposed Rear (East)Elevation 2276/6 rev.D, Proposed End Elevations 2293/7 rev.C and Proposed Front (West) Elevation 2276/9 rev.E (all received 8 November 2016) and Location and Block Plan 2293/1 rev.B (received 6th December 2016)

REASON: For the avoidance of doubt and in the interests of proper planning.

3 Notwithstanding the approved drawings, no works shall commence until details of the following have been submitted to and approved in writing by the Local Planning Authority:

- (1) Large scale details of all external joinery (1:5 elevation, 1:2 section) including vertical and horizontal cross-sections through openings to show the positions of joinery within openings, depth of reveal, heads, sills and lintels;
- (2) Full details of external flues, background and mechanical ventilation, soil/vent pipes and their exits to the open air;
- (3) A full schedule and specification of repairs including:
- (4) a structural engineer's report setting out the nature of, and suggested remedial work to, structural defects;
- (5) Full details of external decoration to render, joinery and metalwork; and
- (6) Full details and samples of external materials.

The works shall be carried out in accordance with the approved details.

REASON: The matter is required to be agreed with the Local Planning Authority before development commences in order that the development is undertaken in an acceptable manner, in the interests of preserving the character and appearance of the listed building and its setting.

4 No render shall be applied to any building or walls on site until a sample panel of the render to be used on the external walls not less than 1 metre square, has been made available on site, inspected and approved in writing by the Local Planning Authority. The panel shall then be left in position for comparison whilst the development is carried out. Development shall be carried out in accordance with the approved sample.

REASON: In the interests of visual amenity and the character and appearance of the listed building and its setting.

5           INFORMATIVE TO APPLICANT:

The applicant is requested to note that this permission does not affect any private property rights and therefore does not authorise the carrying out of any work on land outside their control. If such works are required it will be necessary for the applicant to obtain the landowners consent before such works commence.

If you intend carrying out works in the vicinity of the site boundary, you are also advised that it may be expedient to seek your own advice with regard to the requirements of the Party Wall Act 1996.

6           INFORMATIVE TO APPLICANT:

Any alterations to the approved plans, brought about by compliance with Building Regulations or any other reason must first be agreed in writing with the Local Planning Authority before commencement of work.

7           INFORMATIVE TO APPLICANT:

Please note that Council offices do not have the facility to receive material samples. Please deliver material samples to site and inform the Planning Officer where they are to be found.

8           INFORMATIVE TO APPLICANT:

The applicant should note that the grant of planning permission does not include any separate permission which may be needed to erect a structure in the vicinity of a public sewer. Such permission should be sought direct from Thames Water Utilities Ltd / Wessex Water Services Ltd. Buildings are not normally allowed within 3.0 metres of a Public Sewer although this may vary depending on the size, depth, strategic importance, available access and the ground conditions appertaining to the sewer in question.