

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	3 rd October 2018
Application Number	18/03673/FUL
Site Address	The Solar, Market Place, Colerne, SN14 8DF
Proposal	Conversion of stable block into 1 bed dwelling, amended access and associated works
Applicant	Ms Emma Ramsden
Town/Parish Council	COLERNE
Electoral Division	BOX AND COLERNE – Cllr Brian Mathew
Grid Ref	381999 171151
Type of application	Full Planning
Case Officer	Rose Fox

Reason for the application being considered by Committee

The application has been called to Committee by Cllr Mathew in order to consider the visual impact, residential amenity, highways and parking. The application has been contentious with a number of neighbours and the Parish Council has requested the application is discussed at NAPC.

1. Purpose of Report

The purpose of the report is to assess the merits of the proposal against the policies of the development plan and other material considerations and to consider the recommendation that the application be approved, subject to conditions.

2. Report Summary

The critical issues in the consideration of the application are as follows:

- Principle of Development
- Impact on Heritage Assets
- Design/Character and Appearance of the Area (AONB)
- Highways and Parking
- Residential Amenity

The application has been met with objection from Colerne Parish Council. Representations have been received from five members of the public, albeit no comments have been received since the most recent revisions to the scheme and reconsultation.

3. Site Description

The application site comprises an existing residential dwelling “The Solar” and associated curtilage which includes former stables which is proposed for conversion pursuant to this application. The building is currently used as a garage, with a loft room at first floor level. The building is finished in stone, set beneath a tiled roof. It has two sets of timber double doors to the front, a front door and a number of windows. The property is enclosed by a stone boundary wall and trees/foliage.

The application site is located centrally within the settlement limits of Colerne, which is defined as a Large Village within the Core Strategy. It is situated west of the Market Place/Quarry Lane. The surrounding buildings in the immediate area comprise a mix of 1 and 2 storey buildings, which are finished in stone, with some variance in roof materials. The site is situated within the Colerne Conservation Area and Cotswolds AONB.

4. Planning History

None relevant

5. The Proposal

The proposal comprises the conversion of the former stables into a one bedroom dwelling, with an amended access and associated works. The building is currently used as a garage. The proposed new dwelling would consist of a kitchen, bathroom and utility within the lean-to, a living/dining room on the ground floor and a bedroom at first floor. It would have 1 off street parking space.

The conversion would utilise existing openings within the walls of the building. The ground floor openings at the front of the building would be infilled with a timber door, windows and timber boarding. Two new conservation rooflights are proposed in the north elevation, towards the western side of the building and away from the roadside. The existing opening in the eastern elevation would be replaced with a window, and existing windows in the west elevation would be replaced. Two small conservation rooflights are also proposed to the single storey lean to which would not be visible from the public realm. There would be some modest lowering of the internal floor level to accommodate sufficient height at first floor level.

The existing access would be repositioned just south of the existing access and would be widened by approximately 300mm above the existing access width. The boundary wall will be extended in place of the existing access. The stone removed to create the relocated entrance would be used to infill the existing entrance.

6 trees are proposed for removal (1 bay, 1 lilac, x2 Lawson cypress, x2 leylandii), and 8 new trees are proposed.

6. Local Planning Policy

The following policies of the Wiltshire Core Strategy (Jan 2015) (WCS) are relevant: Core Policy 1 (Settlement strategy)

Core Policy 2 (Delivery strategy)
Core Policy 11 (Community Area strategy: Corsham Community Area)
Core Policy 45 (Meeting Wiltshire's Housing Needs)
Core Policy 51 (Landscape)
Core Policy 57 (Ensuring high quality design and place shaping)
Core Policy 58 (Ensuring the conservation of the historic environment)
Core Policy 61 (Transport and development)
Core Policy 64 (Demand management)

National Planning Policy Framework (NPPF)
Paragraphs 11, 38, 79, 172, 190, 195, and 196 and Sections 5, 9, 12, 15 and 16

7. Summary of consultation responses

Colerne Parish Council

Latest comments from meeting 18/09/2018: *“Although the Council noted the changes to plans which answered some of the concerns raised previously, concerns remain about:*

- Over-development/overcrowding of the site - particularly as this proposal is out of character in a conservation area. Although the reduction from two bedrooms to one is noted and reduces the number of parking spaces required from four to three, overdevelopment is still considered an issue.*
- The proposed access will remove sections of a wall which has been in existence for over 100 years and is part of the historic nature of the village and provides a backdrop to events at the war memorial.*

The Council felt that the revised plans were not sufficient and maintains its request for the application to be called in.”

Conservation Officer

No objection subject to sample panel of new wall as recognised wall contributes to the setting of heritage assets (notably war memorial)

Highways Engineer

No objection to the revised proposals

Drainage Engineer

Given the proposal is for a conversion within a built up area, and there is not a significant increase in hardstanding (limited to driveway and paving immediately outside building), a suitable drainage solution is considered achievable in principle. Surface water drainage details can be conditioned.

Tree Officer

No objection and an Arboricultural Method Statement is not required as long as storage and mixing of materials would take place on hardstanding away from trees.

Ecology Officer

No objection – add bat informative

8. Publicity

The application was advertised by site notice and neighbour notification letter.

Representations have been received from 5 local residents since the latest reconsultation and plan changes, but comments on previous plans are summarised below:

- Highway safety issues with new access
- Queries in relation to proposals e.g. annexe or new dwelling and clarification as to the location of access (Responded to directly)
- Excessive infilling in the village
- Overdevelopment of site
- Wall may be listed
- Parking inadequate
- Removal of trees harm to Conservation Area
- Harm to setting of war memorial
- Loss of privacy - East elevation window overlooking into Innox House and garden
- Queries surfacing material to be used in new driveway – could be conditioned to reduce visual impact (Albeit this related to previous additional driveway proposal next to Elmsleigh which has been removed from the scheme)

9. Planning Considerations

Principle of development

Core Policy 1 of the WCS sets out that Colerne is defined as a 'Large Village' within Wiltshire where development will be limited to that needed to help meet the housing needs of settlements. Core Policy 2 sets out that within the defined limits of development of Large Villages there is a presumption in favour of sustainable development. Since the application site is within the limits of development in Colerne, it is therefore considered appropriate in principle as long as it constitutes sustainable development and complies with the other relevant policies of the WCS.

Heritage Assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas and the preservation of listed buildings. The Act requires that special regard should be given to the desirability of preserving a listed building or its setting (s. 66) as well as giving special attention to preserving or enhancing the character or appearance of the conservation area (s.72).

Paragraph 190 of the NPPF requires local planning authorities to identify and assess the particular significance of any heritage asset that may be affected by the proposal (including any development affecting the setting of a heritage asset). Paragraphs 195 and 196 require local authorities to assess whether there is substantial harm, less than substantial harm or no harm to the heritage asset. Core Policy 57 requires, amongst other things, that new development must be sympathetic to and conserve historic

buildings. Core Policy 58 requires that development should protect, conserve and where possible enhance the historic environment.

The property is situated within the Colerne Conservation Area. There is no Conservation Area Appraisal currently published for this designation. However, the conservation area, by virtue of its designation, is significant in heritage terms. Nearby Grade II listed buildings comprise Elmsleigh to the south west (the other side of The Solar bungalow), the war memorial and railings within the centre of the Market Place to the south, and the Manor House to the east. Elmsleigh and the Manor House have aesthetic value and architectural significance, and the war memorial has communal value and commemorative significance.

Since the plans have been revised, the Conservation Officer does not consider the proposal would cause harm to the character or appearance of the conservation area or setting of listed buildings. The building will be sensitively converted, utilising existing openings within the walls. There would be four new conservation rooflights but they would be placed in positions that would have the least impact on heritage assets. The proposed new access would be situated immediately south of the existing, and would result in approximately 3m of wall being removed and approximately 2.8m of new wall being erected in place of the existing access. As such, there would be a minor reduction of the overall stone boundary wall. Whilst there would be a loss of part of a historic wall, the same stone can be reused in the new wall and the appearance of the new wall can be controlled by a sample panel condition. Subject to this condition, the Conservation Officer has no objection in heritage terms. The new access would be approximately 30m north of the listed war memorial. The approach to the war memorial from Quarry Lane from the north would be similar to the existing and it is not considered its setting would be harmed as a result. There would be a modest increase in the hardstanding on site as part of the proposals, but this is not considered to be harmful. 6 trees would be lost but 8 new trees are proposed in replacement, 7 of which would be located along the boundary. The Tree Officer has no objection to the proposals. Overall, there is not considered to be any harm to the significance of the heritage assets.

Should the application be approved, Permitted Development rights for further extensions, external alterations and outbuildings would be removed to enable the LPA to consider individually whether planning permission should be granted for such development, in the interests of visual amenity, residential amenity and safeguarding heritage assets.

One neighbour representation queries whether the wall may be listed in association with Elmsleigh. This property was listed in 1985 and bearing in mind the Calderdale case, the physical layout, ownership and function of "Elmsleigh" and "The Solar" were separate at the date of listing. As such, the wall associated with "The Solar" is not considered to be curtilage listed.

Design/Character and Appearance of the Area (AONB)

WCS Core Policy 57 requires new development to be of a high standard of design and requires development to create a strong sense of place through drawing on the local context and being complimentary to the locality. Amongst other matters, the policy

requires development to respond positively to the existing townscape and landscape features in terms of building layouts, built form, height, mass, scale, building line, plot size, elevational design, materials streetscape and rooflines, to integrate the building into its setting effectively.

The proposal comprises the sensitive conversion of the existing building with only minor modifications, utilising existing openings within the building. There would be a larger driveway to the front of the building and some paving immediately outside the building, but this would be screened by existing and proposed new trees. The new dwelling would result in the subdivision of the curtilage, but this is not considered to result in landscape harm. It is not considered that the proposal would be harmful in design terms, and it would be in keeping with the local character of the area.

The property is situated within the Cotswold AONB, which Policy CP51 of the Wiltshire Core Strategy applies great weight to conserving and enhancing landscapes and scenic beauty. Given this proposal is for the sensitive conversion of an existing building within the Large Village of Colerne, the proposals would not be harmful to the AONB.

Highways and Parking

The Council's Highway Engineer has considered the proposals in respect of the adequacy of car parking and the safety of the access and egress of the amended access onto the public highway. The revised scheme complies with current parking standards and it is not considered that there would be any highway safety issues as a result. Conditions will be applied to ensure the access/turning and parking area is carried out before the building is occupied, and that 1 parking space is retained in perpetuity in association with the new dwelling.

Residential amenity

One objection has been received in respect of loss of privacy from the new window in the eastern elevation (utilising an existing opening) to Innox House on the opposite side of Quarry Lane. The window would have views across the road to this property and there would be little difference from the views from the road which is part of the public realm. As such, it is not considered the proposal would result in any adverse harm to privacy. It is not considered that the neighbouring properties would suffer loss of daylight, sunlight or privacy as a result. There would be no adverse impacts.

In considering the amenity of the existing and proposed properties, the existing property would retain sufficient access and amenity space. The proposed dwelling would have a modest garden which is an acceptable size for a 1 bedroom property.

Other matters

No objections have been received from the Drainage, Ecology and Tree Officers, subject to conditions and informatives.

Conclusions

Overall, it is considered that the revised proposals for a new dwelling represents sustainable development in accordance with Core Policies 1, 2, 11, 45, 51, 57, 58, 61

and 64 of the WCS (Jan 2015; and Paragraphs 11, 38, 79, 172, 190, 195, and 196 and Sections 5, 9, 12, 15 and 16 of the NPPF, and is acceptable in planning terms.

RECOMMENDATION – That planning permission is GRANTED 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 The development hereby permitted shall be carried out in accordance with the following approved plans:

Plans as received by the LPA 16/04/2018:

Existing Plans and Section (1740 S/03, Dated: Jan 2018);

Existing Elevations (1740 S/04, Dated: Jan 2018); and

Existing Site Plan (1740 S/02, Dated: Jan 2018).

Plan as received by the LPA 09/07/2018:

Location Plan (1740 S/01 Rev: A, Dated: Jan 2018).

Plans as received by the LPA 04/09/2018:

Proposed Elevations (1740 P/07 Rev: C, Dated: 04.09.18);

Proposed Plans and Section (1740 P/06 Rev: D, Dated: 04.09.18); and

Proposed Site Plan (1740 P/05 Rev: D, Dated: 04.09.18).

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

- 3 No part of the development hereby permitted shall be occupied until the access, turning area and parking spaces have been completed in accordance with the details shown on the approved plans. The areas shall be maintained for those purposes at all times thereafter.

One off-street parking space as shown on the site plan must be retained for use in association with the new dwelling in perpetuity.

REASON: In the interests of highway safety and to ensure the revised access is no wider than as indicated on the approved plans, to safeguard the character and appearance of the area/setting of heritage assets.

- 4 No walls shall be constructed on site, until a sample wall panel, not less than 1 metre square, has been constructed 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 area

- 5 No development shall commence on site until a scheme for the discharge of surface water from the site (including surface water from the access/driveway), incorporating sustainable drainage details, has been submitted to and approved in writing by the Local Planning Authority. The new dwelling shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

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 development can be adequately drained.

- 6 All new trees shown on the approved site plan shall be planted in the first planting and seeding season following the first occupation of the converted building or the completion of the development, whichever is the sooner.

REASON: To ensure a satisfactory landscaped setting for the development and the protection of existing important landscape features.

- 7 The rooflights hereby approved shall be of the 'conservation' type with a single vertical glazing bar and mounted flush with the roof slope.

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

- 8 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), there shall be no additions/extensions or external alterations to the former stable building subject to the conversion hereby permitted.

REASON: In the interests of the amenity of the area and to enable the Local Planning Authority to consider individually whether planning permission should be granted for additions/extensions or external alterations.

- 9 Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any Order revoking or re-enacting or amending that Order with or without modification), no garages, sheds, greenhouses

and other ancillary domestic outbuildings shall be erected anywhere on the site on the approved plans.

REASON: To safeguard the character and appearance of the area.

10 INFORMATIVE TO APPLICANT:

The revised access may impact upon a street sign within the public highway. It is recommended that northernhighways@wiltshire.gov.uk is contacted prior to any works are due to commence. Any relocation required would be at the applicants own expense.

11 INFORMATIVE TO APPLICANT:

There is a low risk that bats may occur at the development site. Many species of bat depend on buildings for roosting, with each having its own preferred type of roost. Most species roost in crevices such as under ridge tiles, behind roofing felt or in cavity walls and are therefore not often seen in the roof space. Bat roosts are protected all times by the Conservation of Habitats and Species Regulations 2010 (as amended) even when bats are temporarily absent because, being creatures of habit, they usually return to the same roost site every year. Planning permission for development does not provide a defence against prosecution under this legislation or substitute for the need to obtain a bat licence if an offence is likely. If bats or evidence of bats is found during the works, the applicant is advised to stop work and follow advice from an independent ecologist or to contact the Bat Advice Service on 0845 1300 228, email enquiries@bats.org.uk or visit the Bat Conservation Trust website.

12 INFORMATIVE TO APPLICANT:

The applicant is advised that storage and mixing of materials must take place on hardstanding away from trees.

13 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.

14 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.

15 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.

16 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.

17 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/communityinfrastructurelevy.