

REPORT OUTLINE FOR AREA PLANNING COMMITTEES

Date of Meeting	27 th March 2019
Application Number	18/11700/FUL
Site Address	Land East of Fosscote, Grittleton
Proposal	Conversion of an agricultural building to form a single dwellinghouse, associated curtilage and access driveway
Applicant	Mrs M Richardson
Town/Parish Council	GRITTLETON
Electoral Division	BY BROOK – Cllr Baroness Scott of Bybrook OBE
Grid Ref	385916 179321
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 Baroness Scott of Bybrook OBE in order to consider the visual impact and environmental or highway impact. 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 the Character and Appearance of the Area (AONB)/Design
- Impact on setting of Conservation Area
- Highways and Parking
- Drainage
- Residential Amenity
- Ecology

The application has been met with objection from Grittleton Parish Council. Objections have been received from five members of the public.

3. Site Description

The application site comprises a rural building which is proposed for conversion to a dwelling pursuant to this application. The building is a small steel-framed barn with two lean-tos. The building is finished in breeze blocks and green corrugated metal sheeting, set beneath a fibre cement sheeting roof. The building and wider field is enclosed by a post and rail fence, albeit this does not delineate the proposed residential curtilage pursuant to the application.

The application site is located within the open countryside, south of the village of Grittleton, which is defined as a Small Village within the Core Strategy. The closest buildings are Foscoote Cottages to the north east which are separated by a field. The site is situated within the Cotswold AONB and outside of but near to the Grittleton Conservation Area (which starts approximately 29m to the north east from the closest point and encompasses Foscoote Cottages).

4. Planning History

- N/10/03539/FUL - Temporary Siting of a Transportable Wooden Lodge for Essential Stud Worker for a Period of Three Years – Withdrawn
- N/10/03536/FUL - Siting of two stable blocks to provide three no. stables and one feed store, construction of associated access track and manure store. – Refused
- N/88/01181/OUT - OUTLINE APPLICATION FOR DETACHED DWELLING - GARAGE AND 3 NO.LOOSE BOXES - Refused

5. The Proposal

The proposal comprises the conversion of a rural building into a two bedroom dwelling, with associated residential curtilage and parking. The northern lean-to would be used as a car port with storage behind, and the remaining building would be converted to habitable space. The proposed new dwelling would consist of an open plan kitchen/dining and living room, two bedrooms and bathrooms, a lobby and utility room.

The conversion would utilise some existing openings beneath one lean-to and introduce some new windows into the building, finished in dark coloured PVC. The building would be converted retaining the existing frame of the building and without major structural changes to the form of the building; albeit some external materials are proposed to be replaced. The cement fibre roof sheeting would be replaced with profiled metal insulated sheeting of a similar appearance as shown in Appendix KCC1 of the Supporting Statement. The existing lower half of the walls comprising breeze blocks would be retained and painted light green. The green corrugated metal sheeting to the top part of the walls is proposed to be replaced with vertical timber cladding.

The existing vehicular and pedestrian field accesses would be utilised and a driveway and turning area is proposed to be made from Cotswold stone chippings, and 5m of tarmac at the entrance from the lane. A modest residential curtilage is proposed around the building. The proposed boundary treatment is for no changes to the existing hedgerow/foliage to the north, a new mixed species hedgerow to the south and east, and a post and rail fence to the west, as shown on the Landscaping Plan.

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 10 (Community Area strategy: Chippenham Community Area)

Core Policy 48 (Supporting Rural Life)

Core Policy 50 (Biodiversity and Geodiversity)

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 60 (Sustainable Transport)

Core Policy 61 (Transport and development)

Core Policy 64 (Demand management)

Core Policy 67 (Flood Risk)

National Planning Policy Framework (NPPF) (Feb 2019)

Paragraphs 11, 38, 79, 172, 190, 195 and 196 and Sections 5, 9, 12, 15 and 16

7. Summary of consultation responses

Grittleton Parish Council

“There is no plan for the disposal of foul or surface water, it was noted that after periods of heavy rain the surface water drains from the site into the access lane and ultimately on to the Grittleton – Yatton Keynell Road at the crossroads.

At the junction of the access road onto the Yatton Keynell – Grittleton Road there is very restricted visibility. This road has a 60 mph speed limit, the junction is at the foot of downhill section when travelling north. There is a history of accidents at the crossroads and whilst there was traffic calming measures implemented in 2015 these have not been effective.

The proposed conversion is unsuitable and would therefore be detrimental to the AONB, furthermore it lies outside of the settlement boundary and on the edge of the Conservation Area. The site is visible from the Yatton Keynell Road.

The Supporting Statement submitted by the applicant – Sct 5.20 Access to Local Services is incorrect – there are no schools in Grittleton, nor is there a shop.

The nearest Bus Stop is located at the crossroads in the centre of Grittleton some 750 metres from the site. It should also be noted that there is no pavement on the access road and that the pavement to Grittleton is only accessible having crossed the Yatton Keynell road which has a 60 mph limit.”

Highway Engineer

No highway safety or parking concerns – recommends informative.

Additional comment following Parish's comments and representations in respect of highway safety at the junction:

"I have had a look at accident data in the vicinity of the site and there were only 2 recorded accidents, classed as slight and each with one casualty. These were back in 2001 and 2003. The available accident data indicates that there are no fatalities at the Junction mentioned over the search period 1998-2017. And having searched our accident database, there were no recorded fatalities in this location in the last 6 years up until May 2018. Therefore my opinion remains unchanged with regard to this application."

Drainage Engineer

Support subject to conditions of detailed surface water and foul drainage. Requested outline foul drainage plan prior to determination, which has been submitted and is considered acceptable.

Environmental Health Officer

No objection subject to condition

County Ecologist

No comment

8. Publicity

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

5 representations have been received in objection from members of the public which are summarised below:

- Harm to AONB and Conservation Area/unsuitable industrial design/not in keeping with nearby properties
- Site is not isolated and is visible from nearby properties
- Queries if the building is structurally sound
- Highway safety issues at junction including a fatality
- Road traffic issues for current occupants on the access road
- Drainage concerns
- No shop, primary or secondary school in the village
- The existing building has been in use in the past year
- Speculation as to the reason for the application (not a material planning consideration)
- Wildlife at the site

9. Planning Considerations

Principle of development

New residential development in the open countryside outside of any defined settlement boundaries is strictly controlled so as to restrict homes being built in unsustainable locations remote from local services, facilities and transport routes. CP1 "Settlement Strategy" of the Wiltshire Core Strategy sets out where sustainable development will take

place across the plan period. CP2 “Delivery Strategy” of the Wiltshire Core Strategy states that other than in circumstances permitted by other policies within the plan, development will not be permitted outside the limits of development. These policies include Policy CP48, relating to development in the countryside.

Amongst other types of development, CP48 states that proposals to convert and re-use rural buildings for employment, tourism, cultural and community uses will be supported where they satisfy a number of criteria. Only if there is clear evidence that these uses are not practical propositions, then residential development may be appropriate where it meets the same criteria. The criteria are as follows:

- 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.
- 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.
- iii. The building can be served by adequate access and infrastructure.
- iv. The site has reasonable access to local services.
- v. The conversion or re-use of a heritage asset would lead to its viable long term safeguarding.

The applicant has submitted justification in relation to this policy and it is considered sufficient reasoning has been provided that employment, tourism, cultural and community uses would not be practical in this location.

In respect of the criterion i, from a site visit it appears that the building is structurally sound. Whilst there would be some change in external materials to the roof and introduction of cladding, the structural frame of the building will be retained. The proposed building would be converted as per the existing form, without extension. It is not considered the proposed works would constitute major rebuilding and the proposed alterations would preserve the character and form of the original building.

In considering criterion ii, the property is situated within the Cotswold AONB, which Policy CP51 of the WCS and Para 172 of the NPPF applies great weight to conserving and enhancing landscapes and scenic beauty. The proposal would result in a modest area of residential curtilage which will be screened by hedgerow. A new driveway would be proposed with Cotswold stone chippings and tarmac at the entrance. The new timber cladding is proposed to weather naturally and a condition can be applied to prevent the painting or visible staining of the timber without approval from the Local Planning Authority. The replacement roof material would be similar in appearance to the existing. As this is a shallow roof and will not be widely visible from the surrounding area, samples are not considered necessary. The proposed green paint to the blockwork is not considered to be adversely harmful in appearance. The proposed building alterations are considered to improve the appearance of the existing building overall and would retain its rural character. The proposal is considered to be a relatively sensitive conversion, with modest associated curtilage that would preserve the special interests of the Cotswold AONB as a result. Permitted Development rights for extensions and outbuildings could be removed to ensure the LPA can consider any such proposals and associated landscape impact in future.

Given the distance from the closest neighbouring properties, there would be no impact on residential amenity as a result. There would be adequate amenity at the proposed dwelling.

In respect of criterion iii, the proposed dwelling would be accessed by an existing access drive from the main highway, which terminates as a dead end to the west of the application site. Parking for 2 no. cars is available at the proposed dwelling. No objection has been received from the Council's Highway Engineer. It is understood the Parish and members of the public have raised concerns in respect of highway safety at the junction with the main road, but as per the Highway Engineer's comments, no accidents have been recorded here recently. The Drainage Officer has no objection subject to detailed drainage being dealt with by condition. It is considered the property can be served by adequate access and infrastructure, subject to conditions.

Considering criterion iv, the application site is situated approximately 800m from the village core of Grittleton. Approximately 140m of this is along the access track, and the remaining distance is along the main road with a pavement (the main road would have to be crossed to reach this). There are bus stops at the village which appear to have a service Chippenham – Grittleton (no 35) five times on a weekday and there is a school service to Chippenham Sheldon School (no 74) twice in the morning and twice in the afternoon on weekdays. Grittleton is defined as a Small Village in the WCS, which are defined as having a low level of services and facilities. The village has a public house, village hall, a church and sports facilities. Considering there are low level services within walking distance and Chippenham can be reached by public transport on a relatively regular basis, it is considered that the site has reasonable access to local services available.

Criteria v is not applicable. It is therefore considered that the proposal complies with the relevant criterion in CP48 and is acceptable in respect of all relevant considerations.

Heritage assets

The Planning (Listed Buildings and Conservation Areas) Act 1990 provides powers for the designation, protection and enhancement of conservation areas. The Act requires that 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 application site is situated approximately 29m from Grittleton 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. Given the

distance from the Conservation Area and the modest nature of the proposals i.e. a conversion of an existing building, it is not considered the proposal would cause any harm to the setting of the conservation area. There is not considered to be any harm to the significance of the heritage asset.

Other matters

In the interests of safeguarding against any potential contamination at the site, the Environmental Health Officer has recommended a condition requiring an assessment of historic uses of the site/building and how development works will address any potential for land contamination that may exist.

The Council's Ecologist does not identify any ecological constraints and has no objection to the proposal.

10. Conclusion

Overall, it is considered that the proposed new dwelling represents sustainable development in accordance with Core Policies 1, 2, 10, 48, 50, 51, 57, 58, 60, 61, 64 and 67 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 (Feb 2019), 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 11/12/18:

Site Location Plan (KCC2667/01 11/18/rm, Dated: Nov 2018);

Block Plan (KCC2667/02 11/18/rm, Dated: Nov 2018);

Proposed Elevations and Floor Plan (KCC2667/03 11/18/rm, Dated: Nov 2018); and

Existing Elevations and Floor Plan (KCC2667/04 11/18/rm, Dated: Nov 2018).

Plan as received by the LPA 06/03/19:

Landscaping Plan (KCC2667/07A 03/19cb, Dated: March 2019).

And materials in accordance with details specified on the application form and Supporting Statement (Dated: December 2018).

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

- 3 No development shall commence on site until a detailed scheme for the discharge of foul water from the site has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

- 4 The development shall not be first occupied until foul water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

- 5 No development shall commence on site until a detailed scheme for the discharge of surface water from the site (including surface water from the access / driveway), incorporating sustainable drainage details together with permeability test results to BRE365, has been submitted to and approved in writing by the Local Planning Authority.

REASON: To ensure that the development can be adequately drained

- 6 The development shall not be first occupied until surface water drainage has been constructed in accordance with the approved scheme.

REASON: To ensure that the development can be adequately drained

- 7 Former agricultural use of the site/building may have given rise to potential sources of land contamination e.g. asbestos within the structure. As it is now intended to use the site for residential purposes a statement/letter must be provided which confirms the historical uses of the site/building and how development works will address any potential for land contamination which may exist. The strategy must be agreed in

writing by the Local Planning Authority and fully implemented prior to the occupation of the dwelling.

REASON: To ensure that land contamination can be dealt with adequately prior to the residential use of the site

- 8 No paint or visible stain finish shall be applied to external timber until details of the paint or stain to be applied 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 first occupied.

REASON: In the interests of visual amenity and the character and appearance of the area (AONB)

- 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), there shall be no additions to, or extensions or enlargements of any building forming part of the development 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 enlargements.

- 10 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.

INFORMATIVE TO APPLICANT:

The applicant would be advised to contact the area office for a vehicle crossover license with details of the proposed access arrangement. The proposal includes alteration to the public highway, consent hereby granted shall not be construed as authority to carry out works on the highway. The applicant is advised that a license may be required from Wiltshire's Highway Authority before any works are carried out on any footway, footpath, carriageway, verge or other land forming part of the highway. Please contact the vehicle access team on telephone 01225 713352 or email

vehicleaccess@wiltshire.gov.uk for further details.

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.

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.

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.

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.

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.